

 Department of Corrections and Community Supervision DIRECTIVE	TITLE Use of Body Scanners		NO. 4923
			DATE 09/05/2025
SUPERSEDES	DISTRIBUTION A B	PAGES PAGE 1 OF 16	DATE LAST REVISED
REFERENCES (Include but are not limited to) NYS Public Health Law § 3502; 29 CFR 1910.1096, 10 NYCRR Part 16, Directives #2010, #2011, #2607, #3052, #4027, #4040, #4092, #4403, #4910, #4919, #4936, American National Standard Institute (ANSI) Radiation Safety for Personnel Security Screening Systems Using X-Ray or Gamma Radiation		APPROVING AUTHORITY 	

I. PURPOSE: The purpose of this directive is to establish the Department's policy and procedures for the installation and use of body scanners, to ensure the Department is in compliance with the American National Standards Institute, Inc. (ANSI) mandates regarding radiation safety for personnel security screening systems using x-rays or gamma radiation.

II. POLICY

- A. The Department shall employ the use of body imaging scanning equipment as a means of first choice over a strip frisk or strip search, to assist in preventing the introduction of contraband into facilities, in a manner that ensures for the safety and security of facility staff, visitors, and incarcerated individuals.
- B. Use of body scanners shall be in accordance with New York State (NYS), federal laws and regulations, and Department policy.

III. DEFINITIONS

- A. Administrative Control: A documented, compulsory, routine procedure aimed at controlling the radiation exposure received by individuals and ensuring that the appropriate dose limits are not exceeded.
- B. ANSI Standard 42.47: The American National Standards Institute, American National Standard for Measuring the Image Performance of X-ray, and Gamma Ray Systems for Security Screening of Humans N42.47-2010 or any successor to such standard.
- C. ANSI Standard 43.17: The American National Standards Institute, American National Standard Radiation Safety for Personnel Security Screening Systems using X-ray, or Gamma Radiation, ANSI/HPS (Health Physics Society) N43.17-2009 or any successor to such standard.
- D. As Low as Reasonably Achievable (ALARA): The radiation dose delivered to a scanned individual shall be as low as reasonably achievable while meeting the required detection performance.
- E. Average: Calculated by summing all values in a dataset and dividing by the number of values.
- F. Body Image Scanning Equipment: Equipment that is specifically manufactured for security screening purposes and utilizes a low dose of ionizing radiation to produce an anatomical image, with a maximum exposure per scan equal to or less than 10 uSv or its equivalent of 1 mrem, to produce an anatomical image capable of detecting objects on, attached to, or secreted within a person's body.
 - 1. The Sievert (symbol: Sv) is a unit in the International System of Units (SI) intended to represent the stochastic health risk of ionizing radiation that affects the human body. The unit microSievert (uSv) is one millionth of a Sievert.

2. The Millirem (mrem) is the unit used in measuring a radiation dose. The annual average dose per person from all natural and man-made sources is about 620 mrems.
- G. Bystander: Any person, other than the individual being screened, who is not directly associated with the operation of the scanner.
- H. Contractor: A non-State employee who provides, under formal agreement, material, labor, repair, or maintenance on facility property, but does not receive direct compensation as salary from the Department.
- I. Department of Health (DOH): For this directive shall mean the NYS Department of Health.
- J. Department Radiation Safety Officer: Technical Security Specialist (TSS), who will oversee the administration of the Radiation Safety Program.
- K. Employee: Any individual employed by the Department.
- L. Facility Radiation Safety Officer: The individual responsible for administering the radiation protection program for the body scanner described in this Directive.
- M. Median: The middle value in a sorted dataset.
- N. Operator: Any employee associated with the operation of the scanner whose responsibilities include at least one of the following: initiating or stopping the scan, verifying the scanner is operating correctly, providing information and instructions to the screened individuals, or controlling access to the identified restricted area.
- This does not include any employee, such as individuals who may be remotely viewing the image results but are not directly responsible for the other functions.
- O. Qualified Occupational Physicist: A medical physicist certified by the American Board of Radiology, a NYS-licensed Medical Physicist, or a Health Physicist certified by the American Board of Health Physics.
- P. Reference Effective Dose: A quantity based on measurable parameters used by ANSI Standard 43.17 for setting dose limits. It is obtained from air kerma (or exposure) and Half-Value Layer (HVL) measurements as described in Section 6.1.3 of ANSI Standard 43.17. HVL is conventionally measured in millimeters of aluminum. After filtration by one HVL, the subsequent HVL will be higher as the filtered photons have higher energy.
- Q. Restricted Area: Any area, to which access is limited by the licensee or registrant for the purpose of protecting individuals against undue risks from exposure to sources of radiation. This area will be determined by the Qualified Occupational Physicist upon inspection.
- R. Visitor: A person entering a correctional facility with the intent of visiting an incarcerated individual, but shall not include any individual with the statutory authority to visit, at pleasure, any correctional facility within the state, to include, but not limited to the Governor, Lieutenant Governor, Commissioner of General Services, Secretary of State, Comptroller, Attorney General, members of the New York State Commission of Correction, members of the Legislature, Correction Association of New York, Occupational Safety and Health Administration (OSHA)/Labor Department, Justice Center for the Protection of People with Special Needs, New York State Department of Health (NYS DOH), or an attorney acting in a professional capacity and authorized to practice law in New York State or in any jurisdiction where the incarcerated individual has a legal action, proceeding, or other legal matter pending.

