



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure:	MSP 3.1.17C BODY SCANNERS	
Effective Date:	May 31, 2021	Page 1 of 6 and no Attachments
Revision Date(s):		
Reference(s):	DOC Policy 3.1.25 Body Scanners	
Signature:	/s/ Jim Salmonsens / Warden	

I. PURPOSE

To provide a safer and more secure environment at Montana State Prison (MSP) by detecting contraband in the possession of those in custody and by preventing the introduction of contraband into the secure facility.

II. DEFINITIONS

American National Standards Institute/Health Physics Society (ANSI/HPS) – An accredited standards developer that provides guidelines to manufacturers and system users on nonmedical radiation.

Body Scan – A whole-body security screening device which utilizes low dose x-ray scanning in order to detect contraband, weapons and similar items, hidden on and inside a person’s body.

Clothed Body Search – The manual body search of an individual that requires the removal of outer clothing, e.g., coats, hats, gloves; emptying of pockets; and inspection of papers, bags, books or other carried items (also referred to as a pat search)

Contraband – Any item possessed by an offender or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

For the purpose of this operational procedure dangerous contraband consists of, but is not limited to:

1. Narcotics and/or controlled substances
2. Weapons, firearms, or any instrument which if used could produce serious bodily injury.
3. Materials, instruments, and tools that could be used to affect an escape.
4. Any item listed in MSP disciplinary rule infraction #4102.

For the purpose of this operational procedure Non-Dangerous Contraband consists of, but is not limited to, items not considered dangerous.

Cross-Gender – Supervision circumstance involving a supervisor (or correctional officer) and an inmate who are not the same gender.

Disability – See DOC 1.3.15, Americans with Disabilities Act (ADA) Offender Accommodations, for the definition and explanation of disability.

Dry Cell Procedures – Procedures for placing and observing an offender in a room or cell without

plumbing fixtures or running water to intercept contraband inserted inside a body cavity in order to prevent transfer of contraband into the facility.

Exigent Circumstances – Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to security or institutional order.

Inspection Zone – A well-defined (demonstrated by tape, paint, rope barrier, etc.) area around the full-body scanner where no unauthorized individuals are granted access during the operation of the device. The purpose of the demarcation of the inspection zone is to control unnecessary exposure to radiation.

Intersex – A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Logbook – The official record of daily activities in an assigned area.

Operator – Any staff member associated with the operation of the full-body scanner whose responsibilities include at least one of the following; initiating or stopping the scan, verifying the system is operating correctly, providing information and instructions to the screened individuals, and controlling access to the inspection zone. This does not include other employees, such as individuals who may be remotely viewing the image results but are not directly responsible for other functions.

Reasonable Suspicion – A conclusion drawn from specific, objective facts which would permit a reasonable and experienced correctional staff person to suspect that an individual or set of circumstances poses a threat to security, or to the health, safety, and security of offenders, staff, visitors, contractors, or community members, including, but not limited to, committing, or conspiring or attempting to commit a crime or rule infraction.

Reasonable Suspicion Search – The search of person, property, or area where there is a reasonable suspicion warranting the search.

Transgender – A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

Unclothed Body Search – A visual inspection of an individual's unclothed body and thorough search of the unworn clothing to detect concealed contraband (also referred to as a strip search).

III. Procedures

A. General Requirements

1. Staff will be trained to use the full-body scanner before they can operate and conduct full-body scans.
2. The Warden may approve the use of the body scanner for any purpose not explicitly outlined in this procedure. This approval must be in writing.

3. The full-body scanner will only be used for legitimate interest pertaining to the safety and security of the institution and will not be used as a form of harassment, embarrassment, or punishment.
4. Full-body scans may be utilized in addition to, or instead of, a clothed or unclothed body search.
5. A logbook will be kept at each full-body-scanner and filled out in accordance with MSP 3.1.3 MSP Logs and Record Keeping Systems.
6. Cross-gender body scans are prohibited, except in exigent circumstances. Staff will ensure documentation of any exigent circumstances by making a notation in the logbook and completing an incident report. The Warden or designee must approve any cross-gender body scans in writing.
7. Cross-gender viewing of saved images is prohibited except during exigent circumstances for investigative purposes i.e., confirmation of contraband, etc. Cross-gender viewing of saved images will be documented.
8. Any inmate, visitor, contractor, or volunteer, where full-body scanner technology is available may be scanned if physically able to stand on the scanner. Those persons unable to be scanned due to physical limitations will be searched by other means to ensure contraband does not enter the facility.
 - a. an inmate may be scanned at any time with the approval of a supervisor.
 - b. contractors, volunteers may be scanned anytime if there is a reasonable suspicion contraband is being introduced into the facility.
9. If a technical error occurs during the scanning process, inmates, visitors, contractors or volunteers may be required to be rescanned until a proper image is captured.
10. The Department will ensure body scanner radiation exposure and limitations comply with the American National Standards Institute/Health Physics Society standards.
11. Inmates who are unable to physically stand independently will not be scanned in accordance with *DOC 3.3.15 Americans with Disabilities Act Offender Accommodations*.

B. Responsibilities

1. The AW of Security will ensure the location/relocation of full-body scanners are in compliance with radiation safety criteria and manufacture's recommendations and specifications, and is in compliance with Federal, State, and Local Regulations.
2. The AW of Security and at least one alternate are assigned "Administrator" level Privileges. Administrators can perform all functions of the body scanner.
3. The AW of Security will ensure when the body scanner(s) is not in use, it is secured and inaccessible to inmates and unauthorized persons.
4. The AW of Operations will ensure;
 - a. only qualified personnel will perform maintenance on the full-body scanners and any maintenance will be in accordance with manufactures specified instructions.

