
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1593 Session of
2019

INTRODUCED BY JOHNSON-HARRELL, CEPHAS, SCHLOSSBERG, HILL-EVANS,
HARRIS, KIRKLAND, MADDEN, SHUSTERMAN, KOSIEROWSKI, KINSEY,
McCLINTON, HOWARD, FITZGERALD, SOLOMON, HOHENSTEIN, DAWKINS,
FRANKEL, DALEY, D. MILLER, SCHWEYER, DELLOSO, MURT, BURGOS,
BULLOCK, GALLOWAY, LEE, WHEATLEY, T. DAVIS, HANBIDGE,
CALTAGIRONE, ROEBUCK, OTTEN, FIEDLER AND ULLMAN, JUNE 7, 2019

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 7, 2019

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in miscellaneous provisions relating
3 to inmate confinement, providing for cavity search and
4 inspection restrictions.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 61 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5908. Cavity search and inspection restrictions.

10 (a) Cavity search and inspection restrictions.--To the
11 greatest extent possible:

12 (1) No correctional institution staff other than a
13 licensed health care professional shall conduct invasive body
14 cavity searches of pregnant incarcerated individuals or
15 detainees.

16 (2) A correctional institution shall limit inspections
17 by male correctional staff where incarcerated individuals or

1 detainees who identify as female are in a state of undress.

2 (b) Documentation requirement.--

3 (1) If correctional institution staff is required to
4 perform an invasive cavity search on a pregnant incarcerated
5 individual or detainee, or male correctional staff is
6 required to conduct an inspection on an incarcerated
7 individual or detainee who identifies as female when they are
8 in a state of undress, a written report shall be submitted to
9 the correctional institution within 72 hours following the
10 cavity search or inspection.

11 (2) The report under paragraph (1) shall:

12 (i) include the justification for performing the
13 cavity search or male staff inspection; and

14 (ii) note if any contraband was found on the
15 incarcerated individual or detainee.

16 (c) Construction.--Nothing in this section shall be
17 construed to limit the ability of correctional institution staff
18 to perform cavity searches or inspections on pregnant
19 incarcerated individuals, detainees or individuals that identify
20 as female.

21 Section 2. This act shall take effect in 60 days.