

26 77-7-17.5. Physical body cavity search policy -- Requirements.

27 (1) As used in this section:

28 (a) "Arrestee" means an individual who is in the custody of law enforcement for an
29 offense for which the individual has not been convicted.

30 (b) (i) "Body cavity" includes the anus, rectum, vagina, esophagus, or stomach.

31 (ii) "Body cavity" does not include the mouth, ear canal, or nasal passages.

32 (c) (i) "Physical body cavity search" means a search of a body cavity of an individual
33 that involves touching the individual with:

34 (A) any part of another individual's body; or

35 (B) an instrument or other item.

36 (ii) "Physical body cavity search" does not include a clothed, pat down search.

37 (2) Each county jail shall adopt and implement a policy that meets the minimum
38 standards contained in a model policy established by the ~~Utah Substance Abuse Advisory~~
39 ~~Council~~ Commission on Criminal and Juvenile Justice .

40 (3) The model policy shall specify the minimum standards and procedures to be
41 followed by the county jail when a body cavity search is performed on an arrestee within the
42 county jail's jurisdiction, including:

43 (a) stating with specificity the circumstances under which a body cavity search may be
44 performed on an arrestee;

45 (b) designating who may authorize the performance of a body cavity search;

46 (c) designating specific jail staff or medical personnel who may perform a body cavity
47 search;

48 (d) requiring any non-medically trained jail staff who may perform a body cavity
49 search to be trained on safe practices for conducting a body cavity search;

50 (e) requiring documentation of each body cavity search performed at the correctional
51 facility, including:

52 (i) the identity of the arrestee searched;

53 (ii) the date, time, and location of the search;

54 (iii) the identity of the individual performing the search;

55 (iv) the identity of the individual authorizing the search;

56 (v) a description of the body areas searched and the procedures followed in performing