



**State of North Carolina
Department of Public Safety
Prisons**

Chapter: D
Section: .0800
Title: **Offender Access to Telephone**
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POLICY AND PROCEDURE

Reference	5 th Edition Standards for Adult Correctional Institutions
Related ACA Standards	5-ACI-2C-11, 5-ACI-4A-25, 5-ACI-4A-26, 5-ACI-4B-25, 5-ACI-7D-11, 5-ACI-7D-12, 5-ACI-7D-13

.0801 GENERAL

- (a) It is the policy of North Carolina Department of Public Safety, Prisons to extend telephone privileges to offenders as part of its overall correctional management. Telephone privileges are a supplemental means of maintaining communication ties with family and the community to contribute to an offender's personal development. This communication takes place within the prison facility from a provided offender telephone.
- (b) The maintenance of family and social relationships as well as pre-release planning activities are integral parts of the overall rehabilitation process that can be strengthened through communication by telephone. In consideration of this, Prisons will establish offender access to telephone privileges within all correctional facilities. Offender access to telephones will vary by facility security level and offender custody classification. To maintain security and ensure the safety of the institution staff and offender population, offender access to telephones shall be managed carefully and may be suspended if necessary.

.0802 RESPONSIBILITY

- (a) The Commissioner of Prisons shall designate a staff coordinator to assist in telephone program management requirements. Coordination of telephone requirements with Department of Public Safety Purchasing, Prisons Budget staff, the General Counsel's Office and Prisons Operations staff is essential to the management of telephone privileges.
- (b) *The Prisons Telephone Coordinator will ensure that contracts providing telephone services for offenders comply with all applicable state and federal regulations. Contracts are based on rates and surcharges that are commensurate with those charged to the general public for like services and any deviation from ordinary consumer rates reflects actual costs associated with the provision of services in a correctional setting. The contract for offender telephone services will provide the broadest range of calling options determined by the agency administrator to be consistent with the requirements of sound correctional management. The contract for*

offender telephone services will provide the broadest range for calling options determined by the Division coordinator to be consistent with the requirements of sound correctional management (5-ACI-7D-12).

- (c) The **Warden** is responsible for developing specific telephone procedures that comply with the minimum standards established by this policy and procedures. The **Warden** shall designate a telephone program coordinator who is responsible for the management of the facility **offender** telephone program.
- (d) Programs and custody staff will provide assistance in the management of **offender** access to telephones.

.0803 PROCEDURES

- (a) Availability of Telephones

(1) Each correctional facility should establish telephones or telephone banks in sufficient numbers so as to provide appropriate access to telephones by offenders for outgoing calls (5-ACI-7D-11).

(2) Telephones are to be wall-mounted and have capability for local, long distance, and international calls. Only collect and debit calls are allowed.

(3) **Offender** telephones have the capability to enable either facility staff or the Prisons Telecommunication Section to render the telephones inoperable during periods of emergency or other appropriate times.

(4) **Offenders** and the called party will be notified by computer generated voice that all calls are subject to monitoring and/or recording and that the telephone call is being made from a prison facility.

(5) The establishment of an appropriate number of telephones or telephone banks is authorized as a legitimate **offender** welfare expenditure subject to the Prisons approval process.

(6) Facilities utilizing tablets with phone call capabilities provide additional availability for offenders housed at those facilities.

- (b) **Offender** Access

- (1) Minimum Security Facilities

(A) Regular population **offenders** assigned at minimum security facilities should have open access to telephones as operational considerations permit. Insofar as possible, correctional staff should routinely supervise **offender** use of these telephones.

