



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: Offender Contact and Relationship Reporting Requirements		Policy Number: 1.1.14
Date of Issue: February 7, 2014	Authority: Signature on File John E. Wetzel	Effective Date: February 14, 2014

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. APPLICABILITY

This policy is applicable to all facilities operated under the jurisdiction of, or conducting business with the Department of Corrections, Department employees, volunteers, contract personnel, visitors and offenders.

III. POLICY

It is the policy of the Department to all facilities operated under the jurisdiction of, or conducting business with the Department of Corrections.

IV. PROCEDURES

All applicable procedures are contained in the procedures manual that accompanies this policy document.

V. SUSPENSION DURING AN EMERGENCY

In an emergency or extended disruption of normal facility operation, the Secretary/designee may suspend any provision or section of this policy for a specific period.

VI. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

VII. RELEASE OF INFORMATION AND DISSEMINATION OF POLICY

A. Release of Information

1. Policy

This policy document is public information and may be released upon request.

2. Confidential Procedures (if applicable)

Confidential procedures for this document, if any, are not public information and may not be released in its entirety or in part, without the approval of the Secretary of Corrections/designee. Confidential procedures may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections' policy and procedures shall be distributed to the members of the Central Office Executive Staff, all Facility Managers, and Community Corrections Regional Directors on a routine basis. Distribution of confidential procedures to other individuals and/or agencies is subject to the approval of the Secretary of Corrections/designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures either in hard copy or via email, whichever is most appropriate.

VIII. SUPERSEDED POLICY AND CROSS REFERENCE

A. Superseded Policy

1. Department Policy

This document establishes policy and procedure on this subject.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)

1. Administrative Manuals

a. DC-ADM 008, Prison Rape Elimination Act (PREA)

b. DC-ADM 815, Personal Property, Basic/State Issued Items and Commissary/Outside Purchases

c. 5.1.1, Staff Development and Training

2. ACA Standards

a. Adult Correctional Institutions: None

b. Adult Community Residential Services: None

c. Correctional Training Academies: None



PROCEDURES MANUAL
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Release of Information:

Policy Document: This policy document is public information and may be released upon request.

Procedures Manual: The procedures manual for this policy may be released in its entirety or in part, with the prior approval of the Secretary/designee. Unless prior approval of the Secretary/designee has been obtained, this manual or parts thereof may be released to any Department employee on an as needed basis only.

**1.1.14 Offender Contact and Relationship Reporting Requirements Procedures Manual
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Section 1 – Responsibilities & Training

A. Responsibilities

1. General

- a. All employees are expected to maintain professional relationships with offenders and the public.
- b. No employee shall engage in any activity nor fraternize with an offender, their friends, relatives or representatives, on or off duty, not authorized within the performance of the employee's assigned duties or otherwise approved by the Facility Manager/Bureau Director/designee.
- c. Fraternization behavior includes, but is not limited to, engaging in sexual/personal/private relationships, introducing contraband, conducting financial transactions, supplying/sharing personal information, electronic/social media interaction, giving/receiving gifts/favors, or any other activity that may jeopardize the safety and/or security of employees, inmates, or the community.
- d. The Department recognizes that a pre-incarceration relationship may have existed between an employee and offender. Pre-incarceration relationships shall be reported as outlined in this policy. In support of successful offender reentry, legitimate reasons may exist for continued interaction with the offender. These interactions shall be approved in accordance with this policy and may not interfere with the safe and orderly operation of any correctional facility.
- e. All employee-offender contact and relationships, as defined in this policy, shall be reported as soon as any employee becomes aware of the situation.
- f. Allegations of fraternization or unauthorized activity will be referred to the Facility Security Office for prompt and thorough investigation.
- g. Violations of this policy may lead to disciplinary action, up to and including, termination from employment, as well as criminal prosecution.

2. Each Facility Manager/Bureau Director/designee is responsible for ensuring that all reported incidents of fraternization or unauthorized activity are promptly and thoroughly investigated.

NOTE: Every allegation of sexual abuse as defined in Department policy **DC-ADM 008, "Prison Rape Elimination Act (PREA)"** shall be investigated in accordance with that policy.

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Section 1 – Responsibilities & Training

3. Employee

- a. Each employee shall promptly report any pre-existing personal relationship or personal contact, when an offender meets the definition of relative, friend or acquaintance, immediately upon discovery. This does not include incidental contact. Reporting requirements are outlined in **Section 3** of this procedures manual.
- b. Each employee shall promptly report incidents of fraternization or prohibited/unauthorized activity they become involved with or witness, immediately upon discovery. Reporting requirements are outlined in **Section 3** of this procedures manual.
- c. Requests to communicate verbally or in writing, visit, reside with and/or provide financial support to an offender shall be handled in accordance with **Section 4** of this procedures manual.
- d. Each employee shall cooperate fully with any investigation conducted as a result of information received regarding fraternization or unauthorized activity.
- e. When in doubt regarding the application of this policy, employees shall seek guidance and direction from their immediate supervisor.

