



DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

Program Statement

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| OPI: | PROG |
| Number: | 4070.1D |
| Date: | October 26, 2011 |
| Supersedes: | 4070.1C (7/08/10) |
| Subject: | Inmate Telephone Access |

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 - a. **Directives Rescinded**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 4070.1C Inmate Telephone Access (07/08/10)

b. **Directives Referenced**

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| 1) | PS 3800.3 | ADA: Communications for Deaf and Hearing Impaired |
| 2) | PS 4020.1 | Orientation Program |
| 3) | PM 4160.3 | Access to Legal Counsel |
| 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-2A-65, 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 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.
- f. **Inmate Telephone System (ITS).** An automated telephone system used by inmates.

10. PROCEDURES

- 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) Pamphlets describing the 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 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 through a request to the Case Manager.
- 2) Sick Calls will be available to all inmates free of charge; inmate's accounts will not be debited.
- 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 and maintain a written log. The log shall include:
 - a) Date and Time of the call;
 - b) Inmate name and DOC number;
 - c) Name and telephone number of the person called;
 - d) Relationship of the person to the inmate;
 - e) Reason for the call;
 - f) Length of the call and;
 - g) Name and signature of the staff member and inmate placing the call.

11. **REQUESTING SICK CALLS**

- a. Sick call requests for non-emergency medical care shall be requested using the ITS system in the housing units.
- b. Requests are documented and reviewed for immediacy of need and intervention as required.
- c. Medical staff conducts sick call five days a week 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 Wardens 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.
- d. The authorized staff member placing the legal call shall record the call in JACCS and in a written log. The log shall contain the following information:
 - 1) Date of the call;
 - 2) Name and DOC number of the inmate;
 - 3) Name and telephone number of the attorney/law firm/agent called;
 - 4) Time the call began;
 - 5) Time the call ended;
 - 6) If the inmate was unable to make contact to the attorney or their representative;
 - 7) Name and signature of the staff member and inmate placing the call.
- e. If a staff member other than the inmate's Case Manager places the call, he/she must forward a copy of the log entry to the Case Manager to be placed in the inmate's case file.
- f. Legal calls shall be made from a private area where there is limited access for others to overhear the conversation.

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 by the Inmate Telephone ID Number form.

15. PROCUREMENT OF INMATE TELEPHONE SERVICES

- a. Contracts for inmate telephone service must comply with all federal and District of Columbia laws and regulations.
- b. Requests for proposals shall require vendors to provide rates that are similar to those charged in the community and to justify any rates or surcharges higher than ordinary commercial rates. Rates should be based on the broadest possible range of calling options.



Thomas Faust

Acting Director

Attachments

Attachment A – Inmate Telephone ID Number Release Form

Attachment B – Inmate Telephone Debit Authorization Form