- (B) **Offenders** are permitted to make only collect and debit calls, and each call will be limited to fifteen (15) minutes. Telephones will automatically terminate when the time limit expires.
 - (C) Minimum custody **offenders** may utilize the telephones for maintaining family ties, contacting prospective employers or, communicating with friends or relatives as a part of pre-release planning activities or other legitimate purposes that serve to better prepare the **offender** for transition to the community.
- (2) Medium **Custody** Facilities
- (A) Regular population **offenders** assigned to a medium **custody** facility will be provided scheduled access to telephones as operational considerations permit. Correctional staff will routinely supervise **offender** use of these telephones.
 - (B) **Offenders** are permitted to make only collect and debit calls and each call will be limited to fifteen (15) minutes. Telephones will automatically terminate the call when the time limit expires.
 - (C) Medium custody **offenders** may utilize the telephones for maintaining family and social relationships or other legitimate purposes that serve to better prepare the **offender** for transition to the community.
- (3) Close **Custody** Facilities
- (A) Regular population **offenders** assigned to a close **custody** facility will be provided scheduled access to telephones as operational considerations permit. Correctional staff will supervise **offender** use of these telephones.
 - (B) **Offenders** are permitted to make only collect and debit calls and each call will be limited to fifteen (15) minutes. Telephones will automatically terminate the call when the time limit expires.
 - (C) Close custody **offenders** will be permitted at least two (2) telephone calls per calendar month. **Wardens** are authorized to allow more than two (2) calls per month based on facility operations and capabilities. Close custody **offenders** may utilize the telephones for maintaining family and social relationships or other legitimate purposes that serve to better prepare the **offender** for transition to the community.
- (4) Special Populations

- (A) **Offenders assigned to Safekeeping, Restrictive Housing for Control Purposes, Protective Control and Death Row will be allowed telephone privileges based on control and safety considerations as designated by the Warden (5-ACI-4A-25).**
- (B) **Offenders assigned to Restrictive Housing for Disciplinary Purposes and High Security Maximum Control will be allowed limited telephone privileges based on control and safety considerations as designated by the Warden (5-ACI-4B-25).**
- (C) Mental Health In-Patient – Mental Health In-Patient offenders generally should be provided telephone access consistent with facility security classification and offender custody level. The offender Mental Health Treatment Team generally will manage offender telephone access.
- (D) Security Risk Group Members – Guidelines for telephone use by SRG members are detailed in the Division's Security Risk Group policy in the Prisons Security Manual .1700.

At the discretion of the Warden, these special populations may be involved in planned telephone privileges or access may exceed the established policies, as a program incentive or treatment strategy.

.0804 OTHER PROGRAM REQUIREMENTS

- (a) **Offender participation in the telephone program may be suspended through the disciplinary process as a form of punishment. In addition, the Warden is authorized to terminate telephone privileges for specific abuse of telephone regulations or to maintain security of the facility and ensure the safety of staff and other offenders. In such cases, the Warden must document circumstances and rationale for the termination of offender telephone privileges. Restrictions would not apply to the attorney of record (5-ACI-4A-26).**
- (b) Emergency calls may be approved by the Warden or designee. There also may be occasions when offenders need to be allowed to make local non-collect calls for unusual circumstances such as release transportation, work release, death in family, and emergency situations. Facilities should develop guidelines for allowing offenders to place these calls utilizing facility telephones.
- (c) Calls to and/or from attorneys – Please refer to Prisons Policy G.0200 Court Related Procedures.
- (d) Offenders are not authorized to receive incoming calls on Prisons established telephones.

- (e) Each **offender** will be assigned a Personal Identification Number (PIN) to be used for making phone calls. An **offender** shall not share **their** PIN with any other **offender**. No **offender** is permitted to make calls with another **offender's** PIN. Violation of this policy provision is subject to disciplinary action, Chapter B.0200, **Offender** Disciplinary Procedures.
- (f) **Offenders** shall not use the telephone for the purpose of harassing or threatening any public official or member of the public.
- (g) **Offenders** shall not use the telephone to communicate with any Department of Public Safety employee.
- (h) **Offenders** shall not use the telephone for the purpose of conducting fraudulent or illegal activities.
- (i) **Offenders** shall not circumvent security features of the phone system when making calls.
- (j) **Offenders** are prohibited from calling a victim of the crime, minor, or a member of the public who requests in writing to have **their** telephone number blocked.
- (k) During emergency or unique circumstances, the **Warden** or designee is authorized to allow **offenders** to use the facility telephones. When this discretion is exercised, the use of a Prisons business telephone by the **offender** must be documented in writing for auditing purposes.
- (l) **Offenders with hearing and/or speech disabilities and offenders who wish to communicate with parties who have such disabilities are afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment. (5-ACI-2C-11). Facilities requiring such equipment must request assistance through the Prisons ADA Program Manager. Telephones with volume control are also made available to offenders with hearing impairment (5-ACI-7D-13).**



Commissioner of Prisons

April 04, 2022

Date

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