- S. **Volunteer:** A person who is authorized to provide services to the Department and its incarcerated individuals.

IV. GUIDELINES: The Department shall ensure that the installation, registration, recordkeeping, maintenance, operation, and inspection of any body imaging scanning equipment utilized in a correctional facility shall comply with the regulatory requirements promulgated by DOH, as well as any NYS and federal laws.

- A. A Radiation Safety Committee will be formed and chaired by an Assistant Commissioner for Correctional Facilities, as designated by the Deputy Commissioner for Correctional Facilities.
1. The Committee shall be comprised of the following staff members:
 - a. Assistant Commissioner for Health Services.
 - b. Deputy Superintendent for Security of Central Office.
 - c. Director of Correction Emergency Response Team (CERT) Operations.
 - d. The Department Radiation Safety Officer.
 - e. Trained Facility Radiation Safety Officers from two different facilities.
 - f. Trained Correction Officers assigned to operate the body scanners at two different facilities, who shall be identified by the Deputy Commissioner for Correctional Facilities.
 2. The committee shall meet at least quarterly and oversee all use of body scanning equipment within the facilities. The committee shall review the activities and report(s) of the Facility Radiation Safety Officers, to include the required quality control testing and the Radiation Safety Program procedures outlined in this Directive. The committee will submit a report of their findings within two weeks of the meeting to the Deputy Commissioner for Correctional Facilities.
 3. The results of the quarterly reviews of the Radiation Safety Program shall be retained in the Department's radiation safety manual. All records must be retained for a minimum of seven years.
- B. The Superintendent (or equivalent) will designate a Facility Radiation Safety Officer, who may not extend below the level of Deputy Superintendent, to ensure the following:
1. All individuals associated with the operation of the scanners receive appropriate training sufficient to operate the scanner in compliance with Department policy. At a minimum, the training shall include preoperational checks, operation of the scanner, subject positioning, interpretation of images, procedures to be followed if the scanner is damaged or malfunctions, and practical operational experience. Periodic updates shall be provided as the scanner or relevant threats change.
 2. Everyone associated with the operation of the scanner, including supervisors and operators, is provided radiation safety training prior to performing security screening operations.
 3. Individuals associated with the operation of the scanner shall also receive instruction via an operator training course (Course Code 32010) to be conducted by an authorized trainer prior to operating the machine. Each operator shall receive a refresher course every year.

Individuals associated with the operation of the scanner shall be determined by the Superintendent and should include but is not limited to the following: Facility Executive Team members who act as the Officer of the Day (OD), Plant Superintendent, Security Supervisors, and Correction Officers. At a minimum, this training shall include the following:

- a. Familiarity with the information being provided to the subject.
 - b. Radiation safety training, including:
 - (1) Types of radiation.
 - (2) Sources and magnitude of typical exposures.
 - (3) Radiation units.
 - (4) Concept of time, distance, and shielding.
 - (5) Concept of ALARA.
 - (6) Biological effects.
 - (7) Radiation safety.
 - (8) Basic risk communication concepts.
 - (9) Equipment operations and emergency procedures.
 - (10) Training on administrative controls associated with ensuring that dose-to-subject is limited and on the importance of these administrative controls (i.e., more emphasis on administrative controls for limited-use systems).
 - (11) Exposure and exposure limits for occupational exposed staff and incarcerated individuals.
 - (12) Applicable federal and NYS regulations, ANSI-HPS, Department, and facility policies and procedures.
 - c. Other safety hazards (e.g., unauthorized disassembly of the system).
 - d. Physical security procedures to prevent unauthorized use or access.
 - e. Operator awareness and control of inspection zones.
 - f. Rights of individuals with approved exemptions.
 - g. Regulatory requirements.
 - h. Supervised practical operators.
 - i. Proficiency at the conclusion of the training.
4. Their facility has and maintains an adequate number of trained security staff to operate the body scanner on all shifts.
 5. The facility is in compliance with all Department regulations as well as all NYS and federal laws prior to installation.
 6. A body scanner is taken out of service if the body scanner is not operating correctly, any unsafe conditions are identified, or the Department Radiation Safety Officer advises the Superintendent or designee to take the scanner out of service.
 7. A body scanner is not returned to service until the required testing is completed and approval is received from the Department Radiation Safety Officer.

