

 <p>DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS</p> <p>POLICY AND PROCEDURE</p>	EFFECTIVE DATE:	May 3, 2013	Page 1 of 7
	SUPERSEDES:	4070.1D October 26, 2011	
	OPI:	PROGRAMS	
	REVIEW DATE:	May 3, 2014	
	Approving Authority	Thomas Faust Director	
	SUBJECT:	INMATE TELEPHONE ACCESS	
NUMBER:	4070.1E		
Attachments:	Attachment A – Attachment B		

SUMMARY OF CHANGES:

Section	Change
Page 5, §10 "General Requirements" – (d)	(d-3) – Section revised
Page 5, §10 "General Requirements"	(d) – Detailed call log information was removed
Page 5, §10 "General Requirements"	(d,1-7) – Detailed call log information was removed (e) – Was updated
Page 6, §11 (a)	(a) - was revised in its entirety
Page 7, §15 "General Requirements"	(b) – Deleted

APPROVED:

Signature on File



Thomas Faust, Director

5/03/2013

Date Signed

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1. **PURPOSE AND SCOPE.** To establish guidelines governing inmate telephone access.
2. **POLICY.** It is the policy of the DC Department of Corrections (DOC) to ensure that all inmates housed at the Central Detention Facility (CDF) have reasonable and equitable access to telephones for authorized purposes.
3. **PROGRAM OBJECTIVES.** The expected results of this directive are:
 - a. Inmates shall be afforded the opportunity to maintain family and community ties consistent with safety and security requirements of the CDF and the community.
 - b. Inmates who are not indigent shall be responsible for the expense of telephone use.
 - c. Inmate telephone use shall be monitored in order to preserve the safety, security and orderly operation of the CDF and to protect the general public.
4. **APPLICABILITY.** This policy shall apply to DOC inmates, employees, contractors, volunteers, interns and any others who provide services and conduct business within the DOC.
5. **NOTICE OF NON-DISCRIMINATION**
 - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
6. **DIRECTIVES AFFECTED**
 - a. **Directives Rescinded**

PS 4070.1D

Inmate Telephone Access (10/26/11)

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b. Directives Referenced

- 1) PS 3800.3 ADA: Communications for Deaf and Hearing Impaired
- 2) PS 4020.1 Inmate Orientation Program
- 3) PS 4160.3 Access to Legal Counsel (Attorney Visits)
- 4) PS 5500.1 Segregation of Inmates
- 5) PM 6000.1 Medical Management

7. AUTHORITY

- a. DC Code § 24-211.02 Powers; Promulgation of Rules
- b. D.C. Code § 24-263.01 et seq., Fair Phone Charges for Prisoners.

8. STANDARDS REFERENCED

- a. American Correctional Association (ACA) 4th Edition Performance-Based Standards for Adult Local Detention Facilities: 4-ALDF-5B-11, 4-ALDF-5B-12 and 4 -ALDF-6A-05.

9. DEFINITIONS. For the purpose of this directive, the following definitions apply:

- a. **Business Days.** A business day is any day that is not a Saturday, Sunday, or holiday.
- b. **Sick Call.** When an inmate requests to be seen by clinical staff for nonemergency medical care. An appointment shall be scheduled for sick call within one (1) business day from the time the automated telephone sick call request is received.
- c. **Legal Call.** A call placed to an authorized person or his/her office for the purpose of conducting legal business.
- d. **Monitoring.** The listening, recording and periodic review of telephone conversations of inmates. Monitoring of telephone calls shall include, but not be limited to, the review of recorded conversations and review/analysis of telephone call data.
- e. **TID Number.** Telephone identification number assigned to each inmate for use with inmate telephone calls.

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- f. **Inmate Telephone System (ITS).** An automated telephone system used by inmates.

