



SEARCH AND SEIZURE POLICY

Clients shall be free from an unwarranted invasion of privacy. Clients and/or clients' private living areas in the home (when applicable) may not be searched and no seizure of property may be made except under the following conditions:

- A. when reasonable suspicion exists that a client has an item or substance in his/her possession which may cause the individual to be imminently dangerous to self or others;
or
- B. when reasonable suspicion exists that a client has an item or substance in his/her possession which is prohibited by program policy (e.g., alcohol, illegal drugs, weapons, stolen property); and
- C. when all attempts to persuade a client to relinquish suspect item or substance to program staff have failed; and
- D. upon authorization of the program director or designee; and
- E. upon telephone notification (if circumstances make this practical) to legally responsible person.

A search shall be conducted only by staff specifically designated by the program director and shall be limited to the individual client under suspicion and/or his/her private living area/ book bag/purse, etc. The individual client has the right to be present during the search. Two staff should work together to conduct the search so that it can be verified that client's belongings were handled appropriately. These procedures shall be followed:

- A. clients shall receive explanation of reason for the search and given an opportunity to give consent voluntarily prior to the action;
- B. searches of a client shall be conducted in a private location by a staff member of the same sex as the client and in the presence of one other staff member of the same sex;
- C. "strip searches" shall not be allowed;
- D. searches of private living areas shall be limited to the space designated for the personal use of individual clients in question.



Seized property shall be kept secure until such time that it can be delivered to the program director, who has responsibility for the final disposition.

- A. items or substances prohibited by program policy shall be returned to the family as long as such return would pose no danger to the client or others;
- B. stolen items shall be returned to the rightful owner, unless criminal charges are filed by law authorities who may wish to possession of items as evidence in future judicial proceedings.

Every instance of search and/or seizure of client's person, property, or private living area constitutes an incident and shall be documented on a level I incident report form.

Documentation of searches/seizures shall contain the following:

- A. scope of search;
- B. reason for search;
- C. procedure followed in the search;
- D. description of any property seized; and
- E. an account of the disposition of seized property.

This form meets these standards

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