- b. maintenance records will be properly and accurately maintained on site for the life of the system.

C. Training

1. Operators, administration, investigators, and any staff member with access to view or operate must have successfully completed training on the operation and use of the full-body scanner in accordance with manufacture recommendations and pass the test with a score of 80% or higher. The training will be the responsibility of the AW of Security. Staff will be required to maintain a current certification which includes mandatory annual training. All records of training will be maintained by the Department's Training Records Management Specialist. This training at minimum will include;
 - a. pre-operational checks, operation of the system;
 - b. subject positioning;
 - c. interpretation of images;
 - d. procedures to be followed if the system is damaged or malfunctions;
 - e. practical operational experience;
 - f. confidentiality
 - g. operator awareness of control of inspection zone.
2. Each individual associated with the operation of any full-body scanner will be provided radiation safety training prior to performing screenings.
3. Other individuals who work near the full-body scanner but are not directly associated with its operation, will be provided with basic radiation awareness training. This will be a simplified version of radiation safety training and include information pertinent to the system they will be working around.

D. Scanning Procedures for Inmates

1. Staff will ensure the necessary identifying information for inmates scanned is entered into the scanner console.
2. Each inmate will be instructed on the proper manner in which to enter the body scanner for scanning. No property shall be allowed in the scanner at the time of the scanning.
3. The operator will ensure that any bystander is outside of the inspection zone.
 - a. at no time will anyone other than the operator be allowed to view the monitor that displays the scanned images except in the event contraband is discovered and only in accordance with this procedure.
 - b. inmates will be allowed to view the image being used as evidence in a disciplinary hearing.
4. Scans will be conducted in a professional and courteous manner. At no time will derogatory comments, or jokes be made concerning any scan. Staff will not make any suggestive statements regarding medical conditions/issues or regarding physical stature.
5. The image shall only be viewed by authorized staff with a need to know and the results shall only be discussed with authorized personnel for official purposes only.

7. In the event contraband is detected during the scanning process (an object is clearly identifiable as a weapon, drugs or other contraband) the following will be completed;
 - a. Command Post will be immediately notified
 - b. if a weapon or weapons have been detected, the weapon(s) shall be removed immediately from the inmate's possession. In cases of weapons being ingested or inserted into a body cavity, Command Post will consult medical staff.
 - c. if medical staff determine the contraband does not pose a life-threatening situation, the inmate will be escorted to a secure location free of sight of other inmates and asked to again remove the contraband if possible. If the inmate refuses to remove the contraband, the inmate may be placed in a dry cell.
 - d. a detailed incident will be completed.
 - c. Command Post will download the scanned image for further review and consideration in the disciplinary process.
 - 1). all items that are not illegal but are considered contraband will handled in accordance with *MSP 3.1.17b Contraband Control*.
8. In the event an inmate refuses a scan, Command Post will be immediately notified.
 - a. an unclothed body search will be conducted in the event of a refusal.
 - b. if the inmate refuses an unclothed body search, the inmate will placed in an isolation with one on one observation for 24 hours. Any time beyond 24 hours will have approval by the AW of Security.
9. When an inmate need to be scanned and has a prosthetic, scan the inmate with the prosthetic on. If the image doesn't clearly show the prosthetic, ask the inmate to remove the prosthetic and scan the prosthetic separately.

E. Scanning Procedures for Visitors

1. Weapons, alcohol, and/or narcotics are prohibited on MSP property. Violators are subject to criminal charges.
2. Visitors may be denied entry for refusing a full-body scan at the discretion of the AW of Security or designee.
4. All visitors are required to submit to a full-body scan. With the exception of:
 - a. those persons unable to stand independently on the scanner. Reasonable accommodations for visitors with disabilities will be made.
5. In the event contraband is detected during the scanning process (an object is clearly identifiable as a weapon, drugs or other contraband) the contraband will be confiscated and the visit will be terminated. Command Post will be notified. A detailed incident report will be submitted.
 - a. if the scan detects contraband in a body cavity, Command Post will be immediately notified for further direction. The Shift Commander will ensure a DOC Investigator is contacted and the Shift Commander will make the determination as to whether local law enforcement is contacted. A detailed incident report documenting the incident will be completed.

- b. under applicable state law, staff who are not sworn law enforcement officers do not have the authority to detain an individual against his or her will. The individual must be permitted to leave if he or she chooses.
- c. visiting terminations, suspensions, or revocations will be handled in accordance with *MSP 3.3.8 Inmate Visiting*.

F. Scanning Procedures for Contractors, Vendors and Volunteers

1. Contractors, vendor and volunteer searches will be conducted in accordance with *MSP 3.1.5 Entrance Procedures and Detainment of Non-offenders*. In the event there is reasonable suspicion a, contractor, vendor, or volunteer is bringing contraband into the facility a full-body scan may be required.

G. Image Storage

1. Images are retained within the body scanner system will not be deleted. Once the system reaches the maximum number of stored images, the oldest image will automatically be deleted.
2. Images will not be stored in any other manner without written approval from the Warden or designee with the exception of DOC, PREA, or Administrative Investigators who may copy images for evidentiary purposes.
3. Only administrators, and investigators will have the ability to view archived images.

IV. CLOSING

Questions concerning this procedure should be directed to the Warden

V. ATTACHMENTS

None