

2021.11.24-1099 REVISED PROCEDURE 01-02 “SEARCH OF PERSONS” AND SERVICE DEFINITIONS

Further to Routine Order [2020.03.10-0205 - NEW STANDARD OF CONDUCT 1.9.2 – RESPECT FOR GENDER DIVERSITY AND TRANS-INCLUSIVE POLICING](#), the Service remains committed to delivering effective police services which are sensitive to the needs of Toronto’s diverse communities.

Members are advised that Procedure 01-02 entitled “Search of Persons” has been amended to reflect current practice. Specifically, this Procedure has been amended to include:

- direction for the new “Search in the Field Only Template”
- the use of Handheld Metal Detectors
- the OIC is required to proactively make inquiries of booked prisoners on gender and preferred pronouns. The OIC Booking and Search Template has been updated in order to capture this information
- officers conducting searches in the field are required to accommodate persons they are searching, where applicable
- searches of persons that occur in the field are required to be captured on audio and video, and if not able to do so, record reasons in the memorandum book
- the requirement of the searching officers and the OIC to ensure that the arrested person is afforded a reasonable opportunity to speak to counsel prior to a Strip search commencing
- that members shall not conduct Strip searches in any location other than in a private area of a secure police facility. In extremely exceptional circumstances, for safety reasons, there may be an occasion when a member conducts a Strip search in a location other than a secure police facility.

The following definitions within the procedure have been revised and/or newly created and will be included in the next electronic update of Service Governance Definitions as contained on the Intranet:

Revised Definitions:

<p>Frisk Search (Formerly Level 2) (This is used generally for Search incident to Arrest)</p>	<p>means a more-thorough search that may include emptying and searching pockets as well as removal of clothing, which does not expose a person’s undergarments, or the areas of the body normally covered by undergarments. The removal of clothing such as belts, footwear, socks, shoes, sweaters, extra layers of clothing, or the shirt of a male would all be included in a Frisk search. A Frisk search may be commenced in the field and concluded at the station.</p> <p>A Frisk search conducted incident to arrest includes the area within the immediate control of the arrested person.</p>
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Booking and Search Template	means a document created to record the pertinent details of all Frisk & Strip searches and the authorization of a Body Cavity search. The template allows the Service to electronically capture the data required to properly report on all Frisk & Strip searches of persons (including self-identified transgender/transsexual persons) conducted by members. For prisoners that are booked into a police facility.
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New Definitions:

Search in the Field Only Template	means a document created to record the pertinent details of all Protective and Frisk searches that occur in the field where a person has not been brought into a police facility. The template allows the Service to electronically capture the data required to properly report on all searches of persons (including self-identified transgender/transsexual persons) conducted by members that have occurred in the field where the person was not brought in to a police facility.
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Handheld Metal Detector	means a portable, handheld security device capable of detecting metal objects authorized for use by the Service.
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The revised Procedure 01-02 is appended to today's Orders and will be included in the next electronic update of Service Governance as contained on the Intranet.

For the convenience of members all revisions have been shaded.

Mandatory E-Learning Training Module:

The Toronto Police College (TPC) has created an e-learning module titled "Search of Persons Update – Procedures and Templates". The goal of this module is to provide members with information related to revisions to Procedure 01-02 "Search of Persons", Search Definitions, and the Booking and Search Text Template.

The E-Learning Training module will be available 2021 November 26 on the TPS eCollege (CPKN). A routine order with joining instructions will follow. The training module must be completed by 2021 December 31.

Unit Commanders shall ensure that all members under their Command are made aware of and comply with the contents of this Order.

Per: Office of the Chief