10. GENERAL REQUIREMENTS

- a. **Orientation.** During the orientation and admission process, inmates shall be notified orally and in writing about telephone operating procedures and the DOC monitoring/recording policy. In addition:
- 1) In order to receive a Telephone Identification Number (TID), an inmate must sign an Inmate Telephone ID Number Release Form (Attachment A).
 - 2) Inmates shall also sign a Debit Authorization Form (Attachment B) and submit a list of up to ten names/telephone numbers that may be called using the Discount Debit Calling option.
 - 3) Each inmate shall be issued a Telephone Identification Number (TID) for use when making calls on the ITS. Inmates are prohibited from giving their TID number to another inmate or using the TID number of another inmate.
 - 4) Inmates shall be advised that they may use the ITS to make collect calls to any person/number they choose.
 - 5) All inmates shall be advised that the TID number can be used to access the automated Sick Call system immediately upon admission into the CDF. The phone calls to access sick call are free to each inmate; inmate's accounts **will not** be debited.
 - 6) Inmate Telephone System and procedures will be made available in the following languages: English; Spanish; Vietnamese; Russian; Portuguese; Korean; Japanese; French; Arabic and Amharic.
- b. **Blocked Numbers.** Telephone numbers may be blocked from the ITS for the following reasons:
- 1) If the person/organization that owns the number is considered a threat to the safety, security and/or the orderly operations of the facility.
 - 2) Upon a written order or request from the courts, U.S. Attorney's Office, a law enforcement agency or other Federal, state or local government agency.

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- 3) At the request of the customer that owns the number being blocked. If the customer contacts the CDF to request the block he/she shall be provided with the contact information for the ITS vendor and advised to contact them directly to request the block.

c. Inmate Telephone System (ITS) Use

- 1) The ITS shall be available for use seven days per week from 8:30 AM to 10:00 PM. The system shall be turned off 30 minutes prior to each count and shall remain off until the count clears.
- 2) With the exception of access to the sick call system, the ITS system may be turned off at any time for security reasons. The decision will be made by the Shift Commander or higher official and reported to the Deputy Warden for Operations.
- 3) Generally, inmate calls made on the ITS shall be limited to fifteen (15) minutes in duration. Exceptions may be made for inmates who require the use of TTY equipment or other services for the hearing impaired.
- 4) Inmates held on Disciplinary Detention may only make legal calls in accordance with PS 5500.1, *Segregation of Inmates*.

d. Free Telephone Calls

- 1) Newly admitted inmates shall be given the opportunity to complete at least one (1) free telephone call on an internal DOC telephone upon arrival at male and female Receiving and Discharge (R&D).
- 2) R&D staff shall record the call in JACCS and in the logbook. Detail information regarding phone calls shall be logged under the Phone Log in JACCS.
- 3) Sick Calls will be available to all inmates free of charge; inmate's accounts **will not** be debited.
 - a) Case Managers, the Chaplain and other persons designated by the Warden may authorize the placement of free telephone calls for indigent inmates, inmates that are experiencing family emergencies and in other unusual circumstances which make use of the ITS impractical. The staff member placing the call shall directly monitor the entire call and must enter the call into JACCS and maintain a written log.

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11. REQUESTING SICK CALLS

- a. Sick call requests for non-emergency medical care shall be requested using the ITS system in the housing units. Inmates can also use manual sick call slips to request non-emergency medical care.
- b. Requests are documented and reviewed for immediacy of need and intervention as required.
- c. Medical staff conducts sick call five days a week not including weekends and holidays in the general population units and daily in the segregated units (including weekends and holidays).
- d. In the event of a medical emergency, staff shall continue to make immediate notification to medical.
- e. In the event of a lockdown, the Warden's office shall notify medical. Medical shall ensure that manual sick call slips are available on all affected units, and are collected and triaged daily until the lockdown is over.

12. LEGAL CALLS

- a. Case Managers and other persons designated by the Warden are authorized to place legal calls for inmates.
- b. The authorized staff member placing the call must verify that the recipient is an attorney/law firm/agent before putting the inmate on the telephone.
- c. Legal calls shall not be monitored by any employee or person providing services to the DOC.
 - 1) The authorized staff member placing the legal call shall record the call in JACCS and in a written log.

If a staff member other than the inmate's Case Manager places the call, he/she shall record the call in JACCS and forward a copy of the log entry to the Case Manager to be placed in the inmate's case file.

- d. Legal calls shall be made from a private area where there is limited access for others to overhear the conversation.

