

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF CORRECTIONS

(agency name)

Administrative Order No. 82-18

(1) I, Amos E. Reed, director of Department of Corrections

do promulgate and adopt at Olympia, Washington 98504 (place)

the annexed rules relating to:

New Section 137-50 Telephone Usage

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect:
[] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, Amos E. Reed, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

A procedure is needed to immediately establish uniform rules for inmates use of telephone facilities to ensure inmates do not abuse telephone privileges, thereby improving the general welfare in institutions.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

- [] (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

[X] (c) This rule is promulgated under the general rule-making authority of the

Department of Corrections

(agency)

as authorized in RCW 72.09.050

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED FILED Amos E. Reed 12/23/82

DEC 27 1982

By Amos E. Reed, Secretary

CODE REVISER'S OFFICE WSR 83-02-021

Title

Chapter 137-50 WAC

ADULT CORRECTIONAL INSTITUTIONS--TELEPHONE USAGE

NEW SECTION

WAC 137-50-010 TELEPHONE USAGE. (1) Telephone facilities shall be provided in appropriate numbers and locations to permit reasonable and equitable access to all inmates, except inmates of the reception center and those inmates in disciplinary segregation.

(2) The superintendent shall promulgate written regulations providing for access of inmates to additional telephone facilities in emergency situations.

(3) Privacy shall be insured by reasonable isolation or sound-proofing of telephone facilities. Telephone calls shall not be monitored, recorded, or spot-checked except by court order.

(4) The superintendent shall promulgate written regulations outlining the hours of telephone availability, maximum length of calls (not to be less than five minutes) and any limitations on telephone use.

(5) Calls shall be placed collect unless it is a local call.

(6) Reasons for calls shall be the personal concern of the inmate, except in consideration of requests for emergency calls beyond normal telephone availability.

(7) Denial of telephone privileges may be used as a sanction only against those inmates who abuse telephone privileges as determined by appropriate disciplinary procedures. The denial of telephone privileges may not be used as a disciplinary sanction for institutional rules unrelated to telephone usage.