

HOUSE No. 3444

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to searches of female inmates.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/14/2015</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/8/2015</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>4/8/2015</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>4/9/2015</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>	<i>4/14/2015</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>4/8/2015</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	<i>4/14/2015</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>4/8/2015</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>4/13/2015</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>4/14/2015</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	<i>4/13/2015</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>12/30/2019</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>4/13/2015</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>4/9/2015</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>4/8/2015</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	<i>4/14/2015</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>4/9/2015</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>4/13/2015</i>

<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>4/13/2015</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>4/8/2015</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>4/8/2015</i>

HOUSE No. 3444

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3444) of Kay Khan and others for legislation to further regulate strip searches of inmates. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to searches of female inmates.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 127 of the General Laws is hereby amended by inserting after section 21, as
2 appearing in the 2012 Official Edition, the following section:-

3 Section 21A. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Emergency or otherwise urgent situation”, a situation in which a correction officer
6 determines that a specific inmate presents an immediate and serious threat to the inmate’s own
7 safety or the safety of others.

8 “Strip search” a search in any correctional facility in which an inmate is required to
9 remove all clothing and may include a visual inspection of a nude inmate’s oral, anal or vaginal
10 cavity.

11 (b) Strip searches of inmates, including the videotaping thereof, shall not be conducted by
12 or in the immediate vicinity of a correction officer or other employee of the opposite sex, except

13 under an emergency or otherwise urgent situation. If during an emergency or otherwise urgent
14 situation, a correction officer is required to operate the camera or be in the immediate vicinity of
15 a strip search, the officer shall, immediately after the termination of such emergency or otherwise
16 urgent situation, notify, in the case of a county correctional facility, the administrator or the
17 administrator's designee, or, in the case of a state correctional facility, the superintendent or the
18 superintendent's designee. Upon such notification, the administrator, the superintendent or such
19 designees, shall produce a report detailing the situation.