8. The Watch Commander reports any issues of operability or safety regarding the body scanner to the facility Plant Superintendent, Facility Radiation Safety Officer, and the Department Radiation Safety Officer. This report shall be made immediately upon its occurrence. The Department Radiation Safety Officer will make an immediate telephone report, with a follow up written report within 30 days to DOH in accordance with DOH Regulations 16.15.
9. Registration, maintenance, operation, and inspection of the scanner is in compliance with all Department regulations as well as all NYS and federal laws.
10. All documentation pertaining to the initial placement of an incarcerated individual admitted to a contraband watch because of a positive screening are reviewed.
11. Maintenance and retention of the following records in accordance with Directive #2011, "Disposition of Departmental Records," or as required by NYS and federal regulation, which must be made available during inspection:
 - a. Each operator's training records who have completed all required training and received access to credentials for use of the body scanner, including sufficient information to show compliance with Section 8.1.5 ANSI/HPS N43. 17-2009, entitled "Personnel Training." Records of training will be entered on Report of Training (RTF) Form (Course Code 32010), which must be forwarded to the Regional Training Lieutenant or designee for entry into the KHRT system.
 - b. An updated, accurate copy of the operator training lesson plan on file. A copy of this lesson plan and list of trained staff shall be distributed to the area where the body scanner machine is located, the arsenal, the DSS (if not the Radiation Safety Officer) and the Watch Commander's office for ease of reference.
 - c. Radiation safety records in accordance with Section 8.2.9 of ANSI/HPS N 43.17-2009 entitled "Recordkeeping."
 - d. Radiation Safety Surveys performed in compliance with the ANSI standards.
 - e. Upgrades, modifications, maintenance, work orders, tests, and repair records are maintained for the life of the scanner. Survey records should include the following information:
 - (1) Scanner make, model, serial number, and location.
 - (2) Surveyor's name, title, and identification number.
 - (3) Date and time of survey.
 - (4) Instrumentation make, model, serial number, and calibration date.
 - (5) Results of visual inspections of the scanner safety features.
 - (6) Background measurements.
 - (7) Survey measurements.
 - (8) Survey diagram.
 - (9) System parameters at which measurements were made.
 - f. Records of radiation surveys as required in Section 8.1.7 of ANSI/HPS N43. 17-2009.
 - g. Complaints made regarding the scanner, along with any documentation resulting from the complaint.

- h. A complete set of operating procedures readily available to the operator of the system.
 - i. A monthly report of any contraband recovered as a result of body scanners which will also be submitted to the Department Radiation Safety Officer, followed by a yearly summary of combined reports.
- C. The Department Radiation Safety Officer shall serve as the responsible individual for, but not limited to, the following:
 - 1. Ensuring all body scanners that are being repaired/evaluated are taken out of service until the Facility Radiation Safety Officer conducts the required testing to place the body scanner back in service and immediately report any unsafe activity involving scanners. Documentation of any unsafe activity, repairs, and evaluations must be submitted by the Facility Radiation Safety Officer, to the Department Radiation Safety Officer.

Once approved by the Department Radiation Safety Officer, they will notify the Superintendent prior to the scanner being placed back in service.
 - 2. Ensuring that the body scanner provided to the Department tracks the following information:
 - a. Employee, contractor, or volunteer identification information ("N" Number or identification number).
 - b. Visitor Identification number (VIN), automatically assigned by Visitor Processing System (VPS).
 - c. Incarcerated individual's Department Identification Number (DIN).
 - d. Facility Code.
 - e. Date and time of screening.
 - f. Reason for the scan.
 - g. Radiation exposure to the individual scanned.
 - h. Indicator that use of the equipment detected contraband.
 - 3. Ensuring compliance with the requirements of this directive and all applicable regulatory requirements.
 - 4. Serving as the agency liaison with the Facility Radiation Safety Officer.
 - 5. In conjunction with the Facility Radiation Safety Officer, advising and assisting personnel in all matters regarding radiation safety.
 - 6. Reviewing current and proposed uses of the scanner for compliance with applicable standards, regulatory requirements, and guidance.
 - 7. Ensuring radiation safety considerations are incorporated into scanner operating procedures.
 - 8. Reviewing and approving the location/relocation of scanners to ensure compliance with radiation safety criteria and manufacturer's recommendations/specifications in conjunction with the Facility Radiation Safety Officer.
 - 9. Ensuring that radiation safety surveys are performed in compliance with the ANSI standard.
 - 10. Ensuring that all required Department documents outlined in this directive are retained in the radiation safety manual at each facility.

11. Ensuring inspections are conducted in response to any radiation complaint as necessary. The complaint shall be forwarded to the Facility Radiation Safety Officer immediately upon receipt.
- D. The facility Plant Superintendent shall ensure that:
1. Preventative maintenance is completed by a qualified Medical Physicist in accordance with existing regulations.
 2. A maintenance verification of the source integrity is performed on the scanner every twelve months by a qualified service provider.
 3. Radiation surveys are performed by a qualified Medical Physicist upon installation; at least once every twelve months; after any maintenance that effects the radiation shielding, shutter mechanism, or x-ray production components is performed; and after any incident that may have damaged the scanner in such a way that unintended radiation emission occurs.
- All maintenance records and surveys are forwarded to the Department Radiation Safety Officer and Facility Radiation Safety Officer for all body scanners on the first business day of every month and at the conclusion of any maintenance performed in response to a complaint.
- E. The individuals to be scanned shall not exceed the allowable number of permitted scans (no individual, 18 years or older, will be exposed to more than 250 uSv during a twelve-month period). Individuals who are pregnant or under the age of 18 years old will not be scanned. The following general guidelines should be followed when selecting doses:
1. Individuals up to 150 lbs. – 1 uSv
 2. Individuals 151-300 lbs. – 2 uSv
 3. Individuals 301 lbs. and greater – 4 uSv
- NOTE: Depending on the clarity of the scan, a higher dose may be required for certain individuals, as authorized by a trained security supervisor.
- F. The manufacturer shall provide the following information to the Department:
1. Category and class of the scanner according to Section 5.0 of ANSI/HPS N43. 17-2009, entitled, "Radiation Safety for Personnel Security Screening Systems Using X-ray or Gamma Radiation."
 2. Warnings of potential safety hazards (such as unauthorized modification of the system).
 3. Operational procedures and training needed to use the scanner safely.
 4. Preventive maintenance requirements for safe operation.
 5. Other requirements and recommendations specified in the standard that are applicable to the end user.
 6. The reference effective dose per screening measured by the manufacturer. This information shall include a definition of "screening" for the scanner (e.g., number of scans required).
 7. Identification of the area around the scanner where the ambient dose equivalent $H^*(10)$ is greater than 20 uSv in one hour of operation at the maximum throughput (this is the minimum boundary of the inspection zone).
- G. The only individuals who operate the scanner are staff members who have the requisite radiation safety and operator training.

