



# WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

## GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Doug Percy / DAI policies

\_\_\_\_\_  
Name of Individual Certifying this Document / Proposed Document

DAI Assistant Administrator

\_\_\_\_\_  
Title




\_\_\_\_\_  
Signature

2/28/2020

\_\_\_\_\_  
Date Signed

Department of Corrections – Wisconsin  
Office of the Secretary  
Wis. Stat. § 227.112(6)  
DOC-2910 (Rev. 12/2019)

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 309.39.01	<b>Page</b> 1 of 5
	<b>Original Effective Date:</b> 10/01/95	<b>New Effective Date:</b> 03/16/20
	<b>Supersedes:</b> 309.39.01	<b>Dated:</b> 01/01/17
	<b>Administrator's Approval:</b> Makda Fessahaye, Administrator	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> <b>Inmate</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Monitoring and Recording of Inmate Telephone Calls		
<b>Guidance Document</b>	<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	<b>Posting date</b> 03/09/20

**POLICY**

The Division of Adult Institutions may operate an inmate telephone monitoring/recording system to ensure the safety of staff, inmates, victims and the community.

**REFERENCES**

Wisconsin Administrative Code s. DOC 309.39 – Inmate Telephone Calls  
Wisconsin Administrative Code s. DOC 309.405 – Telephone Calls to Attorneys  
Wisconsin Administrative Code s. DOC 309.43 – Procedure for Approval  
Wisconsin Administrative Code s. DOC 309.42 – Calls Between Inmates  
DAI Policy 300.00.35 – Americans with Disabilities Act

**DEFINITIONS, ACRONYMS, AND FORMS**

ADA - Americans with Disabilities Act

ADA Coordinator – A person who has been designated by each Division to receive and process requests for accommodations from inmates, offenders, juveniles and members of the public.

Attorney – Inmate's attorney of record or an attorney with whom the inmate has a client-attorney relationship or an attorney with whom the inmate seeks to establish a client-attorney relationship.

DAI – Division of Adult Institutions

DOC – Department of Corrections

DOC-1556 – Acknowledgment of Monitoring PIN Number Usage and Recording of Telephone Calls

DOC-1631 – Telephone Request Attorney Add/Delete

DOC-1631S – Telephone Request Attorney Add/Delete (Spanish translation)

DOC-2530 – Reasonable Modification/Accommodation Request

DOC-2649 – Relative/Associate Requesting Telephone Relay Accommodations

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Monitoring – The in-person interception of an inmate’s telephone call and/or the listening to recorded telephone calls.

Personal Identification Number (PIN) – A unique ten digit number comprised of an inmate’s assigned six digit DOC number plus a four digit passcode created by the inmate.

Recording – The electronic recording of an inmate’s telephone call.

TDD/TTY – Telephone Devices for the Deaf

WICS – Wisconsin Integrated Corrections System

## **PROCEDURE**

### **I. Telephone Call Procedure**

- A. Inmate shall sign DOC-1556 or prior to using the phone. Inmate use of the telephone constitutes consent to the monitoring and recording of calls.
- B. Initial announcement and voice overlays shall be included in all calls indicating the call originated from a state correctional facility.
- C. All calls shall have a termination message announcing the remaining time on the call. Calls shall automatically be disconnected when the time elapses.
- D. Inmate handbooks and/or facility procedure shall indicate all telephone calls, except approved properly placed attorney calls, may be monitored and recorded.
- E. A written notice in English and Spanish shall be posted on/near telephones informing the inmate that all calls, other than properly approved calls to an attorney, may be monitored and recorded.
- F. The vendor shall provide TDD/TTY and the service to support use by deaf and hard of hearing inmates.
- G. Telephone calls placed using a TDD/TTY shall be granted timeframes three times longer than regular telephone calls placed using the standard voice telephone equipment. Time frames can be extended by contacting the telephone vendor.
- H. Telephone calls involving telephone relay services including deaf and hard of hearing inmates as well as deaf and/or hard of hearing members of the public, shall be granted with prior approval from staff in order to facilitate using this service. Deaf and hard of hearing members of the public shall return a completed DOC-2649 to the attention of the facility ADA Coordinator prior to receiving a relay call.

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- I. The inmate shall be responsible for the actual cost of the call using the state telephone system for an emergency call as defined by facility procedure. Only general account funds may be used.
- II. ADA Coordinators Shall:**
  - A. Process DOC-2530 per DAI Policy 300.00.35.
  - B. Receive and verify DOC-2649 and submit to Security Director for approval.
- III. Security Director/Designee Shall:**
  - A. Approve or deny the DOC-2649.
  - B. Document in the relative/associate's screen in WICS an approved DOC-2649 is on file from the relative/associate's physician. Documentation in the relative/associate's WICS screen shall include the facility's acronym, date information is being entered and a very brief comment. (e.g., relay service approved.)
  - C. Scan and save the DOC-2649s in DAI Security Director/ Relative Associates/Telephone Accommodation folder. Each DOC-2649 shall be saved by last name, first name and date approved. Example: Doe, Jane 100112.
  - D. Notify the relative/associate of the accommodation approval/denial.
- IV. Facilities Shall:**
  - A. Receive DOC-1631 or DOC-1631S and forward it to the Inmate Phone System Vendor. Retain a copy of this completed form on file.
  - B. Provide training to staff responsible for monitoring inmate telephone calls.
  - C. Not knowingly monitor or record a properly placed telephone call to an attorney.
  - D. If while monitoring or recording a telephone call, it is determined the call is to an attorney, further monitoring/recording shall cease at once. A DOC-2466 shall be submitted with a copy provided to the Warden describing the circumstances that resulted in the call being monitored/recorded.
  - E. In the event a telephone call to an attorney was monitored and recorded, notify the pertinent inmate and attorney that the call was monitored and recorded.
  - F. Facilities shall develop procedures for staff monitoring of inter-institution phone calls between the requesting inmate and the inmate's spouse, parent or child committed to another Wisconsin correctional facility or mental health facility.

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**V. Inmates Shall:**

- A. Sign DOC-1556.
- B. Identify attorney(s) using DOC-1631 or DOC-1631S.
- C. Enter their own PIN.
- D. Not use another inmate's PIN or an intermediary.
- E. Not participate in three-way calling, speaker-phone or broadcast calling.
- F. Not allow their phone calls to be recorded by another party except for law enforcement purposes.
- G. Submit completed DOC-2530 to the ADA Coordinator if requesting accommodations.
- H. Send blank DOC-2649 to the relative/associate requesting the accommodation.

**Administrator's Approval:** \_\_\_\_\_  
Ma



\_\_\_\_\_ **Date Signed:** 02/28/20  
rator

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
<b>Original Effective Date:</b>	<b>DAI Policy Number:</b> 000.00.00	<b>Page</b> 5 of 5
<b>New Effective Date:</b> 00/00/00	<b>Supersedes Number:</b>	<b>Dated:</b>
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Monitoring and Recording of Inmate Telephone Calls		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES****DEFINITIONS, ACRONYMS, AND FORMS****FACILITY PROCEDURE**

I.

- A.
- B.
  - 1.
  - 2.
    - a.
    - b.
    - c.
  - 3.
- C.

II.

III.

**RESPONSIBILITY**

I. Staff

II. Inmate

III. Other