

REFERENCE TITLE: prisoner searches; requirements

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HB 2068

Introduced by  
Representative Blackman

AN ACT

REPEALING SECTION 31-236, ARIZONA REVISED STATUTES; AMENDING TITLE 31, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 31-236; RELATING TO PRISONERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Repeal  
3 Section 31-236, Arizona Revised Statutes, is repealed.  
4 Sec. 2. Title 31, chapter 2, article 2, Arizona Revised Statutes,  
5 is amended by adding a new section 31-236, to read:  
6 31-236. Prisoners; designated strip search room; exception;  
7 pat search; definition  
8 A. A STRIP SEARCH MAY ONLY BE PERFORMED BY A CORRECTIONAL OFFICER  
9 WHO IS OF THE SAME GENDER AS THE PRISONER AND IN A ROOM THAT IS DESIGNATED  
10 BY THE WARDEN, DEPUTY WARDEN OR PRISON ADMINISTRATOR FOR STRIP SEARCHES.  
11 IF A REASON EXISTS FOR A STRIP SEARCH TO BE DONE IMMEDIATELY, THE SHIFT  
12 COMMANDER OR DUTY OFFICER MAY AUTHORIZE THE USE OF A PRIVATE AREA OTHER  
13 THAN THE DESIGNATED STRIP SEARCH ROOM. EXCEPT DURING AN INSPECTION OF THE  
14 HAIR ON A PRISONER'S HEAD, A CORRECTIONAL OFFICER MAY NOT TOUCH ANY PART  
15 OF THE PRISONER'S BODY DURING A STRIP SEARCH.  
16 B. A PAT SEARCH MAY ONLY BE PERFORMED BY A CORRECTIONAL OFFICER WHO  
17 IS OF THE SAME GENDER AS THE PRISONER, EXCEPT THAT IN AN EMERGENCY  
18 SITUATION, A CORRECTIONAL OFFICER OF THE OPPOSITE GENDER MAY CONDUCT A PAT  
19 SEARCH IF BOTH OF THE FOLLOWING APPLY:  
20 1. THE FOLLOWING INFORMATION IS DOCUMENTED IN THE CORRECTIONAL  
21 SERVICE LOG:  
22 (a) THE NAME OF THE CORRECTIONAL OFFICER WHO CONDUCTS THE PAT  
23 SEARCH.  
24 (b) THE NAME OF ANY CORRECTIONAL OFFICER WHO WITNESSES THE PAT  
25 SEARCH.  
26 (c) THE CORRECTIONAL OFFICER'S BADGE NUMBER.  
27 (d) THE PRISONER'S NAME AND STATE DEPARTMENT OF CORRECTIONS NUMBER.  
28 (e) THE REASON FOR THE CROSS GENDER PAT SEARCH.  
29 2. WHEN POSSIBLE, THE PAT SEARCH IS CONDUCTED IN THE PRESENCE OF AT  
30 LEAST ONE ADDITIONAL CORRECTIONAL OFFICER.  
31 C. FOR THE PURPOSES OF THIS SECTION, "PAT SEARCH" MEANS A SEARCH  
32 THAT IS CONDUCTED BY A CORRECTIONAL OFFICER WHO PATS DOWN OR FRISKS THE  
33 BODY OF A CLOTHED PRISONER.