

 Office of Mental Health <hr/> Official Policy Manual	Date issued 08/25/23	Supersedes 04/2007	Page 1 of 1	Section # A-3012
	Section: Administration			
	Directive: Searches for Contraband			
	Policy Owner: Director, Administrative Support Services Group			

A. Searches for Contraband

Safety Officers may conduct searches of the public, staff and visitors under certain circumstances and in accordance with applicable law. The ability to conduct searches does not include the search of a patient or a patient room. Patient related searches are to be carried out according to Facility Policy and in compliance with OMH Policy PC 711. Visitors seeking to enter an OMH facility can be asked to submit to a search, including packages. Failure to agree can bar entry to the facility.

B. Common Types of Searches

- Exigent circumstances – a search may be conducted without permission to prevent imminent danger to life or serious damage to property, to ensure public safety, or to preserve evidence that is in immediate danger of being removed or destroyed.
- Plain Sight Rule – objects falling in the “plain view” of an Officer who has a right to be in the position to have that view are subject to seizure without a warrant. An Officer must have probable cause to believe that the object in plain view is either contraband or evidence of a crime before they may search or seize the object.
- Automobiles – can only be searched with permission of the owner or occupant. Refusal to allow search can result in removal of vehicle from facility grounds. Exigent circumstances are an exception.
- Lockers – lockers that are secured with a private pad lock can be searched only with permission of person utilizing locker. Exigent circumstances are an exception.
- Desks – a search without permission of desk occupant to retrieve Facility materials required for completing daily Facility operations can be carried out.
- Filing Cabinets – can be searched with or without permission of owner.
- Arrests – searches incidental to lawful arrest will be carried out per 3000 Policy Sec. 3033 Arrests.