B. Training

1. All training will be conducted in accordance with Department policy **5.1.1, “Staff Development and Training.”**
2. At orientation and annually, each employee will be required to sign the **Employee Acknowledgement of Offender Contact and Relationship Reporting Requirements (Attachment 1-A)**. This acknowledgement shall be maintained in the employee’s official personnel file.

Section 2 – Prohibited Activities – Offenders/Friends/Relatives/Representatives

A. General

The following activities are prohibited with the above unless conducted within the performance of the employee's assigned duties or otherwise approved in writing by the Facility Manager/Bureau Director/designee:

1. cohabitating, residing or otherwise living in the same property address or property owned or managed by;
2. giving or receiving a gift or favor;
3. supplying personal information of any type, either directly or indirectly, in verbal or written format to include electronic correspondence;
4. extending, promising, or offering any special consideration or treatment, either directly or indirectly;
5. hiring, employing or working for, with or without remuneration;
6. entering into a personal agreement or contract, with or without compensation;
7. lending, providing, receiving or promising money, services, goods (including Commonwealth property or any item available for purchase through Department policy **DC-ADM 815, "Personal Property, Basic/State Issued Items and Commissary/Outside Purchases;"**)
8. delivering or sending messages in verbal or written format to include electronic correspondence;
9. establishing or continuing a personal relationship;
10. engaging in personal contact;
11. providing or receiving child/foster care;
12. engaging in contact through email, social media, electronic devices and/or other internet activities;
13. providing written information or appearing before the Pennsylvania Board of Probation and Parole (PBPP) or Board of Pardons, unless specifically requested by the agency;
14. assisting or counseling offenders in the preparation of writs, appeals, or any other legal documents or processes, outside the scope of assigned job duties;

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Section 2 – Prohibited Activities – Offenders/Friends/Relatives/Representatives

15. providing treatment services, outside the scope of assigned job duties;
16. assisting an offender, in any way, to escape or abscond from supervision;
17. providing or attempting to provide contraband to an offender, including but not limited to: cell phones; tobacco; food; pornography; media storage devices; weapons; alcoholic beverages; drugs; drug paraphernalia; explosive devices or materials useful in the fabrication of explosive devices or any other article, substance or thing that may reasonably be considered a danger to the security of the facility;
18. engaging in any activity which might compromise the safety and security of employees, offenders and/or the public; and/or
19. engaging in any activity which might compromise the ability of the employee to perform job duties in an efficient, unbiased and professional manner.

Section 3 – Employee Reporting Requirements

In accordance with **Section 1** of this procedures manual, employees shall completely and accurately report personal contact and relationships, as defined, with offenders, their friends, relatives and representatives as outlined below. The reporting employee shall complete the **Contact Disclosure Report (Attachment 3-A)**, prior to the end of his/her shift.

A. Facility Process (including Quehanna Boot Camp)

1. The employee shall provide the completed and signed **Contact Disclosure Report** to the Shift Commander.
2. The Shift Commander shall sign and date the **Contact Disclosure Report** acknowledging its receipt and provide a copy of same to the employee.
3. The Shift Commander shall initiate the **Facility Contact Disclosure Processing Checklist (Attachment 3-B)** and determine the immediate course of action and disseminate a copy of the checklist and all related documentation to the Facility Manager/designee, with the original to the Security Captain/designee.
4. The facility Security Captain/designee will review all documentation and indicate the action being taken and notify the Facility Manager/designee.

B. Community Corrections Process

1. The employee shall provide the completed and signed **Contact Disclosure Report** to the Center Director/designee.
2. The Center Director/designee shall sign and date the **Contact Disclosure Report** acknowledging its receipt and provide a copy of same to the employee.
3. The Center Director/designee shall initiate the **Bureau of Community Corrections (BCC) Contact Disclosure Processing Checklist (Attachment 3-C)** and determine the immediate course of action, scan and email a copy of the checklist and all relevant documentation to the BCC Security Captain/designee.
4. The BCC Security Captain/designee will review all documentation and indicate the action being taken and notify the Bureau Director/designee.

C. Central Office and Training Academy Process

1. The employee shall provide the completed and signed **Contact Disclosure Report** to their Bureau Director/designee.
2. The Bureau Director/designee shall sign and date the **Contact Disclosure Report** acknowledging its receipt and provide a copy of same to the employee.

3. The Bureau Director/designee shall initiate the **Central Office and Training Academy Contact Disclosure Processing Checklist (Attachment 3-D)** and determine the immediate course of action, provide all original documents including the checklist to the Security Lieutenant for the Training Academy and Chief of Security for Central Office.
4. The Security Office designee will review all documentation and indicate the action being taken and notify the Bureau Director/designee.

