
SENATE BILL 5646

State of Washington

67th Legislature

2022 Regular Session

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

Prefiled 01/04/22. Read first time 01/10/22. Referred to Committee on Human Services, Reentry & Rehabilitation.

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

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the department
6 of corrections is responsible for enhancing public safety through the
7 operation of safe and secure facilities, ensuring the health and
8 safety of incarcerated individuals, and maintaining environments that
9 reinforce safe and humane correctional practices. Safer operations
10 are generated through continuous performance of sound correctional
11 policies, practices, and procedures. Contraband is a risk to
12 correctional officer and inmate safety. In order to preserve,
13 protect, and maintain public safety and the security of correctional
14 facilities, the department of corrections should attempt to eliminate
15 the introduction of contraband through the installation of state-of-
16 the-art full body scanning devices similar to the pilot program at
17 the Washington corrections center for women.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09
19 RCW to read as follows:

1 (1) Subject to the availability of amounts appropriated for this
2 specific purpose, the department shall purchase and install a state-
3 of-the-art full body scanner at each correctional facility by July 1,
4 2024. The scanner must be capable of detecting the presence of
5 contraband contained under clothing and within body cavities.

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

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

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

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

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

--- END ---