



CHAIRMAN'S MEMORANDUM

NO. 5-2014

April 2, 2014

TO: SHERIFFS, CHIEF ADMINISTRATIVE OFFICERS, AND COMMISSIONERS OF CORRECTION

RE: Use of Full Body Scanners in Local Correctional Facilities

In the last month, the State Commission of Correction has received numerous inquiries regarding the acquisition and use of full body scanners in a local correctional facility. Such scanners utilize small levels of radiation to generate an x-ray image of the scanned person and depict any items that may be concealed on the person or in the person's clothing.

Upon consultation with the NYS Department of Health's Bureau of Environmental Radiation Protection, the Commission has been advised that the use of such equipment on a human being is restricted to licensed practitioners and persons licensed in radiography, radiation therapy and nuclear medicine technology, pursuant to Article 35 of the Public Health Law. Accordingly, Article 35 of the Public Health Law prohibits use of full body scanners in local correctional facilities.

Should you have any questions with regard to this issue, it is recommended that you contact the NYS Department of Health's Bureau of Environmental Radiation Protection at (518) 402-7550, or the State Commission of Correction's Office of Counsel at (518) 485-2463.

A handwritten signature in cursive script that reads "Thomas A. Beilein". The signature is written in black ink and is positioned above a horizontal line.

THOMAS A. BEILEIN, CHAIRMAN

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Thomas A. Beilein, Chairman
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