- H. Body imaging scanning equipment may not be used for medical examinations or to diagnose an illness or injury.
- I. Any Supervisor who receives a staff complaint in writing regarding the safety of the body scanners shall forward the complaint to the facility Superintendent, who will forward a copy to the Department Radiation Safety Officer and Chair of the Radiation Safety Committee.
- J. Incarcerated individuals wishing to file a complaint in writing regarding the safety of the body scanner shall do so either by filing a grievance in accordance with Directive #4040, "Incarcerated Grievance Program," by contacting the Office of Special Investigations (OSI), or by reporting it to a supervisor, who shall forward the complaint to the facility Superintendent, who will forward a copy to the Department Radiation Safety Officer and Chair of the Radiation Safety Committee.

V. PROCEDURES

A. Installation of Unit

1. The Department must ensure that the scanner is installed by the approved vendor. The Deputy Commissioner for Correctional Facilities shall approve all locations where the body scanners are to be installed. The scanner shall be installed in locations that are as far as reasonably possible from routinely occupied areas, subject to the operational requirements. Consideration shall also be given to the direction of the primary beam relative to occupied areas, traffic flow, the number of scans per day, the reference effective dose, and locations of existing walls or structures that can provide shielding.
2. During installation, the Restricted Area and any radiation areas discussed below for the scanner shall be determined, documented, and clearly identified.
The Facility Radiation Safety Officer shall ensure all zones are properly delineated and in compliance with existing city, NYS, and federal regulations.
3. A Restricted Area shall be established around the entire scanner where bystanders are prohibited from entering during operation, which will be determined by the Qualified Occupational Physicist during inspection. Any operator responsible for initiating a scan shall maintain full visual surveillance of the inspection zone. The ambient dose equivalent outside of this Restricted Area shall not exceed 20 μSv (2 mrem) in any one hour.
4. The scanner shall be positioned and operated such that the ambient dose equivalent at any workstation does not exceed 1 mSv (100 mrem) per year.
5. A radiation survey of the scanner shall be performed by a qualified physicist, who is under contract with the Department, following installation to verify that the dose of the target and the dose rate around the installation are in compliance with all requirements of the ANSI standard and any other applicable regulations.

B. Required Signage

1. The Department must post conspicuous signage indicating where individuals should stand in areas adjacent to body scanner usage, e.g., signs indicating that employees, contractors, visitors, volunteers, and/or incarcerated individuals should not proceed into the Restricted Area while scanners are in use. NOTE: Sign can be ordered from Corcraft Products, order #H500808SCAN in both English and Spanish.

2. Signs shall be posted in all areas where a scanner is used to scan employees, contractors, volunteers, and visitors, advising them that they may opt out of being scanned with a body scanner and may file a complaint in writing to any Supervisor in accordance with subsection IV-I. NOTE: Sign can be ordered from Corcraft Products, order #H502012NOTSCAN in both English and Spanish.
3. Signs shall be posted in all areas where a scanner is used to scan incarcerated individuals to advise that they may:
 - a. Request to speak to a Security Supervisor regarding the body scanning policy and procedures or file a written complaint to a Security Supervisor.
 - b. File a grievance regarding body scanning in accordance with Directive #4040 or by contacting OSI.
 - c. Incarcerated individuals may opt out of being scanned and shall be processed by an appropriate alternate method.
NOTE: Sign can be ordered from Corcraft Products, order #H502012NOTSCAN in both English and Spanish.
 - d. Signs shall be posted in all areas where a scanner is used to scan any individuals to advise them that screening complies with the ANSI/HPS consensus standard, N43.17. The sign shall be ordered from Corcraft Products, Order #H502012NOTDOSE in both English and Spanish.
4. Signs must be in English, Spanish, and any other language deemed appropriate. For all individuals unable to read these languages, a written copy in their preferred language shall be made available and/or explained to them.
5. State of New York Notice to Employees Standards for Protection Against Radiation (DOH-2482) must be posted where employees working in or frequenting any portion of controlled areas can observe a copy on the way to or from their place of employment.
6. DOH Certificate of Registration (DOH-3376) must be conspicuously displayed at the Radiation Installation.

C. Operating Procedures

1. Absolutely no employee shall operate a body scanner unless:
 - a. They have completed all required body scanner training courses.
 - b. They possess their own login credentials to turn on and operate the scanner.
NOTE: The sharing of codes with other employees is strictly prohibited. If a security staff member has not been issued their own access code, they are not authorized to use the body scanner.
 - c. Their name appears on the list of employees who have completed training and received access credentials for use of the body scanner.
 - d. They receive authorization for use by the on-duty Watch Commander.
NOTE: Failure to comply with the above may result in disciplinary action for any employee violating this policy.
2. The Watch Commander must ensure a trained Officer, and a trained Security Supervisor are present during the operation of the body scanner.

