

 ARIZONA DEPARTMENT OF CORRECTIONS DEPARTMENT ORDER MANUAL	CHAPTER: 900 INMATE PROGRAMS AND SERVICES	OPR: OPS
	DEPARTMENT ORDER: 915 <i>INMATE PHONE CALLS</i>	SUPERSEDES: DO 915 (1/5/98)
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PURPOSE

Inmates are afforded restricted access to telephones consistent with their security classification, their Earned Incentive Program phase and within the physical limits of the institution. During family emergencies and certain holiday periods, inmates may be permitted to have brief telephone conversations with incarcerated family members. Telephones used for inmate personal calls shall be equipped with monitoring and recording devices. This Department Order establishes procedures for requesting, approving and scheduling phone calls, and describes monitoring and recording requirements.

Inmates with a disability may request a reasonable accommodation such as a TDD System, by notifying staff of their need. Requests shall be made as early as possible to allow time to arrange the accommodation.

The above *Substantive Policy Statement* is advisory only. A *Substantive Policy Statement* does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this *Substantive Policy Statement* does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

PROCEDURES

915.01 GENERAL

- 1.1 Wardens and Deputy Wardens shall:
 - 1.1.1 Ensure telephones, which are accessible to the general inmate population, are provided at each institution.
 - 1.1.2 Ensure telephones are positioned to provide inmates with adequate separation from background noises to conduct a two-party telephone conversation.
 - 1.1.3 Limit the duration of telephone calls to a specified period of time. Telephones shall be equipped with timing devices that give a warning signal and disconnect personal calls after the specified period.
 - 1.1.4 Notify inmates, in writing, of the time limitations that have been placed on personal calls.
 - 1.1.5 Limit the number of personal calls each inmate may make per week and notify inmates, in writing, of the frequency limitations. Frequency limitations may vary for different security classifications or Earned Incentive Program (EIP) phases, as outlined in Department Order #809, Earned Incentive Program.
- 1.2 Telephone calls may be terminated without prior notice during an institutional emergency. The scheduled telephone calls shall be canceled for the duration of the institutional emergency.
- 1.3 Staff shall ensure that an Inmate Telephone System Trouble Report, Form 915-4, is completed whenever an error message is received during a call.

- 1.4 Telephone calls shall be collect except where specifically authorized by this or another Department Order. The following types of telephone calls are prohibited:
 - 1.4.1 Any call that is intended for any person other than the one listed on the request.
 - 1.4.1.1 There is no prohibition against talking with other persons at the same number (i.e., family members) once the call has been established, provided the other person is on the Visiting List and is not currently suspended from phone calls.
 - 1.4.1.2 An inmate may be permitted to call his/her children even though the inmate's spouse is not permitted to receive phone calls from that inmate, provided the children are on the Visiting List.
 - 1.4.2 Calls that are relayed from the number called to another number (i.e., third party calls).
 - 1.4.3 Credit card calls.
 - 1.4.4 Calls to 800 and 900 phone numbers.
 - 1.4.5 Any hook-up that is broadcast live, including radio or television.
- 1.5 Any call placed for an inmate that involves charges shall require prior approval from the Warden or designee.
- 1.6 Inmates assigned to Reception Centers shall be able to place phone calls in accordance with section 915.03 of this Department Order.

915.02 PERSONAL CALLS

- 1.1 The only individuals authorized as recipients of inmate phone calls shall be the approved individuals on the Visitation List, Form 911-1.
 - 1.1.1 Telephone calls are limited to the same individuals (maximum of twenty) approved for visitation.
 - 1.1.2 Only one list per inmate is permitted.
 - 1.1.3 When the list has been processed, it shall be maintained in the inmate's visitation file.
 - 1.1.4 Criminal history and warrant checks shall be performed consistent with Department Order #911, Inmate Visitation.
 - 1.1.5 For further information about the completion, processing and duration of the Visitation List, the forms used, and the completion of criminal history and warrant checks, refer to Department Order #911, Inmate Visitation.

