



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

April 24, 2015

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 227, an Act relating to strip searches of persons at a jail or municipal holding facility.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



House File 227

AN ACT
RELATING TO STRIP SEARCHES OF PERSONS AT A JAIL OR MUNICIPAL
HOLDING FACILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 702.24 Visual strip search.

A "visual strip search" means having a person remove or arrange some or all of the person's clothing so as to permit a visual inspection of the genitalia, buttocks, anus, female breasts, or undergarments of that person.

Sec. 2. Section 804.30, Code 2015, is amended by striking the section and inserting in lieu thereof the following:

804.30 Strip searches and visual strip searches of persons arrested for scheduled violations or simple misdemeanors.

1. *a.* A person arrested for a simple misdemeanor who is housed in the general population of a county jail or municipal holding facility may be subject to a visual strip search. Such a person may be subject to a strip search if there is probable cause to believe that the person is concealing a weapon or contraband and written authorization of the supervisor on duty is obtained.

b. (1) A person arrested for a simple misdemeanor who is not housed in the general population of a county jail or municipal holding facility shall not be subjected to either a strip search or a visual strip search unless there is probable cause to believe that the person is concealing a weapon or contraband and written authorization of the supervisor on duty is obtained.

(2) A person arrested for a scheduled violation who is not housed in the general population of a county jail or municipal holding facility shall not be subject to either a strip search or a visual strip search unless there is probable cause to believe that the person is concealing a weapon or contraband, and a search warrant is obtained.

c. A strip search conducted pursuant to this section that involves the physical probing of a body cavity, other than the mouth, ears, or nose, shall require a search warrant and shall only be performed by a licensed physician unless voluntarily waived in writing by the arrested person.

2. Any person arrested for a scheduled violation or a simple misdemeanor may be subjected to a search probing the mouth, ears, or nose.

3. All searches conducted pursuant to this section shall be performed under sanitary conditions.

4. All searches conducted pursuant to this section, except for the probing of the mouth, ears, or nose, shall be conducted in a place where the search cannot be observed by persons not conducting the search.

5. All searches conducted pursuant to this section shall be conducted by a person of the same sex as the arrested person, except for the probing of the mouth, ears, or nose, unless the search is conducted by a physician.

6. Subsequent to a strip search pursuant to this section, a written report shall be prepared which includes the written authorization required by this section, the name of the person subjected to the search, the names of the persons conducting the search, the time, date, and place of the search, and a copy

of the search warrant, if applicable authorizing the search. A copy of the report shall be provided to the person searched.



KRAIG PAULSEN

Speaker of the House



PAM JOCHUM

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 227, Eighty-sixth General Assembly.



CARMINE BOAL

Chief Clerk of the House

Approved April 24, 2015



TERRY E. BRANSTAD

Governor