



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**PRISON/WORK RELEASE**  
OFFENDER MANUAL

REVISION DATE  
2/3/20

PAGE NUMBER  
1 of 4

NUMBER  
**DOC 470.450**

**POLICY**

TITLE

**AUDIO MONITORING**

**REVIEW/REVISION HISTORY:**

Effective: 7/1/96 DOC 420.450  
 Revised: 11/6/00  
 Reviewed: 5/23/06  
 Revised: 9/5/07  
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 Reviewed: 10/1/11  
 Revised: 12/1/12 DOC 470.450  
 Reviewed: 5/2/16  
 Revised: 2/3/20

**SUMMARY OF REVISION/REVIEW:**


Updated terminology throughout to include Attachment 1  
 III.A. - Adjusted language for clarification

**APPROVED:**

Signature on file

\_\_\_\_\_  
**STEPHEN SINCLAIR**, Secretary  
 Department of Corrections

1/8/20  
 \_\_\_\_\_  
 Date Signed

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**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [RCW 5.60.060\(3\)](#); [RCW 9.73.095](#); [DOC 450.200 Telephone Use by Incarcerated Individuals](#)

**POLICY:**

- I. There is no expectation of privacy within Department facilities. The Department may listen to and/or record non-telephonic conversations at Department facilities to:
  - A. Enhance facility security,
  - B. Enhance employee, contract staff, volunteer, incarcerated individual, and public safety, and
  - C. Reduce the occurrence of criminal activities or activities that could be a threat to the orderly operation of the facility.
  
- II. To protect incarcerated individuals' constitutional rights, confidential and privileged attorney-client conversations and confessional conversations with members of the clergy will not be monitored or recorded.

**DIRECTIVE:**

- I. Notification
  - A. Notice of Sound Monitoring (Attachment 1) will be posted at the entrance of the facility and at other conspicuous locations to give visitors, employees, contract staff, and volunteers reasonable notification that their conversations may be monitored and recorded.
  
- II. Monitoring Operations
  - A. All employees, contract staff, and volunteers will remain alert and aware of activities and conversations occurring in their proximity and/or area of control and responsibility.
  - B. Employees operating control points equipped with a state installed and authorized intercom(s) may use this equipment to monitor any conversations in living units, cells/rooms, dormitories, and common spaces.
  - C. Confidential or privileged attorney-client conversations between an incarcerated individual and an attorney or attorney's employee (e.g., paralegal, expert witness, investigator) will not be monitored or recorded under any circumstance.

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1. To ensure confidential telephonic conversations, the attorney must receive prior authorization from the Chief of Investigative Operations to verify the telephone number is registered.

D. Confidential and privileged conversations between an individual and a member of the clergy, the content of which is protected by the discipline of the religion, will not be monitored or recorded. The clergy will ensure conversations occur in non-monitored areas or make arrangements through the Superintendent/Community Corrections Supervisor or designee for appropriate scheduling of non-monitored conversations.

### III. Recording Operations

A. Recordings of non-telephonic conversation made with state installed and authorized intercoms or other equipment require written approval by the Superintendent who will brief the Deputy Director, or by the Work Release Administrator who will notify the Assistant Secretary for Prisons/Community Corrections, if granted. This approval is required unless the recording is:

1. Required by law (e.g., court hearing),
2. Otherwise authorized by policy (e.g., disciplinary hearing, administrative hearing), or
3. Authorized by consent of all parties involved (e.g., administrative interviews, media interviews).

B. Only the Superintendent/Work Release Administrator or designee will have access to recordings.

C. The content of any master/dubbed audio recordings is confidential and will only be divulged as necessary for the orderly operation of the facility, in response to a court order, or in prosecution or investigation of a crime per RCW 9.73.095.

D. All recordings will be kept for one year after the recording, unless:

1. Being held pursuant to a court order,
2. For use in an ongoing investigation, prosecution of a crime, or civil commitment proceedings, or
3. As necessary for the orderly operation of the facility.

### DEFINITIONS:

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



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**ATTACHMENTS:**

[Notice of Sound Monitoring \(Attachment 1\)](#)

**DOC FORMS:**

None