3. Test/Calibration.

- a. Prior to use, all body scanners shall be tested for proper calibration. The Officer assigned will enter their credentials to log on and operate the scanner, verifying the system is operational and displays no notifications or errors.
- b. Daily and weekly body scanner tests must be entered in a log approved for this purpose. The log will include results of the test, date, time, printed name of tester, title, and signature.
 - (1) Daily: All body scanners tested by the assigned Correction Officer.
 - (2) Weekly: All body scanners tested by the assigned supervisor.

4. The Body Imaging Scanner key shall be stored in the facility Arsenal/Key Room. The key shall be designated as restricted, a list of authorized individuals shall be maintained in accordance with Directive #4092, "Key Control," which will consist of all staff trained to use the scanner. If a scanner is damaged or malfunctions, the operator shall discontinue use of the scanner and notify the Area Supervisor. The Area Supervisor shall ensure that the Facility Plant Superintendent is notified via [Form #1611](#), "Maintenance Work Order Request," in accordance with Directive #3052, "Request for Maintenance Work," to schedule repair by the service contractor. The Area Supervisor will notify the Watch Commander, who will then notify the facility Superintendent and Facility Radiation Safety Officer. All notifications of damage or malfunction will be noted in the body scanner log, as well as a notation the machine is out of service and a subsequent notation when it is returned to service and who authorized it. When the body scanner is taken out of service, the key shall be secured in the facility Arsenal/Key Room in a manner which will prohibit the use of the scanner. The scanner shall not be returned to service until it is repaired/evaluated by a qualified technician under contract with the Department, and a subsequent radiation survey is performed, if deemed appropriate. The results of the radiation survey, if required, and a copy of the maintenance report shall be forwarded to the Department Radiation Safety Officer.

D. Frequency of Scans

1. To prevent exposure more than the twelve-month limit, individual scan limits must be followed. Any rescanning of individuals for clarity of the image or to change the perspective of the scan for further evaluation must be authorized by a trained supervisor.
2. Adults may not be exposed to more than 250 uSv during a twelve-month period.

E. Scanning of Department Employees, Contractors, and Volunteers

1. Any employee, contractor, or volunteer will be subject to body scanning screenings upon entering a correctional facility or as directed as part of an official investigation. Daily, the Superintendent or designee (rank of Captain or above) will determine in what manner this will occur, in accordance with Directive #4936, "Search of DOCCS Employees." The determination will be documented in the Watch Commander's logbook. It is the responsibility of the individual being searched to clear the body scanner. Body scanner searches must be supervised by a trained Sergeant or higher rank.

2. Employees, contractors, and volunteers may opt out of being scanned by the body scanner. Individuals who opt out of the body scanner screening will be processed in accordance with Directive #4936, unless security considerations warrant otherwise (e.g., an OSI investigation).

No individual shall be subjected to any form of harassment, intimidation, or disciplinary action for choosing to be searched by an alternate method of screening in lieu of body imaging scanning.

 - a. The decision to opt out will be logged in the scanner.
3. Prior to entry into the scanner, the operator of the body scanner shall verify the identification of the person being scanned.
4. Upon identity confirmation, the operator of the body scanner shall input the employee's "N" number or if they do not have an "N" number, they should use their identification number (e.g., non-driver or driver's license number) into the scanner. If an identification number is used, they should use the same identification number when entering all Department facilities.
5. Prior to entering the body scanner, individuals will remove their shoes, belts, watches, or any other item that may interfere with the screening.
6. Upon clearing the body scanner, no further search of the individual's person will be necessary.
7. In the event an employee, contractor or volunteer is unable to clear the body scanner screening, the Superintendent, DSS, or OD will be notified immediately.
8. Individuals who have a condition that does not allow them to be screened by a body image scanning device, must provide acceptable documentation regarding their inability to be subjected to radiological screening. Screening staff conducting searches of entering persons with documentation must still be reasonably assured that no prohibited objects are entering the facility.
9. Any employee, contractor or volunteer who would exceed the 250 uSv limit in a 12-month period will not be subject to a body imaging scan, they will be processed in accordance with Directive #4936.

F. Scanning of Visitors: Visitors will be searched utilizing body imaging scanning equipment when entering a facility to visit an incarcerated individual, participating in special events or the Family Reunion Program. It is the responsibility of the individual being searched to clear the body scanner. Anyone under the age of 18 years old will not be scanned.

1. Visitors may opt out of being scanned by the body imaging scanner. If a visitor declines being scanned by the body imaging scanner, they will be further processed in accordance with Directive #4403, "Visitor Program." If cleared, their visit will be limited to non-contact at facilities that have resources available. No individual shall be subjected to any form of harassment, intimidation, or disciplinary action for choosing to be searched by an alternate method of screening in lieu of body imaging scanning.
 - a. The decision to opt out will be logged in the scanner.
2. Individuals with conditions that may be impacted by a body scan have a right to request an exemption to the body imaging scanning requirement in accordance with this directive.

