



**DEPARTMENT OF CORRECTIONS  
MONTANA WOMEN'S PRISON  
OPERATIONAL PROCEDURE**

<b>Procedure:</b>	<b>MWP 3.1.35 Body Scanner</b>	
<b>Effective Date:</b>	<b>September 29, 2021</b>	<b>Page 1 of 6</b>
<b>Revision Date(s):</b>		
<b>Reference(s):</b>	<b>DOC 3.3.35 Body Scanners</b>	
<b>Signature:</b>	<b>/s/ Jennie Hansen</b>	<b>/ Warden</b>

**I. PURPOSE**

To provide Montana Women's Prison (MWP) with the capability to utilize electronic body scanners to provide a safer and more secure environment by detecting contraband in the possession of those in custody and by preventing the introduction of contraband into MWP.

**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 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 inmate 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.

**Cross-Gender** – Supervision circumstance involving a staff member and an inmate who are not the same gender.

**Disability** – A physical or mental impairment that substantially limits one or more of a person's major life activities, a person who has a history of such an impairment, or a person who is perceived by others as having such an impairment.

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

**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.

**Service Providers** – This term includes contracted persons or other vendors providing service whose assignment is primarily on department premises, e.g. facility or program office.

**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 inmates, staff, visitors, contractors, or community members, including, but not limited to, committing, or conspiring or attempting to commit a crime or rule infraction.

### 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 MWP 3.1.3 Logbooks.
6. Cross-gender body scans of inmates are prohibited, except in exigent circumstances. When the full-body scanner used in exigent circumstances, staff will document the reason for the cross-gender body scan.
7. MWP will first ensure that only a same gender staff member views any saved images when possible. Cross-gender viewing of saved images of inmates is prohibited except during exigent circumstances for investigative purposes, 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.
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. MWP will ensure body scanner radiation exposure and limitations comply with the American National Standards Institute/Health Physics Society standards.

#### **B. Responsibilities**

1. The Associate Warden (AW) of Security will ensure the location/relocation of the full body scanner is 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 is assigned "Administrator" level privileges. Administrators can perform all functions of the body scanner.
3. The AW of Security will ensure when the body scanner is not in use, it is secured and inaccessible to inmates and unauthorized persons.
4. The AW of Security 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. 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 of Inmates**

1. Staff will ensure the necessary identifying information for inmates scanned is entered into the scanner console.
2. Any inmate with physical limitations that do not enable the inmate to stand independently without an assistive device or is otherwise unable to independently transfer into the body scanner will not be scanned in accordance with DOC 3.3.15 Americans with Disabilities Act Offender Accommodations. Those inmates unable to be scanned due to physical limitations will be searched by other means to ensure contraband does not enter the facility.
3. 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.
4. 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.
5. Inmates will be allowed to view the image being used as evidence in a disciplinary hearing.
6. 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.
7. 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.

8. 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. The Lieutenant or designee 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, the Lieutenant or designee 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 instructed to remove the contraband. If the inmate refuses to remove the contraband, the inmate may be placed in a dry cell.
  - d. A detailed incident report will be completed.
  - e. The Lieutenant or designee will download the scanned image for further review and consideration in the disciplinary process.
  - f. All items that are not illegal but are considered contraband will be handled in accordance with MWP 3.1.17a Contraband Control.
  
9. In the event an inmate refuses a scan, the Lieutenant or designee 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 be 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.
  
10. When an inmate needs 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 of Service Providers and Volunteers**

1. Weapons, alcohol, and/or narcotics are prohibited on MWP 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.
3. 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.
4. 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. The Lieutenant or designee will be notified. A detailed incident report will be submitted.

- a. If the scan detects contraband in a body cavity, the Lieutenant or designee will be immediately notified for further direction. The Lieutenant or designee will contact the Warden or designee. The Warden or designee will make the determination as to whether local law enforcement is contacted. A detailed incident report documenting the incident will be completed.
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. The Lieutenant or designee will be notified. A detailed incident report will be submitted.
  - a. If the scan detects contraband in a body cavity, the Lieutenant or designee will be immediately notified for further direction. The Lieutenant or designee will contact the Warden or designee. The Warden or designee will make the determination as to whether local law enforcement is contacted. A detailed incident report documenting the incident will be completed.
  - b. Visiting terminations, suspensions, or revocations will be handled in accordance with MWP 3.3.8 Inmate Visiting.

#### **F. 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 or AW of Security.

#### **V. ATTACHMENTS**

None