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13. TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)

- a. TDD's shall be provided for inmates who are deaf or hard of hearing in a manner that ensures effective access to telephone services.
- b. Telecommunications Typewriters (TTY) shall be provided for inmates to communicate with family members or friends who are deaf or hard of hearing.
- c. ITS telephones equipped with volume control mechanisms shall be dispersed among the ITS telephones throughout CDF. Appropriate signage shall be visible to identify a volume control telephone.

14. MONITORING AND RECORDING INMATE TELEPHONES

- a. The audio and call data for all calls made from ITS telephones will be recorded.
- b. Calls made from the ITS telephones may be monitored live.
- c. Call data from the ITS may be analyzed.
- d. Recorded ITS telephone calls may be reviewed.
- e. Call data records and recordings of inmate telephone calls may be released with a subpoena or other appropriate legal order.
- f. Inmates are informed that calls are recorded by the phone system on the Inmate Telephone ID Number form and in the Inmate Handbook that they receive during Orientation.

15. PROCUREMENT OF INMATE TELEPHONE SERVICES

- a. Contracts for inmate telephone services must comply with all federal and District of Columbia laws and regulations.

Attachments

Attachment A – Inmate Telephone ID Number Release Form

Attachment B – Inmate Telephone Debit Authorization Form



DC Department of Corrections

Inmate Telephone ID Number Release Form

Inmate Name:
Inmate DCDC#:
Inmate Booking#:
Inmate DOB:
Telephone ID#:

This document is an agreement between _____ and **Washington DC Department of Corrections** referred to as "the Facility" in this document.

By signing below, I understand that the Telephone ID number above has been issued to me for access to the Inmate Telephone System and can be used to debit monies from my inmate account for telephone calls and/or commissary orders, and can be used to place collect telephone calls.

I further understand and agree that it is my responsibility to keep this number confidential, so as to protect against unauthorized access and use of monies kept in my inmate account, and so as to protect against unauthorized placement and charging of collect telephone calls.

I understand and agree that neither the Facility, nor INMATE TELEPHONE, INC., assume any responsibility for the unauthorized use of my Telephone ID Number.

In the event that monies are deducted from my inmate account due to unauthorized use of my Telephone ID number, I understand and agree that neither the Facility, nor INMATE TELEPHONE, INC., will reimburse me for any unauthorized deductions from my account.

In the event that charges for collect telephone calls are incurred due to unauthorized use of my Telephone ID number, I understand and agree that neither the Facility, nor INMATE TELEPHONE, INC., will reimburse me for any unauthorized collect telephone call charges.

I understand and agree that using another inmate's Telephone ID number, or allowing another inmate to use my Telephone ID number, is strictly forbidden, and may result in the Facility taking disciplinary action against me.

I agree to notify an officer of the Facility if my Telephone ID Number becomes known by other inmates, so it can be changed immediately.

I understand and agree that telephone calls are subject to monitoring, recording, and may be intercepted or divulged.

I understand and agree the Inmate Telephone System should not be used for attorney telephone calls because the attorney/client privilege cannot be protected. Telephone calls with attorneys should be arranged through a Case Manager of the Facility.

Inmate Signature _____

Date

Case Manager Signature _____

Date

FOR OMITS USE ONLY

Data Entered	Suspended		
Released	Unsuspending	Date	Signature

DC Department of Corrections
Inmate Telephone Debit Authorization Form

Inmate Name:
Inmate DCDC#:
Inmate Booking#:
Inmate DOB:
Telephone ID#:

Debit Numbers Requested

	(AREA CODE) NUMBER	NAME OF PERSON(S)	ADDRESS	RELATIONSHIP TO YOU
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

I hereby authorize the Facility and INMATE TELEPHONE, INC., to deduct monies from my inmate account for calls to the above listed telephone numbers using my Telephone ID number. Debit calls are subject to sufficient funds being available in my inmate account.

I understand and agree that telephone calls are subject to monitoring, recording, and may be intercepted or divulged.

I understand and agree that all provisions specified on the Inmate Telephone ID Number Release Form also apply to this Inmate Telephone Debit Authorization Form.

Inmate Signature _____

Date

Case Manager Signature _____

Date