D. Report Guidelines

1. If the content of the report warrants investigation, the designated security office will conduct or refer the investigation in accordance with established policy and procedure. In this instance, no further discussion with the subject employee shall take place, outside of the official investigation.
2. If the conduct of the report does not warrant investigation, the employee's Facility Manager/designee or Bureau Director/designee shall draft notice to the subject employee via the **Contact Disclosure Final Determination Memo (Attachment 3-E)**.
3. Each designated security office shall be the repository for all reports.
4. Alleged criminal violation(s) of Commonwealth statutes will be referred to the appropriate law enforcement agency prior to conducting any official internal investigation.

NOTE: A subsequent official internal investigation to determine whether employment misconduct has occurred may be conducted if the law enforcement agency declines to accept the referral or determines that insufficient evidence exists for criminal prosecution.

5. Employees may also report unauthorized behavior by contacting the Office of Special Investigations and Intelligence (OSII) at 1-800-677-0330.

Section 4 – Communication, Visiting, Residence and Financial Support Requests

A. General

1. Any employee requesting permission to communicate verbally or in written format to include electronic correspondence, visit, reside with and/or provide financial support to any current offender or current Non-Department of Corrections offender, as defined in this manual, shall complete the **Offender Support Request (Attachment 4-A)**.

NOTE: Offender Support Requests shall normally be considered for relatives and only considered under exigent circumstances for friends and acquaintances.

2. The employee shall provide the completed and signed **Offender Support Request** to the Facility Manager/Bureau Director/designee.

NOTE: Bureau of Community Corrections (BCC) employees must submit their request through their Center Director/designee. The Center Director/designee shall forward the request to the Bureau Director/designee.

3. Upon review and completion by the employee's Facility Manager/Bureau Director/designee, the **Offender Support Request** shall be forwarded to the Facility Manager/Bureau Director/designee of the facility where the offender is housed.
4. Upon review and completion by the offender's Facility Manager/Bureau Director/designee, the **Offender Support Request** shall be returned to the Facility Manager/Bureau Director/designee of the facility where the employee works.
5. Both the employee's and the offender's Facility Manager/Bureau Director/designee must agree on the requested privilege for the request to be granted.

B. Final Determination

1. The employee's Facility Manager/Bureau Director/designee shall provide notice to all concerned using the **Offender Support Request – Final Determination Memo (Attachment 4-B)**.
2. Each facility security office shall be the repository for all reports.
3. Once approved, transfer of the offender or employee will not affect this privilege.
4. This privilege may be suspended or terminated at the discretion of either the employee's or offender's Facility Manager/Bureau Director/designee.
5. Each time a new privilege is added/removed, a new memo must be generated that includes all authorized approved/denied privileges.

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Glossary of Terms**

Acquaintance – knowledge of a person acquired by a relationship less intimate than a friendship or personal relationship, including but not limited to, classmates, neighbors, co-workers, treatment or service providers, etc.

Electronic Correspondence – Contact initiated by either party through text messages, instant messages, email, social media, etc.

Employee – Any Department of Corrections employee, volunteer, contractor, vendor or intern.

Friend – Any individual who has an established personal relationship with another person.

Incidental Contact – Infrequent contact during daily activities such as dining, shopping, spectator events, etc.

Non-Department of Corrections Offender – Any individual incarcerated in a federal, out-of-state, or county facility, who is not under the jurisdiction of the Department of Corrections or PBPP.

Offender

1. Any individual currently incarcerated in a Pennsylvania State Correctional Institution;
2. Any individual under the jurisdiction of the PA Department of Corrections (Department) or Pennsylvania Board of Probation and Parole (PBPP) and residing in a facility owned, operated or contracted by the Department (Contracted County Jail, Community Corrections Center, Community Contract Facility, etc.);
3. Any individual currently assigned to the State Intermediate Punishment (SIP) program; or
4. Any individual released from the custody/supervision of the above within the past 365 days.

Personal Contact – Contact that would cause the employee to reveal personal information about themselves. This includes, but is not limited to, participation in organized group/social/church/school/sports activities, support groups, and/or social media interaction.

Personal Relationship – On-going personal and/or private (one-on-one) contact that is not incidental and is outside the scope of assigned job duties or has not been approved pursuant to this section of policy. This includes contact initiated by either party using any method, including but not limited to physical contact, sexual contact, sharing personal information, visiting, socializing, dating, verbal or written communication by phone calls, letters, or electronic correspondence.

Relative – Spouse, child, parent, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, step-child/parent/sibling/grandparent, foster-child/parent/sibling/grandparent or any of these named relationships in the spouse's family.

Representative – Any individual who represents the interests of an Offender.

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Glossary of Terms

Social Media – A website or online service that facilitates personal contact between two or more people. Examples include, but are not limited to, Twitter, Facebook, Match.com, Instagram, etc.

Spouse – Any individual who is currently cohabitating with the offender, or engaged in an intimate relationship, marriage, boyfriend/girlfriend, significant other, or domestic partnership. This also covers previous/ex-spouses.