
SENATE BILL 6187

State of Washington **68th Legislature** **2024 Regular Session**

By Senators Saldaña, Hasegawa, Torres, Trudeau, Valdez, and C. Wilson

Read first time 01/11/24. Referred to Committee on Human Services.

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 create drug-free state
10 correctional facilities. The scanner must be capable of detecting the
11 presence of contraband contained under clothing and within body
12 cavities, and must meet applicable federal and state radiation and
13 safety standards.

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

1 disabilities, individuals who may be pregnant, and individuals who
2 may meet the maximum allowable monthly or annual radiation dosage
3 limit specified by the department of health.

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

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

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

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

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

1 (5) By December 1st each year, and in compliance with RCW
2 43.01.036, the department shall submit a report to the governor and
3 the legislature on:

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

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

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

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

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

15 (6) For the purposes of this section:

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

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

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

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

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