

---

**SENATE BILL 5695**

---

**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Dhingra, Wagoner, Brown, Gildon, Kuderer, Lovick, Mullet, Wellman, and C. Wilson

Prefiled 01/06/22. Read first time 01/10/22. Referred to Committee on Human Services, Reentry & Rehabilitation.

1 AN ACT Relating to the body scanner pilot program at the  
2 department of corrections; adding a new section to chapter 72.09 RCW;  
3 creating new sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
6 drug free prisons act.

7 NEW SECTION. **Sec. 2.** The legislature recognizes that the  
8 department of corrections is responsible for enhancing public safety  
9 through the operation of safe and secure facilities. The legislature  
10 recognizes that safe and secure facilities improve safety and well-  
11 being for those experiencing incarceration, departmental employees,  
12 visitors, and volunteers. The legislature recognizes that one of the  
13 greatest risks to operating safe and secure facilities is the  
14 introduction and movement of contraband, including but not limited to  
15 alcohol and drugs. The legislature recognizes that undiagnosed,  
16 untreated, or unaddressed substance use disorder can lead to  
17 increased rates of recidivism. Therefore, the legislature intends to  
18 increase public safety by reducing access to drugs and alcohol in  
19 correctional facilities and to increase substance use disorder  
20 diagnosis, treatment, and services.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 72.09  
2    RCW to read as follows:

3        (1) The department shall establish a comprehensive body scanner  
4    program at the Washington corrections center for women and at a state  
5    correctional facility serving male inmates as part of a pilot program  
6    to create drug-free state correctional facilities. The scanner must  
7    be capable of detecting the presence of contraband contained under  
8    clothing and within body cavities. Each person entering the secure  
9    perimeter of a state correctional facility participating in the pilot  
10   program under this section shall be subject to security screening  
11   with the comprehensive body scanner program.

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

17        (a) An inmate with a body scan indicating the presence of  
18   substance-related contraband shall undergo, if appropriate, a  
19   comprehensive assessment for substance use disorder and receive  
20   relevant substance use disorder treatment services, including  
21   medication-assisted treatment.

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 on scanner use and screening  
30   procedures to minimize harmful radiation exposure while safely and  
31   effectively utilizing the full body scanners to create drug-free  
32   correctional facilities.

33        (4) By December 1st each year, and in compliance with RCW  
34   43.01.036, the department shall submit a report to the governor and  
35   the legislature on:

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

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

1           (c) The number of confiscated substances in the prior five years;  
2 and  
3           (d) The number of inmates with positive body scans for substance-  
4 related contraband in the prior year who were assessed for substance  
5 use disorder and received substance use disorder treatment services  
6 while incarcerated.  
7           (5) For the purposes of this section:  
8           (a) "Contraband" has the meaning as in RCW 9A.76.010;  
9           (b) "Dry cell watch" means the placement of an incarcerated  
10 person in a secure room or cell for the safe recovery of internally  
11 concealed contraband; and  
12           (c) "Substance use disorder treatment services" means services  
13 licensed by the department of health or provided as part of a  
14 substance use disorder treatment program that has been approved by  
15 the department of health.  
16           (6) This section expires June 30, 2024.

--- END ---