- 1.2 Accuracy of phone numbers, individuals and stated relationships listed on the form shall be verified prior to approval.
- 1.3 Wardens and Deputy Wardens shall determine the need for use of the sign-up form in institutions with open yards (See IMPLEMENTATION of this Department Order). If used, inmates shall request telephone call scheduling by submitting an Inmate Telephone Sign-Up Request, Form 915-1.
- 1.4 Except as noted in 1.4.2 of this section, staff shall schedule personal phone calls, in advance, using the Inmate Telephone Sign-Up Request, and according to the institution's phone call schedule.
 - 1.4.1 Staff shall notify the inmate in writing, using the bottom portion of the Inmate Telephone Sign-Up Request. The notification shall include the date and time scheduled.
 - 1.4.2 If the unit level permits, Wardens may allow inmates to make allotted daily calls on a first come, first served basis during the scheduled hours of operation.
- 1.5 Wardens and Deputy Wardens shall develop telephone schedules that are consistent with the number and location of telephones at their institution.
 - 1.5.1 The allowable number of phone calls and minutes used by an inmate shall be in accordance with the inmate's Phase level and custody level as outlined in this Department Order and in Department Order #809, Earned Incentive Program. A week shall begin each Monday and end on the following Sunday. The schedule shall be as follows:
 - 1.5.1.1 Detention Units shall allow inmates one call of ten minutes in duration per week, regardless of the inmate's Phase level. The Earned Incentive Program does not apply to inmates in detention status.
 - 1.5.1.2 Maximum Custody inmates may place one call per week, up to fifteen minutes in duration, in Phase I, Phase II and Phase III.
 - 1.5.1.3 Close Custody Units shall allow inmates in:
 - 1.5.1.3.1 Phase I - one call per day, up to fifteen minutes in duration, per call
 - 1.5.1.3.2 Phase II - two calls per day, up to fifteen minutes in duration, per call
 - 1.5.1.3.3 Phase III – unlimited calls per week, up to fifteen minutes in duration, per call
 - 1.5.1.4 Medium Custody Units shall allow inmates in:
 - 1.5.1.4.1 Phase I – one call per day, up to fifteen minutes in duration, per call

- 1.5.1.4.2 Phase II – two calls per day, up to fifteen minutes in duration, per call
- 1.5.1.4.3 Phase III – unlimited calls per week, up to fifteen minutes in duration, per call
- 1.5.1.5 Minimum Custody Units shall allow inmates in:
 - 1.5.1.5.1 Phase I – one call per day, up to fifteen minutes in duration, per call
 - 1.5.1.5.2 Phase II – two calls per day, up to fifteen minutes in duration, per call
 - 1.5.1.5.3 Phase III - unlimited calls per week, up to fifteen minutes in duration, per call.
- 1.6 Wardens and Deputy Wardens shall ensure the Institution Order/Post Order(s) provide for the security of inmate phone call sign-up requests and schedules. These Orders shall prevent inmates from:
 - 1.6.1 Accessing information on sign-up requests and schedules.
 - 1.6.2 Viewing names or phone numbers on telephone schedules or on any instrument used to develop telephone schedules.
- 1.7 Inmates who fail to be present in the telephone area at the scheduled time shall forfeit their call for that day.
- 1.8 Inmates shall not trade or substitute scheduled telephone times with other inmates.

915.03 SPECIAL CIRCUMSTANCE CALLS

- 1.1 Emergency Calls
 - 1.1.1 The Department shall not pay, reimburse or be responsible for the placement of inmate emergency calls, unless otherwise approved by the Deputy Warden or designee.
 - 1.1.2 Institution staff shall follow the Institution Order/Post Order(s) for scheduling and placing approved emergency calls.
- 1.2 Legal Calls - Inmates shall request legal calls in accordance with Department Order #902, Inmate Legal Access to the Courts.
- 1.3 Media Calls - The media may request a telephone interview only in accordance with Department Order #201, Information Release.

