
HOUSE BILL 1751

State of Washington 66th Legislature 2019 Regular Session

By Representatives Peterson, Caldier, Macri, and Davis

Read first time 01/30/19. Referred to Committee on Public Safety.

1 AN ACT Relating to communication services and electronic media
2 services in prisons and jails; adding new sections to chapter 72.09
3 RCW; and adding new sections to chapter 70.48 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.09
6 RCW to read as follows:

7 (1) Any contract for communication services and electronic media
8 services for inmates in state correctional facilities must require
9 the vendor to charge reasonable rates for those services, which may
10 not exceed:

11 (a) Five cents per minute for domestic debit, prepaid, and
12 collect telephone calls;

13 (b) Five dollars per thirty minutes for remote video visitation;

14 (c) One dollar per email, which must allow for at least five
15 standard pages of text and include access to the device necessary to
16 type and transmit the email; and

17 (d) A reasonable rate established by the department for sending
18 videograms and video clips, and use of a media player for accessing
19 music, radio, and other entertainment.

20 (2) The maximum rates established in subsection (1) of this
21 section include any and all charges associated with the relevant

1 service including, but not limited to, any per call and connection
2 surcharge, bill statement fee, monthly account maintenance charge,
3 refund fee, and any other service charges and additional fees;
4 however, a contract may authorize fees for opening an account or
5 adding funds to an existing account, so long as the amount charged
6 does not exceed the lesser of: One percent of the funds added to the
7 account; or five dollars. The total amount charged for services may
8 not exceed the rates established under this section.

9 (3) Any contract for communication services and electronic media
10 services for inmates in state correctional facilities must include
11 provisions for quality assurance for services, and a reliable and
12 fair process for obtaining refunds for defective services and
13 services not rendered.

14 (4) Any contract for communication services and electronic media
15 services for inmates in state correctional facilities may not include
16 commission for the department or facilities in excess of five percent
17 of the revenue generated pursuant to the contract. Funds from
18 commissions may be used only for: (a) Extended family visit
19 expenditures; (b) supplies, subscriptions, and operational costs
20 associated with law libraries; (c) visiting area furniture and
21 supplies; and (d) programming and activities designed for the primary
22 purpose of strengthening relations between inmates and their
23 families.

24 (5) The department shall annually report to the governor and
25 legislature on contracts for communication services and electronic
26 media services under this section, which must include, but is not
27 limited to, a summary of the services offered, rates charged for
28 services, commissions, usage, revenue, and compliance with this
29 section and section 2 of this act. The department shall annually
30 report to the governor and legislature by November 1st of each year.

31 (6) For the purposes of this section, "commission" means a
32 percentage of revenues or fees paid to the department or facility by
33 the vendor. "Commission" does not include funds, services, or
34 equipment used for the operations of the contracted communication
35 services and electronic media services, the analysis of telephone
36 records and related financial data for investigative or other
37 purposes, and security enhancements.

38 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09
39 RCW to read as follows:

1 The department shall provide each inmate in state correctional
2 facilities the opportunity to make at least four telephone calls
3 weekly, which may not be limited to fewer than thirty minutes in
4 duration per call. An inmate may be charged a reasonable rate for
5 telephone calls not to exceed the amount established under section 1
6 of this act.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.48
8 RCW to read as follows:

9 (1) Any contract for communication services and electronic media
10 services for inmates in jails must require the vendor to charge
11 reasonable rates for those services, which may not exceed:

12 (a) Five cents per minute for domestic debit, prepaid, and
13 collect telephone calls;

14 (b) Five dollars per thirty minutes for remote video visitation;

15 (c) One dollar per email, which must allow for at least five
16 standard pages of text and include access to the device necessary to
17 type and transmit the email; and

18 (d) A reasonable rate established by the jail for sending
19 videograms and video clips, and use of a media player for accessing
20 music, radio, and other entertainment.

21 (2) The maximum rates established in subsection (1) of this
22 section include any and all charges associated with the relevant
23 service including, but not limited to, any per call and connection
24 surcharge, bill statement fee, monthly account maintenance charge,
25 refund fee, and any other service charges and additional fees;
26 however, a contract may authorize fees for opening an account or
27 adding funds to an existing account, so long as the amount charged
28 does not exceed the lesser of: One percent of the funds added to the
29 account; or five dollars. The total amount charged for services may
30 not exceed the rates established under this section.

31 (3) Any contract for communication services and electronic media
32 services for inmates in jails must include provisions for quality
33 assurance for services, and a reliable and fair process for obtaining
34 refunds for defective services and services not rendered.

35 (4) Any contract for communication services and electronic media
36 services for inmates in jails may not include commission for the
37 jails in excess of five percent of the revenue generated pursuant to
38 the contract. Funds from commissions may be used only for: (a)
39 Extended family visit expenditures, if offered by the jail; (b)

1 supplies, subscriptions, and operational costs associated with law
2 libraries; (c) visiting area furniture and supplies; and (d)
3 programming and activities designed for the primary purpose of
4 strengthening relations between inmates and their families.

5 (5) For the purposes of this section, "commission" means a
6 percentage of revenues or fees paid to a jail by a vendor.
7 "Commission" does not include funds, services, or equipment used for
8 the operations of the contracted communication services and
9 electronic media services, the analysis of telephone records and
10 related financial data for investigative or other purposes, and
11 security enhancements.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.48
13 RCW to read as follows:

14 A jail shall provide each inmate with the opportunity to make at
15 least four telephone calls weekly, which may not be limited to fewer
16 than thirty minutes in duration per call. An inmate serving a
17 sentence for a criminal offense may be charged a reasonable rate for
18 telephone calls not to exceed the amount established under section 3
19 of this act. However, a jail or contracted vendor may not charge an
20 inmate for telephone calls if he or she is awaiting trial for a
21 criminal offense for which he or she has not been convicted, and he
22 or she is not currently serving a sentence for a criminal conviction.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.48
24 RCW to read as follows:

25 (1) Every jail shall annually report to the Washington
26 association of sheriffs and police chiefs with information regarding
27 the communication services and electronic media services offered to
28 inmates, including a summary of the services offered, rates charged
29 for services, commissions, usage, revenue, and compliance with
30 sections 3 and 4 of this act.

31 (2) The Washington association of sheriffs and police chiefs
32 shall submit a summary of the information collected under subsection
33 (1) of this section to the governor and the legislature by November
34 1st of each year.

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