3. Notwithstanding the provisions of subsection V-F-1, a visitor may be required to submit to screening by body imaging scanning equipment, despite declining such screening for reasons other than an approved exemption, where security considerations warrant (e.g., an OSI investigation).
Ensuing declination by the visitor to screening by body imaging scanning equipment shall constitute grounds to deny the visitation.
 4. Any determination to require screening by body imaging scanning equipment following a visitor's declination, pursuant to subsection V-F-3, shall be made by the Watch Commander or higher rank, must be documented in writing to the Superintendent, and shall state the specific facts and reasons underlying that determination.
 5. Prior to entry into the scanner, the operator of the body scanner shall examine the visitor's identification.
 6. Upon identity confirmation, the operator of the body scanner shall input the VIN into the scanner.
 7. Prior to entering the body scanner, individuals will remove their shoes, belts, watches, or any other item that may interfere with the screening.
 8. Upon clearing the body scanner, no further search of the visitor's person will be necessary.
 9. If a visitor is unable to clear the body scanner screening and/or is found to be in possession of suspected contraband items, the Superintendent, OD, or DSS will be notified immediately and the visit will not be permitted. The body scanner operator will complete [Form #4923B](#) and forward to the Watch Commander, the Superintendent may suspend future visitation privileges in accordance with Directive #4403, and facility officials may refer this information to an appropriate outside law enforcement agency.
 10. Any visitor who would exceed the 250 uSv limit in a 12-month period will not be subject to a body imaging scan, they will be processed in accordance with Directive #4403. If cleared, their visit will be limited to non-contact.
- G. Request for Exemption to the Body Imaging Scanning must be submitted on an exemption form to Central Office Health Services for review and approval by medical staff in advance of a visit.
1. The request must include the visitor's full name, address, and date of birth, the name and DIN of each incarcerated individual to be visited, and the complete visitor number assigned by the VPS system, if known.
 2. The documentation must include the condition that would be impacted by the body imaging scan and the duration of the limitations (e.g. temporary, or a lifelong condition). The document that includes this information must be signed by the visitor's health care provider and include the printed name of the health care provider as well as the provider's contact information.
 3. Upon review of the documentation, the Central Office medical staff may authorize exemptions to the body imaging scanning.
 4. The medical staff's approval of the request will be logged and forwarded to the facilities by Friday of the week in which it is approved. Medical staff will not share the underlying documentation or the condition for any exemption granted or denied.

5. The exemption will apply to all facilities for the relevant time frame.
 6. Individuals who have not submitted a request in advance and do not have an exemption confirmation in the VPS system, will either comply with the body imaging scanning requirement or be directed to non-contact visitation.
 7. Screening staff conducting searches of entering persons with an exemption must still be reasonably assured that no prohibited objects are entering the facility.
 8. To request an Exemption:
 - a. Email [Form #4923A](#), "Exemption from Body Scanning Request Form" to Central Office Health Services at BodyScannerMedExemptions@doccs.ny.gov
 - b. Mail [Form #4923A](#) to DOCCS Central Office Health Services, Harriman State Campus, 1220 Washington Ave., Albany, NY 12226-2050. Attention: Body Scanner Exemption Request.
 9. Visitors will be notified by Central Office Health Services of the outcome of their exemption request.
 10. Each facility must post the policy and make the exemption form available in the visit process area. Staff has the responsibility of communicating the policy verbally and referring visitors with a complaint to the Visitor Complaint Process.
- H. Scanning of Incarcerated Individuals
1. Incarcerated individuals will, unless they opt out, be scanned in the following circumstances:
 - a. Upon reception to DOCCS custody.
 - b. After a contact visit.
 - c. Upon return from furlough or unsupervised release.
 - d. After an assault or other significant incident where a supervisor determines there is probable cause an incarcerated individual might be in possession of contraband.
 - e. During an authorized facility-wide search or suspicion searches authorized by a security supervisor upon finding probable cause.
 - f. Prior to exiting the facility (e.g., court appearances, transfers, services outside the facility).
 - g. When other means of search (Cellsense, canine, metal detector) provide reason to believe that an incarcerated individual possesses contraband.
 2. Incarcerated individuals may opt out of being scanned.
 - a. An incarcerated individual who opts out of the body scanner screening will be processed in accordance with Directive #4910, "Control of & Search for Contraband." No individual shall be subjected to any form of harassment, intimidation, or disciplinary action for choosing to be searched by an alternate method of screening in lieu of body imaging scanning.
 - b. The decision to opt out will be logged in the scanner.
 3. Prior to entry into the scanner, the operator of the body scanner shall examine the incarcerated individual's identification.

4. Upon identity confirmation, the operator of the body scanner shall input the individual's DIN into the scanner.
 5. Upon release from NYS Department of Corrections and Community Supervision (DOCCS) custody, they may request the total accumulated radiation exposure from all body scans conducted during their incarceration by submitting a FOIL request per Directive #2010, "FOIL/Access to Departmental Records."
 6. Any incarcerated individual who would exceed the 250 uSv limit in a 12-month period will not be subject to a body imaging scan and will be processed in accordance with Directive #4910.
- I. Procedure for Incarcerated Individuals who are Suspected to be in Possession of Contraband but opt out or are Unable to be Screened.
1. When an incarcerated individual is suspected to be in possession of contraband and opts out of undergoing a body scan screening, the Sergeant shall immediately notify the Watch Commander.

