



Body Scanner Pilot Program: Drug Free Prisons Act

2022 Report to the Legislature

As required by Second Substitute Senate Bill 5695 (2022)

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This Department of Corrections report to the Legislature was directed by SSSB 5695 (2022) and contains information on the pilot of body scanners for total confinement corrections facilities.

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Body Scanner Pilot

2022 Report to the Legislature

Foreword

“The department shall establish a comprehensive body scanner program at the Washington corrections center for women and at a state correctional facility serving male incarcerated individuals as part of an expanded pilot program to create drug-free state correctional facilities. The scanner must be capable of detecting the presence of contraband contained under clothing and within body cavities and must meet applicable federal and state radiation and safety standards.”

Second Substitute Senate Bill 5695, Section 3 (1)(a), [2022]

Executive Summary

Background

The Department of Corrections (DOC) is a public safety organization charged with the custody and care of individuals sentenced to confinement in a state correctional facility. The DOC is responsible for enhancing public safety through the operation of safe and secure facilities, ensuring the health and safety of incarcerated individuals, and maintaining environments that reinforce safe and humane correctional practices. Safer operations are generated through continuous performance and enhancement of sound correctional policies, practices, and procedures.

One of the greatest risks to operating safe and secure facilities is the introduction and movement of contraband. Dangerous contraband, whether it be weapons designed to cause bodily harm, tools used to aid escape attempts, or illegal drugs that disrupt normal operations and cause significant health and safety concerns, is an operational safety and security challenge requiring constant attention. Contraband management is a core correctional practice and is considered a basic security routine in any correctional system. One of the most important contraband management practices is the searches of individuals which serves to both detect contraband and deter the introduction and movement of contraband.

Report Overview

The DOC first began using a body scanner to search incarcerated individuals at the Washington Corrections Center for Women (WCCW) on March 27, 2019, in compliance with ESSB 6032, Section 220(2)(i) [2018].

SSSB 5695 (2022) expands the pilot program to include conducting body scans of employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeter of the facility and conducting body scans at a male facility.

In this report, DOC is required, by December 1st of each year, to submit a report to the Governor and the Legislature on:

1. The number and types of individuals, including visitors, employees, contractors, and volunteers, with positive body scans in the prior year and the disciplinary action taken,
2. The types of contraband detected by the body scanner,
3. The number of confiscated substances in the prior five years,
4. The number of incarcerated individuals with positive body scans for substance-related contraband in the prior year who were assessed for substance use disorder and received substance use disorder treatment services while incarcerated, and
5. The number and length of time incarcerated individuals with positive body scans were placed on dry cell watch in the prior year.

Body Scanners

Body scanning technology that is commercially available and currently in use by other entities includes *Millimeter Wave* and *Transmission X-ray*. In a series of ongoing discussions with the Washington State Department of Health (DOH), DOC and DOH agreed Transmission X-ray technology was an acceptable option for scanning incarcerated individuals and Millimeter Wave was the preferred option to scan employees, contractors, visitors, etc., at public access points.

Current Status of Body Scanners

Following the receipt of funding in July 2022, and given the approval of the DOH, DOC began the purchasing process to obtain the three (3) additional scanners funded by the Legislature. Following state procurement laws, the DOC received approval to purchase using a sole source justification and issued purchase orders in September 2022.

To conduct scans of incarcerated individuals at the Washington Corrections Center (WCC) (the pilot male facility), DOC purchased a Transmission X-ray machine which is not scheduled to be received and installed until Spring 2023.

To conduct scans at public access points (employees, contractors, visitors, etc.) at both WCCW and WCC, DOC purchased two (2) Millimeter Wave machines which are scheduled for installation beginning in January 2023.

Further, DOC notified our labor partners of the intent to subject employees to body scans, to which labor filed a demand to bargain notice. Bargaining is currently pending without a scheduled Office of Financial Management/State Human Resources hearing date.

Required Report Information

*Note: to date, the DOC has only performed scans on incarcerated individuals at WCCW.

1. *The number and types of individuals, including visitors, employees, contractors, and volunteers, with positive body scans in the prior year and the disciplinary action taken.*

Between January 2022 and October 2022, the DOC had performed **787** body scans on incarcerated individuals at WCCW. Of those scanned, there was a total of **34** positive scans with **33** resulting in the discovery of contraband.

The positive body scans that resulted in contraband being discovered/retrieved resulted in the following disciplinary action:

- Six (6) serious infractions (WAC violations) for contraband introduction.
- Nine (9) serious infractions for positive urinalysis.
- Three (3) contaminated tests resulting in no disciplinary action.

2. *The types of contraband detected by the body scanner.*

Between January 2022 and October 2022, the body scanner detected the following top five (5) items:

- Suboxone strips/pills
- Methamphetamine
- Prescription pills
- Jewelry
- Hair ties

3. *The number of confiscated substances in the prior five years.*

Since March 2019, the body scanner has resulted in the confiscation of:

- Over 880 items
- Over 35 grams of drugs (not including individual suboxone strips/pills)
- Over \$90 in cash

4. *The number of incarcerated individuals with positive body scans for substance-related contraband in the prior year who were assessed for substance use disorder and received substance use disorder treatment services while incarcerated.*

Between January 2022 and October 2022, the body scanner resulted in positive scans for substance-related contraband (drugs) for eight (8) incarcerated individuals. Of those, seven (7) had been assessed for substance use disorder while incarcerated and two (2) had received substance use disorder treatment during their incarceration.

5. *The number and length of time incarcerated individuals with positive body scans were placed on dry cell watch in the prior year.*

Of those individuals scanned between January 2022 and October 2022, 26 were placed on dry cell watch. Of the 26 dry cell watches, the average length of time spent on dry watch status was 4 days, with less than 24 hours as the shortest duration and 7 days as the longest duration.