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**SENATE BILL 5646**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Wagoner, Dhingra, Gildon, Lovick, Padden, and L. Wilson

AN ACT Relating to requiring full body scanners at correctional facilities; adding a new section to chapter 72.09 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that the department of corrections is responsible for enhancing public safety through the operation of safe and secure facilities, ensuring the health and safety of incarcerated individuals, and maintaining environments that reinforce safe and humane correctional practices. Safer operations are generated through continuous performance of sound correctional policies, practices, and procedures. Contraband is a risk to correctional officer and inmate safety. In order to preserve, protect, and maintain public safety and the security of correctional facilities, the department of corrections should attempt to eliminate the introduction of contraband through the installation of state-of-the-art full body scanning devices similar to the pilot program at the Washington corrections center for women.

NEW SECTION. **Sec.**  A new section is added to chapter 72.09 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall purchase and install a state-of-the-art full body scanner at each correctional facility by July 1, 2024. The scanner must be capable of detecting the presence of contraband contained under clothing and within body cavities.

(2)(a) The department shall provide appropriate custody and nursing staff levels for any body scanners installed at a state correctional facility. Each department staff shall complete appropriate radiation safety and body scanner operation training prior to operating the scanner or reviewing a body scan image for the presence of contraband.

(b) Staffing must be adequate to provide for subsequent searches and dry cell watches if a body scan indicates the presence of contraband. If a body scan indicates the presence of contraband, the individual may be placed on a dry cell watch for the purpose of safe recovery of internally concealed contraband. A medical staff employee must conduct a medical assessment of the individual at least once every eight hours during the time period that the individual is placed on dry cell watch.

(3) The department shall seek to minimize inmate exposure to harmful radiation and use recognized best practices when conducting full body scans in a state correctional facility.

(4) By November 1, 2022, and each year thereafter, in compliance with RCW 43.01.036, the department shall issue a report to the governor and legislature on the effectiveness of the body scanners in detecting contraband in state correctional facilities. The report shall include data on the effectiveness of the body scanners in detecting contraband, the number of false positives that occurred in the past year, the number and length of time individuals have been placed on dry cell watch, and officer and inmate assaults that occurred before and after the implementation of each body scanner.

(5) For the purposes of this section, "dry cell watch" means the placement of an inmate in a secure room or cell for the safe recovery of internally concealed contraband to ensure the facility's security and the inmate's health and safety.

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