



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY
FACILITY/SPANISH MANUALS

REVISION DATE
5/16/22

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NUMBER
DOC 450.200

POLICY

TITLE
TELEPHONE USE BY INCARCERATED INDIVIDUALS

REVIEW/REVISION HISTORY:

Effective: 10/1/80 DOC 450.010	Revised: 3/5/09
Revised: 10/1/85	Revised: 1/12/10
Revised: 3/31/91 DOC 450.200	Revised: 1/9/12
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Revised: 6/12/00	Revised: 3/16/15
Revised: 11/6/00	Revised: 11/21/15
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Revised: 7/5/05	Revised: 6/14/21
Reviewed: 7/17/06	Revised: 5/16/22
Revised: 7/31/07	

SUMMARY OF REVISION/REVIEW:


Policy statement IV., Directive II.A. - Adjusted language for clarification
I.C.4., I.F.2., I.H.2., and I.H.6.d. - Adjusted for person-centered language
II.C. - Added clarifying language
Added II.D. for purchase and use of cell phones by individuals in Reentry Centers

APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

5/5/22
Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.73.095](#); [RCW 43.06C.060](#); [WAC 137-25-030](#); [WAC 137-48-080](#); DOC 450.050 Prohibited Contact; DOC 460.050 Disciplinary Sanctions; DOC 690.400 Individuals with Disabilities

POLICY:

- I. Incarcerated individuals 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. Incarcerated individuals will have access to reasonably priced telephone services. The Department will ensure that contracts involving telephone services used by incarcerated individuals:
 - A. Comply with all applicable state and federal regulations.
 - B. Negotiate and establish rates and surcharges that are comparable with those charged to the 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 a telephone monitoring/recording system to enhance security, increase safety, and reduce criminal activity or activity that could threaten the orderly operation of the facility.
 - A. The constitutional rights of incarcerated individuals will be protected by providing for unmonitored legal phone calls.
- IV. Prison telephone systems will require incarcerated individuals to use an Individual Personal Identification Number (IPIN) when placing calls, so the caller can be identified in the event of a security concern or a complaint from the public.

DIRECTIVE:

- I. Telephone Use in Prisons
 - A. Incarcerated individuals will be assigned an IPIN during reception at a Reception Diagnostic Center.
 1. Violators returned to a facility will be issued their previous IPIN.

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2. Each individual will sign DOC 21-421 Prison Telephone Use Acknowledgment.
 - a. Records employees will scan the completed form into the individual's electronic imaging file.
 3. Instructions will be provided in English or Spanish during orientation that shows how to use an IPIN.
 4. An individual's IPIN will remain the same throughout incarceration unless lost, stolen, or compromised.
 5. Individuals will be responsible for the security of their IPINs.
- B. Individuals should report non-working phones or IPINs by calling 555-1212, with the appropriate area code, or by submitting a completed DOC 21-754 Telephone Action to their case manager or Correctional Unit Supervisor (CUS).
1. The case manager/CUS:
 - a. Will contact the Special Investigations Services (SIS) Unit Telephone Site Administrator at Headquarters to have the problem resolved as soon as possible.
 - b. May email the vendor Site Administrator for issues with a phone used by incarcerated individuals at: dociphones@doc1.wa.gov.
 2. Individuals will be charged \$3.00 for a replacement IPIN unless indigent or proof of theft exists.
- C. Personal Allowed Number (PAN) List
1. An incarcerated individual will have a PAN list of up to 25 telephone numbers the individual will be allowed to call.
 2. An initial PAN list will include the telephone numbers of the first 25 successfully connected calls.
 - a. Up to 5 telephone numbers may be added every 30 days. There is no limit on deleting telephone numbers.
 3. Individuals approved to use Video Relay Services (VRS) will submit DOC 21-754 Telephone Action to request changes to their PAN list.



