

**MOTION BY SUPERVISORS HILDA L. SOLIS and
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August 7, 2018

Ensuring Proper Implementation and Use of Body Scanners in the Jails

The 2012 *Report of the Citizen's Commission on Jail Violence* (CCJV) highlighted concerns at the time that the Los Angeles Sheriff's Department (LASD) personnel were using strip searches to "intentionally humiliate inmates," including as a form of retaliation against inmates. The Commission noted that other large jurisdictions had introduced body scanners to "substantially reduce, and even largely eliminate, the need for strip searches." LASD was already making efforts towards this transition, and the Board of Supervisors approved funding to install such scanners.

The goal of the body scanners, according to LASD, is to "curtail the supply of contraband entering custody facilities, and to provide additional privacy during intake and routine searches." Indeed, as the Supreme Court has recognized, "Correction officials have a significant interest in conducting a thorough search as a standard part of the intake process." LASD began a pilot program for implementation of the body scanners in the Inmate Reception Center in April of 2014 for prisoners being initially processed into Los Angeles County jail facilities, and for those returning from court appearances. In instances where a prisoner chooses to refuse to go through the body scanner, they can opt for a visual body cavity search, instead.

In 2015, through Board action, two correctional consultants conducted assessments of what additional body scanners would be needed in the County's jail facilities, to fully implement this method of search, and what additional staffing and

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funding would be required. That report recommended 2 scanners for the Century Regional Detention Facility, 3 at the Inmate Reception Center, 7 for the “Old Inmate Reception Center,” 3 for Pitches Detention Center – South facility, and 3 for the North County Correctional Facility, and made recommendations of appropriate staffing assignments to maintain adequate flow of prisoners through the body scanning process. All of the recommendations set forth in the report were adopted by the Department.

As the reports on implementation of the CCJV recommendations, and the Sheriff’s Department’s reform efforts by the Office of the Inspector General have shown since 2014, there have been various difficulties with fully implementing the plan that was adopted in 2015. But as of May 2018, body scanners have been fully implemented in each of the recommended facilities, as well as Pitches Detention Center – North.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS request the Sheriff’s Department along with the office of the Chief Executive Officer (CEO), in consultation with the Office of Inspector General, the Department of Health Services, the Department of Public Health, and any other relevant stakeholders to report back in 90 days on the following, based on any existing data where relevant, and data gathered during September 2018, as a snapshot:

- 1) How often the body scanners at each facility are used, per facility;
- 2) When, for and by whom, why, and how often visual scans or strip searches are being used, by facility;
- 3) Barriers to implementation of body scanners and reduction of more invasive practices like strip searches, and recommendations for addressing these barriers;
- 4) How refusals are tracked, effectiveness of the record keeping on when, why, and who are refusing to be reviewed by the body scanners;
- 5) Any data on the effectiveness of the use of body scanners, and recommendations for increasing their effectiveness, if relevant;
- 6) An assessment of using custody assistants or deputies to administer the scanners, versus employing X-ray technicians for this role;

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- 7) An assessment of the amount of radiation being produced by the machines currently; an assessment of the adequacy of the current resolution being used in the scanning equipment; an average and range of radiation exposure per prisoner in a given week; and an evaluation of what the increase in radiation exposure would be if the resolution on the machine was increased; and
- 8) Any additional related recommendations to utilizing body scanners with a goal of keeping custody facilities safe while upholding the dignity of those inside the jails.

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HLS: rk