



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER/SPANISH MANUALS

REVISION DATE
11/21/15

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DOC 450.200

POLICY

TITLE
TELEPHONE USE BY OFFENDERS

REVIEW/REVISION HISTORY:

- Effective: 10/1/80 DOC 450.010
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- Revised: 3/31/91 DOC 450.200
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- Revised: 6/12/00
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- Revised: 3/5/09
- Revised: 1/12/10
- Revised: 1/9/12
- Revised: 1/13/14
- Revised: 3/16/15
- Revised: 11/21/15

SUMMARY OF REVISION/REVIEW:

Added I.B.4. on telephone communication restrictions between suspects of staff sexual misconduct and offenders


APPROVED:

Signature on file

DAN PACHOLKE, Secretary
Department of Corrections

11/13/15

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.73.095](#); [WAC 137-25-030](#); [WAC 137-48-080](#); [ACA 4-4275](#); [ACA 4-4280](#); [ACA 4-4497](#); [ACA 4-4497-1](#); [ACA 5A-19](#); [ACA 5A-19-1](#); [DOC 320.150 Disciplinary Sanctions](#); [DOC 450.050 Prohibited Contact](#); [DOC 590.500 Legal Access for Offenders](#)

POLICY:


- I. [4-4497] [5A-19] Offenders are provided access to public telephones subject to limitations and restrictions to ensure the security and orderly management of the facility and to protect the public.
- II. [4-4497-1] [5A-19-1] Offenders will have access to reasonably priced telephone services. The Department will ensure that contracts involving offender telephone services:
 - A. Comply with all applicable state and federal regulations.
 - B. Establish rates and surcharges that are commensurate with those charged to the general public for like services. Any deviation from ordinary consumer rates will reflect actual costs associated with providing services in a correctional setting.
 - C. Provide the broadest range of calling options determined by the Secretary to be consistent with the requirements of sound correctional management.
- III. Prisons use an offender telephone monitoring/recording system to enhance security, increase offender and public safety, and reduce criminal activity or activity that could threaten the orderly operation of the facility.
 - A. Offenders' constitutional rights will be protected by providing for unmonitored legal phone calls.
- IV. Prison offender telephone systems will require offenders to use an Inmate Personal Identification Number (IPIN) when placing calls, so the offender who initiated a call can be identified in the event of a security concern or a complaint from the public.

DIRECTIVE:


- I. Offender Telephone Use in Prisons
 - A. Inmate Personal Identification Number (IPIN)
 1. All incoming offenders will be assigned an IPIN during reception at the Washington Corrections Center (WCC) and the Washington Corrections Center for Women (WCCW) Reception Diagnostic Centers.

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- a. Violators returned to a facility will be issued their previous IPIN.
 2. Inmates Sentenced to the Death Penalty (ISDPs) will be assigned an IPIN at the Washington State Penitentiary or WCCW.
 3. Each offender will sign DOC 21-421 Acknowledgment of Monitoring Telephones and Conversations/Receipt of Inmate Personal Identification Number (IPIN).
 - a. Offenders will be shown a training video in English or Spanish during orientation to instruct them on the use of an IPIN.
 - b. An offender's IPIN will remain the same throughout his/her incarceration unless lost, stolen, or compromised.
 - c. Offenders will be responsible for the security of their IPINs.
 4. Records employees will scan completed DOC 21-421 Acknowledgment of Monitoring Telephones and Conversations/Receipt of Inmate Personal Identification Number (IPIN) into the offender's electronic imaging file.
 5. Offenders should report non-working phones or IPINs by calling 555-1212, with the appropriate area code, or by submitting a completed DOC 21-754 Offender Telephone Action to their assigned Counselor or Correctional Unit Supervisor. S/he will contact the Special Investigations Services (SIS) Unit Telephone Site Administrator at Headquarters to have the problem resolved as soon as possible.
 - a. Offenders will be charged \$3.00 for a replacement IPIN unless indigent or proof of theft exists.
- B. Personal Allowed Number (PAN) List**
1. Offenders will have a PAN list of up to 25 telephone numbers s/he will be allowed to call.
 2. An offender's initial PAN list will include the telephone numbers of the first 25 successfully connected calls s/he places in the first 14 days.
 3. Offenders may request changes to their PAN list by dialing #57.
 - a. Up to 5 telephone numbers may be added every 30 days. There is no limit on deleting telephone numbers.