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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 PAN list and will only be added to an individual's PAN list when the contact restrictions have been lifted.
 5. Individuals will be responsible for maintaining their PAN list. Printed PAN lists will not be provided.
 6. PAN lists will transfer with individuals when transferring to other Department Prisons.
- D. Personal Calls Initiated by Incarcerated Individuals
1. Signs will be posted advising incarcerated individuals that their calls may be monitored and recorded.
 2. Individuals will not:
 - a. Use the telephone system to continue or initiate criminal activity, or
 - b. Have unsupervised access to employee telephones.
 3. Superintendents will set hours of availability and limitations for personal calls.
 4. Individuals will have personal access to designated telephones located in accessible areas.
 - a. Telephones will place collect calls or allow prepaid or debit options when available.
 - b. Custom call features (e.g., 3-way calling, call forwarding) are not permitted.
 5. Individuals must enter their IPIN to initiate a telephone call and are responsible for all calls made using their assigned IPIN.
 - a. At the beginning of each call, a recorded message will be played to notify the recipient:
 - 1) That the call is originating from an individual incarcerated at a Washington State Department of Corrections facility,
 - 2) Of the name of the caller,

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- 3) To hang up if the recipient 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.
6. Telephones are programmed to restrict calls to 20 minutes.
 - a. Individuals identified as having a hearing and/or speech disability that are using a Teletypewriter (TTY)/Telecommunications Device for the Deaf (TDD) or VRS are restricted to 30 minutes.
 7. Individuals with hearing and/or speech disabilities, and those who wish to communicate with parties who have such disabilities, will have access to a TTY/TDD or VRS.
 - a. Individuals must have an approved Accommodation Status Report per DOC 690.400 Individuals with Disabilities before being allowed to use a TTY/TTD or VRS.
 - b. Except for legal calls, telephone calls by incarcerated individuals placed from any telephone line on a TTY/TDD or VRS are subject to the same monitoring as all other telephone calls initiated by incarcerated individuals.
 - c. Deaf or hard of hearing individuals 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.
 8. An incarcerated individual who has an incarcerated spouse/state registered domestic partner may be allowed one non-IPIN, monitored State Controlled Area Network (SCAN) call 2 times per month.
 - a. The requesting individual will submit DOC 21-572 Request for 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 individual must provide proof of marriage or state registered domestic partnership before SCAN calls are placed.
 - e. The call will not exceed 20 minutes.

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9. Superintendents or designees may permit an individual the use of a non-IPIN SCAN telephone line under compelling circumstances (e.g., family emergencies). These calls will be placed and supervised by an employee.
 10. Any violations of this policy may result in the loss or suspension of telephone privileges via the disciplinary or classification process.
 11. An individual who is found guilty of an 882 violation will be sanctioned per DOC 460.050 Disciplinary Sanctions and the IPIN will be blocked.
 - a. To block the IPIN, the assigned Disciplinary Hearing Officer will contact the Intelligence and Investigations Unit employees at Level 3 and higher facilities or Lieutenant at Level 2 facilities.
- E. Calls to the Office of Correctional Ombuds (OCO), Attorneys, and Consular Officers
1. Calls on a telephone designated for incarcerated individuals to call their attorney or OCO will not be intercepted, recorded, or monitored. This includes calls placed on a TTY/TTD or VRS.
 - a. To ensure that calls from individuals 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.
 - b. Individuals may call their attorney at another telephone number, but those calls may be recorded.
 2. Individuals who are foreign nationals will have access to a diplomatic representative of their country of citizenship. Calls to consular officers that meet the following requirements will not be intercepted, recorded, or monitored:
 - a. The individual 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 individual'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 individual's nearest consular officer.

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- c. All calls to consular officers will be placed by employees on a designated telephone.
 - 1) Employees will not listen to the conversation but will maintain visual contact with the individual when in an area where security or information may be compromised.