- 1.4 Foreign Consulate Calls - The Warden may authorize access to designated toll-free phone numbers for the purpose of facilitating inmate contact with foreign consulates. Consulate phone numbers shall become part of the inmate's approved visitation list in accordance with Department Order #911, Inmate Visitation. Legal phone calls to foreign consulates shall be in accordance with Department Order #902, Inmate Legal Access to the Courts, and shall not be monitored or recorded. For Consulate assistance and a listing of consulates, refer to Department Order #901, Inmate Records Information/Court Actions.

915.04 INTERRELATION CALLS

- 1.1 Wardens and Deputy Wardens may authorize inmates to place or receive interrelation calls only if the inmates:
 - 1.1.1 Are assigned to a work and/or education program, or are exempted from such programs.
 - 1.1.2 Are free of major disciplinary reports for one year preceding the requested interrelation call. The inmate shall also have no pending disciplinary allegations.
 - 1.1.3 Are not on community supervision status, except for releasees assigned to the Correctional Release Center.
 - 1.1.4 Are not incarcerated in a county jail or other non-Department operated or contract institution.
 - 1.1.5 Have an institutional risk score of four or less.
 - 1.1.6 Are not assigned to:
 - 1.1.6.1 Investigative Detention.
 - 1.1.6.2 Administrative Detention.
 - 1.1.6.3 Condemned Row.
 - 1.1.6.4 Interstate Compact status.
- 1.2 Two non-emergency interrelation calls per year may be approved at no cost to eligible inmates. Each non-emergency interrelation call shall not exceed fifteen minutes in length. These calls shall be in addition to the EIP.
- 1.3 When reviewing requests, Wardens, Deputy Wardens and program staff shall consider the following guidelines and limitations. Calls may be approved:
 - 1.3.1 On or near Christmas, Hanukkah, New Year's Day and Independence Day (July 4th).
 - 1.3.2 Any time there is a bona fide family emergency.
 - 1.3.3 For inmates housed at another complex.

- 1.3.4 For inmates housed in different units at the same complex, if the inmate has a similar classification score.
- 1.3.5 For juvenile offenders housed at juvenile institutions, when the call is approved by the Arizona Department of Corrections and the Department of Juvenile Corrections.
- 1.4 Program staff shall:
 - 1.4.1 Advise inmates wishing to place interrelation calls to submit a Request to Communicate with an Incarcerated Family Member, Form 915-3, at least sixty calendar days prior to the date of the call.
 - 1.4.2 Verify whether or not the inmate meets the eligibility criteria.
 - 1.4.3 Forward requests to the Warden, or Deputy Warden within ten calendar days of the date the inmate submitted the request.
 - 1.4.4 Ensure all requests, either approved or disapproved, are distributed as specified on the form and filed appropriately.
- 1.5 Wardens and Deputy Wardens of the requesting inmate's unit shall approve or disapprove each request, and shall:
 - 1.5.1 Return disapproved requests to the inmate's assigned Correctional Officer III (CO III) within 15 calendar days of the date the request was received.
 - 1.5.2 Forward approved requests to the Warden or Deputy Warden of the unit to receive the interrelation call, within 15 calendar days of the date the request was received.
- 1.6 The CO III of the inmate who is to receive the interrelation call shall:
 - 1.6.1 Verify whether or not the inmate meets the eligibility criteria.
 - 1.6.2 Ensure the inmate wishes to receive the interrelation call.
- 1.7 The Warden or Deputy Warden of the unit housing the inmate to receive the interrelation call shall approve or disapprove the inmate's request. Returns approved or disapproved requests to the Warden or Deputy Warden of the unit housing the inmate requesting the interrelation call, within 25 calendar days of the date the request was received.
- 1.8 The CO III of the inmate requesting the interrelation call shall coordinate with the CO III of the inmate receiving the call, to ensure:
 - 1.8.1 The call is placed by the inmate with the lower classification score.
 - 1.8.2 The call is placed by the inmate housed in the least restrictive custody.
 - 1.8.3 The call is placed at a reasonable time of day.

