
SUBSTITUTE SENATE BILL 6187

State of Washington

68th Legislature

2024 Regular Session

By Senate Human Services (originally sponsored by Senators Saldaña, Hasegawa, Torres, Trudeau, Valdez, and C. Wilson)

READ FIRST TIME 01/26/24.

1 AN ACT Relating to the body scanner pilot program at the
2 department of corrections; and amending RCW 72.09.775.

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

4 **Sec. 1.** RCW 72.09.775 and 2022 c 160 s 3 are each amended to
5 read as follows:

6 (1)(a) The department shall establish a comprehensive body
7 scanner program at the Washington corrections center for women and at
8 a state correctional facility serving male incarcerated individuals
9 as part of ~~((an expanded pilot))~~ a program to protect human dignity
10 by reducing or eliminating strip searches and create drug-free state
11 correctional facilities. The scanner for incarcerated individuals
12 must be capable of detecting the presence of contraband contained
13 under clothing and within body cavities, and must meet applicable
14 federal and state radiation and safety standards.

15 (b) The department shall develop gender responsive and trauma-
16 informed policies and procedures necessary to establish a
17 comprehensive body scanner program that shall be utilized to conduct
18 security screenings for employees, contractors, visitors, volunteers,
19 incarcerated individuals, and other persons entering the secure
20 perimeter of the correctional facility participating in the ~~((pilot))~~
21 program under this section. Alternative search methods shall be used

1 for persons who are minors, individuals who are health compromised,
2 individuals with disabilities, individuals who may be pregnant, and
3 individuals who may meet the maximum allowable monthly or annual
4 radiation dosage limit specified by the department of health.

5 (2) The department shall provide appropriate custody and nursing
6 staff levels for body scanners installed at a state correctional
7 facility under this section. Staffing must be adequate to provide for
8 subsequent searches and dry cell watches if a body scan indicates the
9 presence of contraband.

10 (a) An incarcerated individual with a body scan indicating the
11 presence of substance-related contraband shall undergo, if
12 appropriate, a comprehensive assessment for substance use disorder
13 and receive relevant substance use disorder treatment services,
14 including medication-assisted treatment. The department shall
15 prioritize substance use disorder treatment services for incarcerated
16 individuals with cognitive, behavioral, and physiological symptoms
17 indicating the incarcerated individual is experiencing a substance
18 use disorder. The department shall distinguish between incarcerated
19 individuals who have symptoms indicating a substance use disorder and
20 incarcerated individuals who transport substances for other
21 individuals and do not have symptoms indicating a substance use
22 disorder.

23 (b) A department employee, contractor, visitor, or volunteer with
24 a body scan indicating the presence of contraband shall be
25 disciplined in accordance with department policies.

26 (3) The department shall provide appropriate radiation safety and
27 body scanner operation training to all staff who will administer the
28 body scan. Only staff who have completed all related trainings may be
29 permitted to operate the body scanner and review body scans. The
30 department shall develop policies, in consultation and collaboration
31 with the department of health, on scanner use and screening
32 procedures, including frequency and radiation exposure limits, to
33 minimize harmful radiation exposure while safely and effectively
34 utilizing the full body scanners to create drug-free correctional
35 facilities. The department shall develop a method to track and
36 maintain records on the frequency of body scans conducted on any
37 individual subject to the comprehensive body scanner program to
38 comply with any maximum allowable monthly and annual radiation dosage
39 limits that may be set by the department of health.

1 (4) The secretary shall adopt any rules and policies necessary to
2 implement the requirements of this section.

3 (5) By December 1st each year, and in compliance with RCW
4 43.01.036, the department shall submit a report to the governor and
5 the legislature on:

6 (a) The number and types of individuals, including visitors,
7 employees, contractors, and volunteers, with positive body scans in
8 the prior year and the disciplinary action taken;

9 (b) The types of contraband detected by the body scanner;

10 (c) The number of confiscated substances in the prior five years;

11 (d) The number of incarcerated individuals with positive body
12 scans for substance-related contraband in the prior year who were
13 assessed for substance use disorder and received substance use
14 disorder treatment services while incarcerated; and

15 (e) The number and length of time incarcerated individuals with
16 positive body scans were placed on dry cell watch in the prior year.

17 (6) For the purposes of this section:

18 (a) "Contraband" has the meaning as in RCW 9A.76.010;

19 (b) "Dry cell watch" means the placement of an incarcerated
20 person in a secure room or cell for the safe recovery of internally
21 concealed contraband; and

22 (c) "Substance use disorder treatment services" means services
23 licensed by the department of health or provided as part of a
24 substance use disorder treatment program that has been approved by
25 the department of health.

26 (~~(7) This section expires June 30, 2024.~~)

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