


POLICY TITLE: Access to Telephones		PAGE 1 OF 2
POLICY NUMBER: 14.3		
CHAPTER: 14 Prisoner Communications		
	SOMERSET COUNTY, SOMERSET COUNTY JAIL	ACA STANDARDS: 5B-11
	Approved by: <u>---- Original Signed -----</u> Signature of Sheriff	MSJ STANDARDS:
	Approved by: <u>---- Original Signed -----</u> Signature of Jail Administrator	
EFFECTIVE DATE: 10/1/2008	LATEST REVISION: 6-10-09	CHECK ONLY IF APA [ ]

**AUTHORITY:** Pursuant to M.R.S.A. 30-A, Section 1501, the Sheriff adopts this policy for Somerset County Jail.

**CONTENTS:**

- A Telephone Calls During Intake
- B Access to Telephones in Housing Units
- C Denied Access to Telephones
- D Monitoring of Inmate Telephone Calls
- E Legal Calls

**POLICY:**

The Somerset County Jail shall provide inmates with access to telephones located in the housing units and Booking to maintain community ties and contact with attorneys.

**PROCEDURE:**

**A TELEPHONE CALLS DURING INTAKE**

As part of the admission process, each newly arrived inmate is allowed access to the telephone in the intake area. Inmates who are hearing impaired are afforded the use of the TTY machine maintained in Booking.(5B-11)

**B ACCESS TO TELEPHONES IN HOUSING UNITS**

1. Inmate telephone calls are made through the facility Inmate Telephone System, during the intake process each inmate will be asked to designate in writing those persons and numbers that the inmate wishes to call. An inmate may designate up to twenty (20) regular recipients and five (5) attorney numbers.

2. An inmate may request at any time that a name and number be added to or deleted from the inmates authorized telephone list by submitting a new Inmate Telephone Systems Number Request Form. If the request would cause the list to exceed the limits, the inmate must request a deletion to bring the list within the limit.
3. A person who is on an inmates authorized telephone list may submit a written request to be removed from the list and the number may be blocked as necessary. A person may be reinstated to the inmate's telephone list upon written request by the inmate and the person previously on the list.
4. A specific number may be removed from an inmates authorized telephone list and the number may be blocked as necessary when any of the following circumstances are known to exist:
  - a. An inmate who is convicted of or otherwise known to have committed a sex offense or child abuse against a minor shall not be allowed to make a phone call to the victim without the prior approval of the Correctional Administrator or designee.
  - b. When contact between an inmate and another person is prohibited by court order (e.g., custody order, protection order), the inmate shall not be allowed to make a phone call to that person.
  - c. When an inmate's parental rights have been terminated, the inmate will not be allowed to make a phone call to the child while the child is still a minor.
  - d. When contact between an inmate and another person is prohibited by a condition of probation of either person, the inmate shall not be allowed to make a phone call to that person. This includes any condition of probation that is currently in effect, is to become effective at a later date, or currently is no longer in effect as the result of a current probation revocation.
  - e. An inmate may be prohibited by the Correctional Administrator or designee from making a phone call to any other person when there is reasonable suspicion that allowing a call between them would facilitate criminal activity or violation of facility rules or would create a risk to the safety of persons, security, or orderly management of the facility. An inmate maybe prohibited from making a phone call to any other person by the Correctional Administrator or designee when there is reasonable suspicion that the inmate or other person has violated or will violate the telephone procedures.
5. Inmate telephone equipment is designed for outgoing only.
6. Housing Unit telephones will not be used after 2200 or before 0700.
7. Telephones will not be used during count times.
8. Inmates who are hearing impaired or have family who are, may use the TTY machine to make telephone calls.(5B-11)

9. Access to telephones in Special Management Areas is detailed in Chapter Seven (7).
10. When an outside legal or support agency requests that an inmate call them a "one time" free call can be authorized by the Asst. Jail Administrator through the inmate phone system. The inmate will then be instructed to make the call via the pod phone.
11. On those occasions when it is an emergency and/or a jail necessity for an inmate to utilize a staff phone. The authorizing staff member (Programs Staff or Assistant Shift Commander and above staff) will place the call, advise the receiving party that they will be connected to an inmate of Somerset County Jail, the call may be monitored, and that the authorizing staff member will remain in the room. The call will be logged in the SharePoint Inmate phone log by the authorizing staff member. Whenever possible the phone utilized will be in the Booking area.

### **C DENIED ACCESS TO TELEPHONES**

1. Inmates abusing any telephone installed in the Housing Unit are subject to disciplinary action and loss of phone privileges.
2. If, for any reason, access to telephones is denied, or the inmate's behavior results in the telephones being turned off, the Shift Commander is notified and documentation of the denial and the reason is noted in the Post Log and the inmates IBM form.
3. A phone call may be terminated at any time for reasons of safety, security, or good orderly management of the facility. The staff will complete appropriate documentation and submit it to the Correctional Administrator or designee via the appropriate chain of command.
4. The Correctional Administrator or designee will determine whether to impose a suspension or restriction of telephone privileges due to the conduct of the inmate that caused the termination of the phone call. The Correctional Administrator or designee may impose a suspension or restriction of telephone privileges for any other reason of safety, security, or orderly management of the facility.
5. The suspension or restriction may be imposed for either a definite or indefinite period of time. An indefinite suspension may only be imposed by the Correctional Administrator. The inmate will be notified in writing of a suspension or restriction of telephone privileges.

### **D MONITORING OF INMATE TELEPHONE CALLS**

1. Inmate telephone calls may be monitored by the Somerset County Sheriffs Department investigator, SCJ Special Projects Captain or an employee acting at the direction of the Somerset County Sheriffs investigator or Special Projects Captain if that employee is conducting an investigation of an offense relating to the safety and security of the public, safety and security of the facility or the orderly management of the facility. Only those inmate telephone calls suspected to be related to the investigation may be monitored. Appropriate documentation will be completed, including justification for the monitoring and the results of the

monitoring. Recordings of the conversation related to the investigation will be maintained in accordance with Somerset County Jail policy and procedures on preservation of evidence. Investigations will be coordinated with the Somerset County Sheriffs Department in accordance with Somerset County Jail policy and procedures.

2. Each inmate will be informed that all inmates that all telephone calls except legal phone calls are subject to being monitored. The inmate will be so informed during the intake process, via the inmate handbook, and the Inmate Telephone System Number Request Form, signs posted adjacent to all inmate telephones and by playing a recorded warning before the recipient accepts the call.

## **E      LEGAL CALLS**

1. Telephone calls to attorneys or other legal representatives shall be permitted to all inmates. Inmates desiring to make attorney calls may do so using the inmate telephone system in the Housing Unit.
2. A legal call is a call concerning a legal matter involving an inmate between that inmate and an attorney or legal advocacy organization, including but not limited to: the American Civil Liberties Union, Maine Equal Justice Partners, Maine Civil Liberties Union, Disabilities Rights Center, and the NAACP Legal Defense Fund.
3. Legal calls are confidential; under no circumstances shall staff intentionally listen to the conversation.
4. The length of the legal phone call will not be limited unless staff determines it is necessary to allow other inmates reasonable access to the inmate phone system. All other rules governing inmate phone calls will apply.