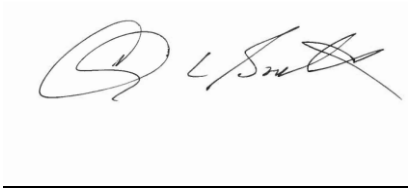
	DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS **POLICY AND PROCEDURE**	**EFFECTIVE DATE:**	December 19, 2016	**Page 1 of 9**
		SUPERSEDES:	4070.1F June 18, 2014	
		OPI:	PROGRAMS	
		REVIEW DATE:	December 19, 2017	
		Approving Authority	Quincy L. Booth Interim Director	
	SUBJECT:	**INMATE TELEPHONE ACCESS**		
	NUMBER:	**4070.1G**		
	Attachments:	Attachment A – Inmate Telephone ID Number Release Form Attachment B – Inmate Telephone Debit Authorization Form		

SUMMARY OF CHANGES:

Section	Change
	Minor changes have been made.

APPROVED:



_____ ___12/19/16_____

Quincy L. Booth, Interim Director ***Date Signed***

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 DOC 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 DOC 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 DOC and to protect the general public.

   d. The agency shall ensure reasonable communication between inmates and confidential support services in as confidential a manner as possible.

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**

PP 4070.1F Inmate Telephone Access (06/18/14)

b. **Directives Referenced**

1) PP 3500.2 Elimination of Sexual Abuse, Sexual Assault, and Sexual Misconduct

2) PP 3800.3 ADA: Communications for Deaf and Hearing Impaired

3) PP 4020.1 Inmate Orientation Program

4) PP 4160.3 Access to Legal Counsel (Attorney Visits)

5) PP 5500.1 Restrictive Housing of Inmates

6) 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. **Legal Call**. A call placed to an authorized person or his/her office for the purpose of conducting legal business.

c. **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.

d. **TID Number.** Telephone identification number assigned to each inmate for use with inmate telephone calls.

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

f. **Debit Call** - Money is withdrawn directly from your commissary account for this option. You must have a minimum of $10.00 in your inmate account to use this option.

g. **Pre paid Collect –** Your family members or friends must make arrangements with Inmate Telephone Inc., by calling **1-888-949-3303 to use this option.**

h. **PREA Hot Line.** In accordance with PP 3350.2, "*Elimination of Sexual Abuse, Sexual Assault, and Sexual Misconduct",* a toll free confidential number shall be provided to inmates/arrestees to report sexual abuse and sexual harassment. To access the number, inmates must complete the following steps:

1) Select their TID#

2) Select the option for special services

3) Choose option for specific hotline

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) TID numbers are automatically generated when an inmate is processed into the facility. This number can be given to the inmate by any staff member having access to the Booking screen in JACCS By signing the Inmate Telephone ID Number Release Form (Attachment A) the inmate acknowledges that this number is issued for access to the Inmate Telephone System.

2) Inmates can 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. The Debit Authorization Form must include the name, phone number, relationship and complete address of the persons the inmate wants to call. Debit Authorization forms can be renewed every 30 days. Each form that is renewed must include the name, phone number, relationship and complete address of the persons the inmate wants to call. This form must also be scanned into the inmate's electronic file (PaperClips) by the case manager prior to forwarding it to the Inmate Telephone Service (ITS) contractor.

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 confidential PREA hot-line system immediately upon admission into the DOC. The phone calls to access the hot-line 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.

3) At the request of the customer that owns the number being blocked. If the customer contacts the DOC 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 after the 8:00 AM count is clear to 10:00 PM.

2) The system shall be turned off 30 minutes prior to each count and shall remain off until the count clears.

3) 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.

4) 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 Deaf or Hard of Hearing.

5) Inmates held on Disciplinary Detention may only make legal calls in accordance with PS 5500.1, *Restrictive Housing of Inmates.*

d. **Free Telephone Calls**

1) Newly admitted inmates shall be given the opportunity to complete ~~at~~ a 5 minute free telephone call in the Inmate Reception Center (IRC) once the Intake process and medical screening is completed. This process is controlled by DOC custody staff assigned to the IRC

2) If the Inmate Telephone System in the IRC is inoperative Case Management staff issuing the initial call in the Intake Unit shall record the detail information in JACCS Batch processing.section.

3) 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, Batch Processing section and maintain a written log.

4) All calls made from a DOC telephone must be dialed by a DOC staff and that staff member must receive approval from the called recipient before allowing the inmate to speak with the recipient and monitor the call while maintaining constant sight and sound supervision of the inmate while on the phone. Inmates are not allowed to dial any telephone numbers themselves on any DOC phone (this does not include the Inmate Telephone System phones). Under no circumstances are inmates to have unsupervised access to DOC phone use.

5) Volunteers are prohibited from making calls for inmates unless the call is pre-approved and authorized by DOC staff in cases of emergency. Volunteers are not to make legal calls or social calls for inmates based on the inmate being indigent. All inmate calls by volunteers must be pre-approved by DOC staff. All approved calls will be logged into the logbook by the Volunteers and forwarded to Religious and Volunteer Services daily.

11. 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 and shall instruct the call recipient that third party and three way calls cannot be added to the call in order to facilitate personal conversations.

c. Legal calls shall not be recorded or sound monitored by the case manager; however; the case manager shall maintain sight supervision to ensure the inmate does not use the phone for other purposes..

1) The authorized staff member placing the legal call shall record the call in JACCS Batch Processing System and in the Legal Call Logbook.

2) If a staff member other than the inmate's Case Manager places the call, he/she shall follow the requirements in this section 11 a.-d and shall

record the call in JACCS Batch processing system 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.

12. **TELECOMMUNICATION DEVICE FOR PERSON WHO ARE HARD OF HEARING (TDD or TTY)**

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) or 711 Relay calls from a DOC office phone 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 the facility. Appropriate signage shall be visible to identify a volume control telephone.

13. **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.

DC Department of Corrections

Inmate Telephone ID Number Release Form

Inmate Name: _____

Inmate DCDC#: _____

Inmate Booking#: _____ **UNIT** _____

Inmate DOB: _____ **CELL** _____

Telephone ID#: _____

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

Inmate's Name

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:** _____

DC Department of Corrections
Inmate Telephone Debit Authorization Form

Inmate Name: _____

Inmate DCDC#: _____

Inmate Booking#: _____

Inmate DOB: _____

Telephone ID#: _____

Debit Numbers Requested

NAME	**AREA CODE) NUMBER**	**Relationship**	**Complete Address**

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** _____

TID NUMBER _____