



## Policy and Procedure # 305

### **Searches of Customers' Person, Property or Personal Spaces**

Approval: \_\_\_\_\_ Effective Date: \_\_\_\_\_

#### **POLICY:**

Employees, during the course of their duties, have an obligation to protect customers and others from harm as well as to protect customers' rights. Searches, which may be a curtailment of individual rights, will be conducted with due process and only in a situation where a person's safety or welfare is at risk.

REFERENCE: DDD Policy 5.15

#### **PROCEDURE:**

1. When there is reasonable cause (*an observation of activity or report of an incident which would lead an employee to believe the customer is in possession of an item which could be harmful*) to conduct a search, employees will contact their supervisor. The supervisor will consult with the Department Director for approval, if needed.
2. The customer's permission will be asked for and received before a search is conducted. The area and items subject to the search, as well as possible consequences, must be explained to the customer. The customer will be present during a search of his/her personal space or possessions.
3. If the customer denies permission for the search and it is believed that he/she is in possession of something (*a weapon, dangerous medication, etc.*) which is considered to be an immediate threat to the person or others, law enforcement will be contacted. The DDD case manager will be informed immediately by phone if this action is taken during office hours, they will be informed the next weekday morning if after hours.
4. The customer maintains the right to grieve the action taken through the grievance procedure.
5. Employees may search, as needed, when the customer has a restrictive procedure approved by DDD, which defines the cause and situation for the search; and those conditions have been met. No further authorization is needed.
6. Search activity, including outcomes, will be documented and placed in the customer's file.