F. Telephone Use in Work Assignments

1. Superintendents must review and approve each incarcerated individual who will have access to telephones as part of an assigned work program. Access will be denied to individuals with a conviction for or history of:
 - a. A sex offense, or
 - b. Fraud or other predatory behavior where the individual demonstrated a process of grooming the victim through stalking or otherwise laying the groundwork for the criminal act.
2. Incarcerated individuals will only be allowed to access or place telephone calls from their work areas when:
 - a. An employee places the call and:
 - 1) The person receiving the call is notified that the person will be talking to an incarcerated individual, or
 - 2) The individual needs to speak to employees/contract staff or other incarcerated workers to conduct work-related discussions.
 - b. The call is part of a tele-answering program for Correctional Industries customers who are notified they will be talking to an incarcerated individual.
3. Exceptions to requirements for telephone use in work assignments may be approved in writing by the appropriate Deputy Assistant Secretary with a copy forwarded to the Assistant Secretary for Prisons.


G. Access to Telephone Numbers

1. Incarcerated individuals will not have unsupervised access to white page listings of any public telephone directory.
2. Telephone directories are not allowed in any common area for incarcerated individuals.

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H. Telephone Monitoring


1. The Chief of Investigative Operations/designee has overall responsibility for the recording and monitoring of telephones used by incarcerated individuals.
2. The nature and capabilities of the telephone monitoring systems are considered confidential and will only be discussed in front of incarcerated individuals or with employees when they have a need to know.
3. The following employees are authorized to intercept, record, and divulge telephone calls from an individual using the monitored telephone system:
 - a. Chief of Investigative Operations,
 - b. Workplace Investigations Unit employees,
 - c. Security Threat Intelligence and Narcotics Group Investigators,
 - d. Intelligence and Investigations Unit (IIU) employees, and/or
 - e. Other specific employees designated by the Superintendent or Chief of Investigative Operations.
4. The Deaf Services Coordinator may translate calls made using the VRS when requested by the IIU.
5. Employees must successfully complete training before they can monitor or record incarcerated individuals' phone calls.
 - a. Training will be coordinated with the Headquarters Site Administrator.
 - b. Employees not attending formal training by the vendor will receive 4 hours of onsite training before monitoring or recording 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.
6. 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 orderly operation of the facility, in response to a court order, or in the prosecution or investigation of a crime.

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- 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 incarcerated individual was overheard and include the information that was discussed and what was said to warrant the infraction.
 - 1) The Disciplinary Hearing Officer may listen to the telephone call before the hearing.
 - 2) An incarcerated individual will never have access to or listen to a recorded call.
- d. Employees authorized to intercept, record, and divulge telephone calls will only disclose copies of recordings from the telephone system with the Chief of Investigative Operations approval.
- e. IIU Investigators may disclose recordings to law enforcement agencies when related to a case initiated by the local IIU and changes from an administrative case to a criminal case.
 - 1) All recordings will be audited by the Chief of Investigative Operations/designee and must include supporting case documentation.
- f. 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.
- g. Recording equipment will be installed per approved telecommunication guidelines.

II. Telephone Use by Incarcerated Individuals in Reentry Centers

- A. Pay phones are available for use by individuals in a Reentry Center.
- B. Individuals with hearing and/or speech disabilities, and those who wish to communicate with parties who have such disabilities, will have access to a TTY/TDD and/or VRS or comparable equipment.

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C. Public telephones with volume control will also be made available to individuals who are hard of hearing.

D. Cell Phones

1. With case manager approval, individuals may purchase or receive a cell phone while housed in a Reentry Center.
2. Individuals will sign DOC 02-001 Cell Phone Agreement and violations of the agreement may result in the loss of cell phone privileges, which may include a formal behavior management intervention.
3. Cell phones are subject to search at any time as authorized by the Community Corrections Supervisor/designee.

DEFINITIONS:

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

ATTACHMENTS:

None

DOC FORMS:

- DOC 02-001 Cell Phone Agreement
- DOC 21-372 Acknowledgment of Training for Telephone Monitoring/Recording
- DOC 21-421 Prison Telephone Use Acknowledgment
- DOC 21-572 Request for Inter-Facility Telephone Communication
- DOC 21-754 Telephone Action