NOTE: An incarcerated individual's failure to comply with protocol for being scanned (e.g., moving while being screened in the machine; touching, hitting, kicking, or otherwise tampering with the machine, etc.) shall be deemed declining the procedure.
 2. Any incarcerated individual who opts out of being scanned shall be strip frisked in accordance with Directive #4910. If no contraband is found, there will be no further processing necessary. If contraband is detected and cannot be recovered, the incarcerated individual shall be immediately separated from other incarcerated individuals and the facility shall ensure that the incarcerated individual is under constant supervision.
 3. The Watch Commander will notify the Superintendent, DSS, or OD to gain approval for the incarcerated individual to be placed on a drug or special watch. Upon approval, the incarcerated individual will be placed on a drug/special watch in accordance with Directive #4910.
- J. Authorization and Procedure for Drug & Special Watch Following a Positive Scan
1. When an incarcerated individual generates a positive scan on the scanner, the Sergeant shall immediately notify the Watch Commander.
 2. Any incarcerated individual who generates a positive scan and is suspected of concealing contraband shall be immediately separated from other incarcerated individuals. Once separated, the facility shall ensure that the incarcerated individual is under constant supervision.
 3. The Watch Commander will notify the Superintendent, DSS, or OD to gain approval for the incarcerated individual to be placed on a drug & special watch.
 4. Upon approval, the incarcerated individual will be placed on a drug & special watch in accordance with Directive #4910.
- K. Removal From Drug & Special Watches
1. Directive #4910 delineates the procedures for instances of incarcerated individuals suspected of concealing contraband. Those procedures shall remain in full effect.

2. Prior to being placed on a drug & special watch and daily thereafter, the facility shall offer the incarcerated individual placed on a drug & special watch the opportunity to clear the body scanner and such offer shall be documented in the drug & special watch logbook.

If the incarcerated individual clears the body scanner, they may be removed from the watch in accordance with Directive #4910. If a daily scan is refused or other circumstances prevent it, the watch will continue in accordance with Directive #4910. This information must also be documented in the drug & special watch logbook.

3. Should an incarcerated individual held on a drug & special watch surrender contraband, regardless of when that incarcerated individual was previously scanned, the individual will be subjected to an immediate scan, if the additional scan does not exceed the number of scans allowed by regulation.
4. Should an incarcerated individual clear the scanner without any contraband being recovered, the authorized Sergeant shall notify the Watch Commander, who will then review the scan to confirm the absence of any secreted or concealed contraband.
5. Once the Watch Commander confirms the absence of any secreted or concealed contraband, the Watch Commander shall notify the Superintendent, DSS or OD, document the findings in the Watch Commander's logbook, and release the incarcerated individual from the drug & special watch in accordance with Directive #4910.
6. [Form #2147](#), "Drug/Special Watch Isolation Report," will be completed in accordance with Directive #4910.

L. Records and Reporting

1. Scanner Use Records: Staff conducting scans shall ensure information is recorded as follows:
 - a. The name and contact information of the "Responsible Individual."
Staff will verify the identity of all individuals being scanned and input required information into the scanner to document every scan. The system will automatically maintain a Department-wide database to ensure accurate tracking of everyone's exposure to the scanner radiation.
2. Each facility must maintain physical logbooks to record any time staff, non-DOCCS employees (e.g. contractors, volunteers, and visitors) and incarcerated individuals are scanned or opt out.
 - a. For anyone other than an incarcerated individual, the operator will log the appropriate information in their designated Body Scanner logbook. The following information shall be recorded:
 - (1) Individual's name
 - (2) Staff title or category of non-DOCCS employee (e.g. contractors, volunteers, and visitors)
 - (3) Location of scan
 - (4) Reason for scan
 - (5) Dosage
 - (6) Results

3. For incarcerated individuals, the operator will log the appropriate information in their designated Body Scanner logbook. The following information shall be recorded:
 - a. Incarcerated Individual's Name
 - b. DIN
 - c. Location of scan
 - d. Reason for scan
 - e. Dosage
 - f. Results
4. The Facility Radiation Officer will submit a monthly report on the second Monday of each month consistent with direction from the Deputy Commissioner for Correctional Facilities.
5. Government Reporting: The Department Radiation Safety Officer shall submit an annual report to the Deputy Commissioner for Correctional Facilities for review and forward to the Commissioner. Once approved, the annual report will be forwarded in accordance with Public Health Regulations 3502.6(f).

**NEW YORK STATE DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION**

**Medical Exemption from Body Scanning
Request Form**

Name: _____ DOB: _____

Address: _____

Request Date: _____ Visitor ID Number: _____
(If known)

Individual(s) Visited:

DIN: _____ Name: _____

DIN: _____ Name: _____

DIN: _____ Name: _____

Expected Duration: _____ to _____ of exemption.

Return this form, along with medical documentation*, to:

BodyScannerMedExemptions@doccs.ny.gov

*Medical documentation **must** include the condition that would be negatively impacted by the body scan and the duration of the limitations (timeframe or lifelong condition). Documentation **must** be signed by your health care provider and include the printed name of the health care provider and the provider's contact information (complete address, phone number, and email address).