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4. Per DOC 450.050 Prohibited Contact, in cases of substantiated staff sexual misconduct/harassment, the employee/contract staff/volunteer will be removed from any offender PAN lists and will not be added to an offender's PAN list until the contact restrictions have been lifted.
 5. Offenders will be responsible for maintaining their PAN list. Printed PAN lists will not be provided.
 6. PAN lists will transfer with offenders when transferring to other Department Prisons.
- C. Offender Initiated Personal Calls
1. Signs will be posted advising offenders that their calls may be monitored and recorded.
 2. Offenders will not use the telephone system to continue or initiate criminal activity.
 3. Offenders will not have unsupervised access to employee telephones.
 4. Superintendents will set hours of availability and limitations for offender initiated personal calls.
 5. Offenders will have personal access to designated offender telephones located in accessible areas. Offender telephones will place collect calls, or allow prepaid or debit options when available. Custom call features (e.g., 3-way calling, call forwarding) are not permitted.
 6. Offenders must enter their IPIN to initiate a telephone call and are responsible for all calls made using their assigned IPIN. An offender's IPIN will work at the facility where s/he is assigned.
 - a. At the beginning of each call, a recorded message will be played to notify the recipient:
 - 1) That the call is originating from a Washington State Department of Corrections offender,
 - 2) Of the name of the offender,
 - 3) To hang up if s/he does not wish to receive the call or press the appropriate key to block the call, and
 - 4) That the call will be recorded and may be monitored.

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7. Telephones are programmed to restrict calls to 20 minutes.
8. Offenders with hearing and/or speech disabilities, and offenders who wish to communicate with parties who have such disabilities, will have access to a Telecommunications Device for the Deaf (TDD). [4-4497]
 - a. Offender telephone calls placed from employee or offender telephone lines on a Teletypewriter (TTY)/TDD are subject to the same monitoring as all other offender telephone calls, except for legal calls.
 - b. Deaf or hard of hearing offenders may be required to use a teletype roll of paper with the TTY/TDD. When the call is completed, the used teletype paper will be turned in to designated employees for monitoring purposes.
9. An offender who has an incarcerated spouse/state registered domestic partner may be allowed one non-IPIN, monitored State Controlled Area Network (SCAN) call every 30 days.
 - a. The requesting offender will submit DOC 21-572 Request for Offender to Offender Inter-Facility Telephone Communication.
 - b. The Superintendent/designee of each facility must approve.
 - c. These calls will be arranged, supervised, and documented by designated employees.
 - d. The offender must provide proof of marriage or state registered domestic partnership before SCAN calls are placed.
 - e. The call will not exceed 20 minutes.
10. Superintendents or designees may permit an offender the use of a non-IPIN SCAN telephone line under compelling circumstances, such as family emergencies. These calls will be placed and supervised by employees.
11. Any violations of this policy may result in the loss or suspension of telephone privileges via the disciplinary or classification process.
12. An offender who is found guilty of an 882 violation will be sanctioned per DOC 320.150 Disciplinary Sanctions and his/her IPIN will be blocked.
 - a. To block the IPIN, the assigned Disciplinary Hearing Officer will contact the:
 - 1) Intelligence and Investigations Unit employees at medium and close facilities, or

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2) Lieutenant at minimum facilities.

D. Calls to Attorneys and Consular Officers

1. [4-4275] Offender calls to their attorney made to a telephone number recognized by the applicable state's bar association will not be intercepted, recorded, or monitored. This includes calls placed on a TTY/TTD.
 - a. Offenders will use an offender telephone to call their attorney.
 - b. To ensure that calls from offenders are not recorded, attorneys will provide their telephone number to the Chief of Investigative Operations/designee, who will verify the number with the applicable bar association. Offenders may call their attorney at another telephone number, but those calls may be recorded.
2. Offenders who are foreign nationals will have access to a diplomatic representative of their country of citizenship. [4-4280] Offender calls to consular officers that meet the following requirements will not be intercepted, recorded, or monitored: [4-4275]
 - a. The offender will provide employees with the name, location, and telephone number of the consular officer.
 - b. Employees will verify the information provided. The verification need not be made in the offender's presence.
 - 1) Employees will call the Locator Operator of the U.S. Department of State at (202) 647-4000 to confirm the telephone number of the offender's nearest consular officer.
 - c. All offender calls to consular officers will be placed by employees and will be made on a designated telephone. Employees will not listen to the conversation, but will maintain visual contact with the offender when the offender is in an area where security or information may be compromised.
 - d. The offender, or his/her consular officer, will be responsible for the cost of the unmonitored and unrecorded telephone calls.