- 1.8.4 The inmate to receive the call is available to receive the call.
- 1.8.5 The call is monitored and subject to recording.

915.05 MONITORING AND RECORDING

- 1.1 Personal and emergency calls made on inmate pay phones shall be subject to monitoring and tape recording. Personal and emergency calls made on phones other than the designated inmate phone system are subject to monitoring and recording.
- 1.2 Interrelation calls shall be monitored and may be subject to recording.
- 1.3 Wardens and Deputy Wardens shall ensure staff is trained to conduct:
 - 1.3.1 Random monitoring of personal calls.
 - 1.3.2 Comprehensive monitoring of all personal and emergency calls made by inmates under investigation or who have been designated by the Warden or Deputy Warden as high risk based on security classification, prior conduct or a history of telephone violations.
- 1.4 Staff who obtains criminal/intelligence information while monitoring an inmate phone call shall complete and submit an Information Report, Form 105-2. The report shall be forwarded to the Chief of Security of the institution.
- 1.5 Access to and use of tape recordings of telephone calls shall be limited to the:
 - 1.5.1 Director
 - 1.5.2 Deputy Director
 - 1.5.3 Division Directors
 - 1.5.4 **SECTION DELETED**
 - 1.5.5 Regional Operations Directors
 - 1.5.6 Wardens, Deputy Wardens, Assistant Deputy Wardens, Chiefs of Security and Correctional Officer IVs
 - 1.5.7 Designated staff from the Inspector General Bureau
 - 1.5.8 Disciplinary Coordinators, Hearing Officers and Appeals Officers
 - 1.5.9 Staff designated to monitor telephone tape recordings
- 1.6 The intake officer shall notify inmates of monitoring and recording practices when they arrive at the institution.

- 1.6.1 Wardens and Deputy Wardens shall ensure signs are posted in each telephone area stating the inmate's obligation to notify the party being called about monitoring and recording practices. Signs shall be posted in English and Spanish.
- 1.6.2 Wardens and Deputy Wardens shall ensure that periodic electronic signals, audible to both parties on the phone, are provided to serve as notification that the call is being recorded.
- 1.7 Contract oversight and contract enforcement of phone call data system contractors and phone call recording system contractors shall be the responsibility of the Support Services Division.
- 1.8 No inmate shall tape-record personal or official conversations or any telephone calls.

915.06 VIOLATIONS AND SUSPENSIONS

- 1.1 Inmates and recipients of inmate phone calls shall comply with the Department's standards for behavior.
- 1.2 Officers shall terminate a call when a violation of the standards for behavior, or a violation of any inmate disciplinary regulation, occurs.
- 1.3 An Information Report shall be written for violations committed by the inmate caller or the recipient of the call.
 - 1.3.1 Staff discovering any violation by an inmate caller shall submit the appropriate Disciplinary Report for the violation.
 - 1.3.2 Violations occurring during a call shall include, but not be limited to:
 - 1.3.2.1 Plans to introduce contraband into the institution
 - 1.3.2.2 Escape plans
 - 1.3.2.3 Plans to incite a disturbance or threaten the security of the institution
 - 1.3.2.4 Attempting to receive goods or money from an unauthorized source, or in an unauthorized manner
 - 1.3.2.5 A threat of violence or physical harm to any person(s)
 - 1.3.2.6 Solicitation
 - 1.3.2.7 Conversations of an obscene or profane nature
 - 1.3.2.8 Any attempt to defraud, coerce, defame, blackmail, extort, intimidate, harass or bribe another individual
 - 1.3.2.9 Violations of any requirement of this Department Order

