



Body Scanner Pilot Program: Drug Free Prisons Act

2023 Report to the Legislature

As required by Second Substitute Senate Bill 5695 (2022)

December 2023

Publication Number 400-SR001

Cheryl Strange, Secretary
cheryl.strange@doc.wa.gov

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.

Contents

Foreword.....	2
Executive Summary.....	3
Background	3
Report Overview	3
Current Status of Body Scanners	4
Required Report Information	4

Body Scanner Pilot

2023 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 including death, 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 search 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) in March 2019 in compliance with ESSB 6032, Section 220(2)(i) [2018].

SSSB 5695 (2022) expanded 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 at WCCW and at a male correctional facility.

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. Millimeter Wave was the approved 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 with DOH approval, 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 in September 2022 that was not received until April 2023. After Capital Planning and Development and facility maintenance determined a separate portable building would be required to install and operate the machine, it became operational in August 2023.

To conduct scans at public access points (employees, contractors, visitors, etc.) at both WCCW and WCC, DOC purchased two (2) Millimeter Wave machines in 2022, which were installed in the Spring of 2023.

DOC notified our labor partners of the intent to subject employees to body scans, to which our labor partners filed a demand to bargain notice. Once impact bargaining was completed, public access scanners began operating at WCCW in April 2023 and at WCC in August 2023.

Required Report Information

- 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.***

Public Access Body Scans

Between November 2022 and October 2023, the DOC performed **7,166** body scans at public access points (employees, contractors, visitors, etc.) at both WCCW and WCC. Of those scanned, there was a total of **17** positive scans with **0 (zero)** resulting in the discovery of serious contraband. The public access contraband identified by the body scanner is classified as 'nuisance' contraband and included keys, pens, notebooks, nail polish, etc.

Because the positive body scans resulted in the discovery of nuisance contraband only, no further action was taken.

Incarcerated Individual Body Scans

Between November 2022 and October 2023, the DOC performed **5,979** body scans on incarcerated individuals at WCCW and WCC. Of those scanned, there was a total of **28** positive scans with **25** resulting in the discovery of contraband.

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

- Twelve (12) serious infractions (WAC violations) for contraband introduction.
- Eleven (11) serious infractions for positive urinalysis.

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

Between November 2022 and October 2023, the body scanner detected the following top five (5) items:

- Suboxone strips/pills
- Methamphetamine
- Prescription pills
- Fentanyl soaked marijuana
- THC gummies

All serious contraband detected by the body scanner was narcotics related. Additional items discovered are considered nuisance contraband (jewelry, hair ties, etc.).

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

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

- Nearly 1,000 unique items (both serious and nuisance contraband)
- Over 43 grams of drugs (not including individual suboxone strips/pills)
- Over \$100 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 November 2022 and October 2023, the body scanner resulted in positive scans for substance-related contraband (drugs) for twenty (20) incarcerated individuals. Of those, nineteen (19) had been assessed for substance use disorder while incarcerated and three (3)* had participated in substance use disorder treatment during their incarceration.

**Note: Substance use disorder treatment is typically done towards the end of an individual's sentence. Several of these individuals may not be in the appropriate time frame to participate in treatment.*

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 November 2022 and October 2023, 28 were placed on dry cell watch. Of the 28 dry cell watches, the average length of time spent on dry watch status was 4 days, with 2 days as the shortest duration and 14 days as the longest duration.