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E. Offender Telephone Use in Work Assignments

1. Offenders will not be allowed to place telephone calls to numbers outside the facility from their work areas.
2. Offenders may use telephones that access numbers outside the facility if:
 - a. Employees place the call and the person receiving the call is notified that s/he will be talking to an offender, or
 - b. The call is part of a tele-answering program for Correctional Industries customers who are notified they will be talking to an offender.
3. Offenders may use telephones that access inside or outside the facility to speak to employees/contract staff or other offender workers to conduct work-related discussions if an employee places the call.
4. Superintendents must review and approve each offender who will have access to telephones as part of his/her assigned work program. Access will be denied to offenders with a conviction for or history of:
 - a. A sex offense, or
 - b. Fraud or other predatory behavior where the offender demonstrated a process of grooming the victim through stalking or otherwise laying the groundwork for the criminal act.
5. Deputy Directors may approve exceptions to requirements for offender telephone use in work assignments, in writing, and will forward a copy to the Assistant Secretary for Prisons.


F. Access to Telephone Numbers

1. Offenders will not have unsupervised access to white page listings of any public telephone directory.
2. Telephone directories are not allowed in any offender common area.
3. Any offender with a conviction for or history of a sex offense will not have access to names, addresses, or telephone numbers of private individuals while performing his/her duties in an offender work program.

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G. Telephone Monitoring

1. The Chief of Investigative Operations/designee has overall responsibility for the Statewide Offender Telephone Monitoring and Recording Program.
2. The following employees are authorized to intercept, record, and divulge telephone calls from an offender using the offender telephone system:
 - a. Chief of Investigative Operations,
 - b. Investigators assigned to conduct workplace investigations,
 - c. Security Threat Intelligence and Narcotics Group Investigators,
 - d. Intelligence and Investigations Unit employees, and/or
 - e. Other specific employees designated by the Superintendent.
3. Employees must successfully complete training before they can monitor or record offender phone calls.
 - a. Training will be coordinated with the offender telephone vendor and will include:
 - 1) Applicable administrative regulations,
 - 2) The legal aspects of monitoring,
 - 3) Reporting responsibilities,
 - 4) Confidentiality requirements, and
 - 5) Technical instruction in monitoring/recording equipment use.
 - b. Employees not attending formal training by the vendor will receive 4 hours of onsite training before monitoring or recording offender phone calls.
 - 1) The Chief of Investigative Operations/designee will provide the training and document on DOC 21-372 Acknowledgment of Training for Telephone Monitoring/Recording.
 - c. The Training and Development Unit will maintain records of completed training.
4. Disclosure
 - a. All recordings will be maintained per RCW 9.73.095.
 - b. The contents of an intercepted and recorded telephone conversation will be disclosed only as necessary to safeguard the

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orderly operation of the facility, in response to a court order, or in the prosecution or investigation of a crime.

- 1) The Attorney General’s Office will review all court orders before disclosure of recordings to ensure that they have been lawfully served.
- c. When the recording is used as evidence of an infraction, the infraction will start by indicating the offender was overheard, and include the information that was discussed and what was said to warrant the infraction. The Disciplinary Hearing Officer may listen to the telephone call before the hearing. An offender will never have access to or listen to a recorded call.
 - d. An outside agency conducting a criminal investigation or prosecution of any crime may request a recording by submitting a signed, written request on agency letterhead to the Chief of Investigative Operations.
 - e. The nature and capabilities of the offender telephone monitoring systems are considered confidential and will not be discussed with general employees or in front of offenders.
 - f. Recording equipment will be installed per approved telecommunication guidelines.
- II. [5A-19] Offender Telephone Use in Work Releases
- A. Offenders will use pay phones while in Work Release.
 - B. Offenders with hearing and/or speech disabilities, and offenders who wish to communicate with parties with such disabilities, will have access to a TDD or comparable equipment. Public telephones with volume control will also be available to offenders who are deaf or hard of hearing.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None



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DOC FORMS:

[DOC 21-372 Acknowledgment of Training for Telephone Monitoring/Recording](#)

[DOC 21-421 Acknowledgment of Monitoring Telephones and Conversations/Receipt of Inmate Personal Identification Number \(IPIN\)](#)

[DOC 21-572 Request for Offender to Offender Inter-Facility Telephone Communication](#)

[DOC 21-754 Offender Telephone Action](#)