
SECOND SUBSTITUTE SENATE BILL 6187

State of Washington

68th Legislature

2024 Regular Session

By Senate Ways & Means (originally sponsored by Senators Saldaña, Hasegawa, Torres, Trudeau, Valdez, and C. Wilson)

READ FIRST TIME 02/05/24.

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~~) are likely to meet the maximum allowable
4 monthly or annual radiation dosage limit specified by the department
5 of health.

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

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

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

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

1 allowable monthly and annual radiation dosage limits that may be set
2 by the department of health.

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

5 (5) By December 1st each year, and in compliance with RCW
6 43.01.036, the department shall submit a report to the governor and
7 the legislature on:

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

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

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

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

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

19 (6) For the purposes of this section:

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

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

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

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

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