- 1.3.2.10 Violations of Department written instructions
- 1.3.2.11 Any conduct that disturbs the orderly operation of the phone area or other inmates
- 1.3.2.12 Criminal activity or the commission of a crime (This information shall be disclosed to law enforcement authorities for further investigation and possible prosecution)
- 1.3.2.13 Use of another inmate's identification number
- 1.3.3 Phone call violations may result in the following:
 - 1.3.3.1 Suspension of phone call privileges
 - 1.3.3.2 Revocation of phone call privileges
 - 1.3.3.3 Non-contact visitation
- 1.4 Violations committed by recipients of the call may result in a suspension of the recipient's phone call privileges.
 - 1.4.1 When the phone number of a suspended phone call recipient appears more than once on an inmate's approved Visitation List, Wardens or their designee may permit an inmate to call another individual from the Visitation List, at that number, that is not under suspension.
 - 1.4.2 The Warden/designee may, in the case of a temporary or indefinite suspension of visiting privileges, permit an inmate to retain phone calling privileges.
 - 1.4.3 A visitor, once suspended from an inmate's Visitation List, shall also not be permitted any phone calling privileges.
 - 1.4.4 For information about duration of suspensions, see Department Order #911, Inmate Visitation.

IMPLEMENTATION

Within 90 days of the effective date of this Department Order, Wardens shall develop and implement an Institution Order that addresses, at a minimum:

- The phone number verification process
- If the institution is to use the Inmate Telephone Sign-Up Request, Form 915-1, see section 915.02, 1.3 of this Department Order
- The scheduling of phone calls
- Emergency and interrelation phone calls

- Phone privileges during hospitalization of an inmate
- The monitoring and recording of phone calls
- The intake/orientation process for newly-received inmates/violators

Within 90 days of the effective date of this Department Order Deputy Wardens shall develop and implement Post Order #025, Inmate Telephone Security Officer, that outlines staff duties in accordance with this Department Order and the Institution Order. The Post Order shall include direction regarding the aspects of the phone system that enable staff to make changes to the system as needed.

DEFINITIONS

IMMEDIATE FAMILY MEMBER - For the purposes of this Department Order, and subject to verification by the inmate's CO III, immediate family member status is limited to:

- A legal parent, or someone who was primarily responsible for the rearing of the inmate in the absence of a parent, such as an uncle, aunt, grandparent or godparent.
- A spouse, sibling, natural or adopted child, stepchild or grandchild.

INCARCERATED IMMEDIATE FAMILY MEMBER - For the purposes of this Order, an Arizona inmate who is an immediate family member of:

- Another Arizona inmate.
- A juvenile offender in the custody of the Arizona Department of Juvenile Corrections.

MONITORING - A correctional staff function of listening, with or without monitoring equipment, to inmate telephone calls to ensure that:

- Calls are made to the numbers listed on the Visitation List.
- The inmate speaks to the individual listed on the Visitation List.
- Inmates do not conduct conversations that are in violation of State or Federal law or of Department Orders or other written instructions.

TELEPHONE CALLS

- Emergency Calls - Telephone calls made by an inmate, which are approved by the Warden or Deputy Warden and which are necessary due to the death or serious illness of a family member.
- Interrelation Calls - A telephone call, limited to 15 minutes or less, placed by an inmate to an incarcerated immediate family member.
 - Each inmate may be permitted to place a total of two non-emergency interrelation calls during any calendar year.

- No two inmates shall be permitted to have more than two non-emergency interrelation calls with each other during the calendar year.

- Legal Call - Unmonitored telephone calls made by an inmate to the inmate's attorney or an agent of the attorney, for legal purposes, which have been scheduled according to Institution Orders as legal calls. Court-ordered telephonic conferences with the court are also unmonitored calls and are made at the Department's expense on the state's long-distance service, when necessary.
- Personal Calls - Telephone calls, made by an inmate, which are not emergency calls, and are placed to parties approved for the inmate's Visitation List.

{Original Signature on File}

CHARLES L. RYAN
Director

FORMS LIST

- 915-1, Inmate Telephone Sign-Up Request
- 915-2, Legal/Emergency Telephone Call Request
- 915-3, Request to Communicate with an Incarcerated Family Member
- 915-4, Inmate Telephone System - Trouble Report