



# OHIO LEGISLATIVE SERVICE COMMISSION

Joseph Rogers

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## Fiscal Note & Local Impact Statement

**Bill:** S.B. 138 of the 132nd G.A.

**Status:** As Reported by Senate Judiciary

**Sponsor:** Sen. Eklund

**Local Impact Statement Procedure Required:** No

**Subject:** Body cavity and strip searches

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The bill's body cavity and strip search provisions have no direct fiscal effect on the state or any of its political subdivisions. With regard to a local detention facility, the bill: (1) authorizes a corrections officer to cause a body search to be conducted, and (2) establishes separate rules and restrictions procedures for conducting strip searches.

### Body cavity searches

The bill's body cavity search provision essentially allows corrections officers and employees of a corrections agency to conduct body cavity searches in local detention facilities. According to current personnel operating such facilities, body cavity searches are relatively infrequent, and are typically conducted only after a search warrant is issued. This provision is not expected to create any additional costs related to these searches. Other local body cavity search rules and procedures that may be in place are not expected to be affected by this provision.

### Strip searches

Under current law, the rules and regulations governing strip searches are largely the same as those governing body cavity searches. In accordance with U.S. Supreme Court case law, the bill removes strip searches from the regulatory framework that governs body cavity searches. The bill will allow local detention facilities to strip search everyone processed into a facility, which is not permitted under current law. This change will not create any fiscal cost, as persons are currently required to remove clothing when issued facility uniforms. Only a few more seconds would be required to complete a strip search.