DOCCS Use Only:

Exemption Granted (Y/N): _____ Expiration Date: _____

Granted by: _____ Date: _____

**NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
BODY SCANNER VISIT DENIAL**

VISITOR NAME: _____ DATE: _____
VPS VISITOR ID#: _____

INCARCERATED INDIVIDUAL ATTEMPTED TO VISIT: _____
DIN: _____

SCANNER OPERATOR: _____ TITLE: _____
(Print/Sign)

REVIEWING SUPERVISOR: _____ TITLE: _____
(Print/Sign)

***THE BELOW INFORMATION SHALL BE ENTERED INTO THE VISITOR INQUIRY AND
SANCTION SYSTEM NARRATIVE BY THE WATCH COMMANDER:***

DESCRIBE LOCATION OF ABNORMALITY (I.E., WAIST, LEFT LEG, ETC): _____

DESCRIPTION OF ABNORMALITY: _____

OTHER PERTINENT INFORMATION: _____

OUTCOME OF FAILURE TO CLEAR BODY SCANNING (Check all that apply):

- ☐ VISITOR ARRESTED
- ☐ VISITOR LEFT FACILITY WHEN ATTEMPTED TO QUESTION
- ☐ CONTRABAND SURRENDERED
- ☐ NO CONTRABAND SURRENDERED

DESCRIBE CONTRABAND IF SURRENDERED (I.E., WEIGHT, DIMENSIONS, COLOR, ETC.): _____

DISTRIBUTION: WHITE - CRAFTSMAN
YELLOW - STORES CLERK & FILE
PINK - REQUESTER'S RECORD OR LOG

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
DRUG/SPECIAL WATCH ISOLATION REPORT

INCARCERATED INDIVIDUAL NAME: _____ NUMBER: _____

DATE: _____ TIME: _____ LOCATION: _____

AUTHORIZED BY: _____
Name and Title

BASIS OF PROBABLE CAUSE: _____

MEDICATION ADMINISTERED (IF ANY): _____

CONTRABAND RECOVERED (IF ANY): _____

NAME/TITLE OF PERSON(S) CONDUCTING INSPECTION: _____

IF TEMPORARY ISOLATION EXCEEDS TWENTY HOURS, A MEMBER OF THE FACILITY HEALTH SERVICES STAFF SHALL VISIT THE INCARCERATED INDIVIDUAL AT LEAST ONCE EVERY 24 HOURS. SUCH VISITS SHALL BE DOCUMENTED ON A CHRONOLOGICAL LOG MAINTAINED AT THE SITE OF THE TEMPORARY ISOLATION.

RELEASE AUTHORIZED BY: _____
Name and Title Date

RELEASED: _____
Date Time

DISTRIBUTION: White - Superintendent
Yellow - Guidance and Counseling Folder

CONSENT TO RELEASE OF INFORMATION
CONCERNING
SUBSTANCE USE DISORDER TREATMENT
FOR CRIMINAL JUSTICE CLIENTS

Client's New York State Identification Number (NYSID)

☐	☐	☐	☐	☐	☐	☐	☐	☐
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Referring Entity Type

- ☐ District Attorney
☐ Court
☐ Probation

- ☐ Parole - General
☐ Parole - Release Shock
☐ Parole - Release Willard
☐ Parole - Release Resentence

Client's Last Name

First

MI

Referring Entity's Staff Member's Name:

Referring Entity's Name & Address

INSTRUCTIONS:

- 1) SEND A COPY OF THIS COMPLETED FORM TO THE CLIENT'S TREATMENT PROVIDER;
- 2) ADD A COPY OF THIS COMPLETED FORM TO THE CLIENT'S CRIMINAL JUSTICE FILE; AND
- 3) PROVIDE A COPY OF THIS COMPLETED FORM TO THE CLIENT/DEFENDANT

1) I, the undersigned, Client/Defendant, hereby **CONSENT** and authorize communication between the above named **Referring Entity**, my Substance Use Disorder Treatment Provider: _____

and the following: _____

I **CONSENT** to **DISCLOSURE OF INFORMATION** concerning my current and past individual assessment or evaluation, intake summary, diagnosis, treatment recommendation, date of admission, and status as a patient including course and level of treatment (i.e. residential, community based, individual, or group), my progress and adherence including but not limited to: my attendance at treatment, dates and results of toxicology testing, cooperation with my treatment program, prognosis, treatment completion or reason(s) for termination, date of discharge, discharge status, and discharge plan.

Such disclosure is for the **PURPOSE** of enabling the entities listed above to communicate as to my treatment needs, activities, history and adherence with my evaluation and treatment for purposes of monitoring the terms and conditions of treatment, release, care management purposes, and for carrying out other official duties; **AND**

2) I further **CONSENT** and authorize communication between and among the above named **Referring Entity** and the New York State Office of Addiction Services and Supports (**OASAS**); and OASAS to **DISCLOSE INFORMATION** to the New York State Division of Criminal Justice Services (**DCJS**), concerning admission and discharge data for the **PURPOSE** of research and program evaluation activities. I understand that any reports or studies compiled from my records disclosed pursuant to this release will not include personally identifiable information which will remain confidential and protected from further re-disclosure.

I, the undersigned, have read the above and authorize the staff of the above named disclosing entities to disclose, obtain and share such information as herein specified. I understand that, unless otherwise specified, this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination or revocation of my release from confinement, interim probation supervision, probation, parole, post-release supervision, or local conditional release or other proceeding or determination by a releasing authority under which I was referred to or otherwise agreed to treatment.

I also understand that any disclosure of any identifying information is bound by Title 42 of the Code of Federal Regulations 42 CFR Part 2, governing the confidentiality of substance use disorder treatment records for patients, as well as the Health Insurance Portability and Accountability Act of 1996 (HIPAA) 45 C.F.R. Pts. 160 & 164; and that redisclosure of such information to a party other than those designated above is forbidden without additional written authorization on my part.

I understand that generally the program may not condition my treatment on whether I sign a consent form, but that in certain limited circumstances I may be denied treatment if I do not sign a consent form. I have received a copy of this form, as recognized by my signature below.

(Print Name of Client)

(Signature of Client)

(Date)