

CHAPTER: 900
Inmate Programs and Services

DEPARTMENT ORDER:
915 – Inmate Phone Calls

OFFICE OF PRIMARY
RESPONSIBILITY:
OPS

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ACCESS

Contains Restricted Section(s)

Arizona Department of Corrections Rehabilitation and Reentry



Department Order Manual

A handwritten signature in black ink, appearing to read "David Shinn", is written over a horizontal line.

David Shinn, Director

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STANDARDS *[Revision – July 30, 2021]*

American Correctional Association (ACA) Standards: 5-ACI-3D-07, 5-ACI-7D-11, and 5-ACI-7D-13

PURPOSE

This Department Order establishes procedures for requesting, approving and scheduling telephone calls, and describes monitoring and recording requirements.

Inmates are afforded restricted access to telephones consistent with their security classification, their Earned Incentive Program (EIP) 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 recording devices.

Inmates with a disability **and inmates who wish to communicate with parties who have disabilities** may request a reasonable accommodation such as a Telecommunications Device for the Deaf (TDD System), by notifying staff of their need. Requests shall be made as early as possible to allow time to arrange the accommodation. **{5-ACI-7D-13} *[Revision – July 30, 2021]***

PROCEDURES

1.0 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/private prison. **{5-ACI-7D-11} *[Revision – July 30, 2021]***
- 1.1.2 Ensure telephones are installed and mounted in locations 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 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 Visitation List, Form 911-1, and is not currently suspended from telephone 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 telephone calls from that inmate, provided the children are on the Visitation 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 Internet, 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 telephone calls in accordance with section 3.0.

2.0 PERSONAL CALLS

- 2.1 Only approved individuals on the inmate's Visitation List shall be authorized as recipients of inmate telephone calls.
 - 2.1.1 Telephone calls are limited to the same individuals (maximum of twenty) approved for visitation.
 - 2.1.2 Only one list per inmate is permitted.
 - 2.1.3 When the list has been processed, it shall be maintained in the inmate's visitation file.
 - 2.1.4 Criminal history and warrant checks shall be performed consistent with Department Order #911, Inmate Visitation.
 - 2.1.5 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.
- 2.2 Accuracy of telephone numbers, individuals and stated relationships listed on the form shall be verified prior to approval.

- 2.3 Warden and Deputy Warden shall determine the need for use of the sign-up form in institutions with open yards. If used, inmates shall request telephone call scheduling by submitting an Inmate Telephone Sign-Up Request, Form 915-1.
- 2.4 Except as noted in 2.4.2 of this section, staff shall schedule personal telephone calls, in advance, using the Inmate Telephone Sign-Up Request, and according to the institution's telephone call schedule.
 - 2.4.1 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.
 - 2.4.2 If the unit level permits, Warden may allow inmates to make allotted daily calls on a first come, first served basis during the scheduled hours of operation.
- 2.5 Warden and Deputy Warden shall develop telephone schedules that are conducive to the unit operational clock and the available telephones at their institution.
 - 2.5.1 The allowable number of telephone calls and minutes used by an inmate shall be in accordance with the inmate's phase level and custody level as outlined Attachment A, Telephone Privileges. A week shall begin each Monday and end on the following Sunday.
- 2.6 Inmates are prohibited from accessing and reviewing information (e.g., names or telephone numbers) on sign-up requests and telephone schedules or on any instrument used to develop telephone schedules.
- 2.7 Inmates who fail to be present in the telephone area at the scheduled time shall forfeit their call for that day.
- 2.8 Inmates shall not trade or substitute scheduled telephone times with other inmates.

3.0 SPECIAL CIRCUMSTANCE CALLS

- 3.1 Emergency Calls – 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.
- 3.2 Legal Calls – Inmates shall request legal calls in accordance with Department Order #902, Inmate Legal Access to the Courts.
- 3.3 Therapeutic Calls – Counselors and/or CO IIIs may initiate telephone calls to inmate family members for the purpose of family reunification and reentry placement.
- 3.4 Media Calls – The media may request a telephone interview only in accordance with Department Order #207, Media Relations.

- 3.5 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 telephone 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. **{5-ACI-3D-07} [Revision – July 30, 2021]**

4.0 INTERRELATION CALLS

- 4.1 Wardens and Deputy Wardens may authorize inmates to place or receive interrelation calls only if the inmates:
- 4.1.1 Are assigned to a work and/or education program, or are exempted from such programs.
 - 4.1.2 Are free of major disciplinary reports for one year preceding the requested interrelation call. The inmate shall also have no pending disciplinary allegations.
 - 4.1.3 Are not on Community Supervision status, except for offenders assigned to Community Corrections Reentry Centers.
 - 4.1.4 Are not incarcerated in a county jail or other non-Department operated or contract institution.
 - 4.1.5 Have an institutional risk score of four or less.
 - 4.1.6 Are not assigned to:
 - 4.1.6.1 Investigative Detention
 - 4.1.6.2 Administrative Detention
 - 4.1.6.3 Condemned Row
 - 4.1.6.4 Interstate Compact status
- 4.2 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.
- 4.3 When reviewing requests, Wardens, Deputy Wardens and program staff shall consider the following guidelines and limitations. Calls may be approved:
- 4.3.1 On or near Christmas, Hanukkah, New Year’s Day and Independence Day.
 - 4.3.2 Any time there is a bona fide family emergency.
 - 4.3.3 For inmates housed at another complex.
 - 4.3.4 For inmates housed in different units at the same complex.

- 4.3.5 For juvenile offenders housed at juvenile institutions, when the call is approved by the Arizona Department of Corrections, **Rehabilitation and Reentry** and the Department of Juvenile Corrections.
- 4.4 Program staff shall:
 - 4.4.1 Advise inmates wishing to place interrelation calls to submit a Request to Communicate with an Incarcerated Family Member, Form 915-3, at least 60 calendar days prior to the date of the call.
 - 4.4.2 Verify whether or not the inmate meets the eligibility criteria.
 - 4.4.3 Forward requests to the Warden, or Deputy Warden within 10 calendar days of the date the inmate submitted the request.
 - 4.4.4 Ensure all requests, either approved or disapproved, are distributed as specified on the form and filed appropriately.
- 4.5 Wardens and Deputy Wardens of the requesting inmate's unit shall approve or disapprove each request, and shall:
 - 4.5.1 Return disapproved requests to the inmate's assigned Correctional Officer III (CO III) within 15 calendar days of the date the request was received.
 - 4.5.2 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.
- 4.6 The CO III of the inmate who is to receive the interrelation call shall:
 - 4.6.1 Verify whether or not the inmate meets the eligibility criteria.
 - 4.6.2 Ensure the inmate wishes to receive the interrelation call.
- 4.7 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.
- 4.8 The CO III of the inmate requesting the interrelation call shall coordinate with the CO III of the inmate receiving the call, to ensure:
 - 4.8.1 The call is placed by the inmate with the lower classification score.
 - 4.8.2 The call is placed by the inmate housed in the least restrictive custody.
 - 4.8.3 The call is placed at a reasonable time of day.
 - 4.8.4 The inmate to receive the call is available to receive the call.
 - 4.8.5 The call is monitored and subject to recording.

5.0 MONITORING AND RECORDING

- 5.1 Personal and emergency calls made on inmate pay phones and on phones other than the designated inmate phone system are subject to monitoring and recording.

- 5.2 Interrelation calls shall be monitored and may be subject to recording.
- 5.3 Wardens and Deputy Wardens shall ensure staff is trained to conduct a comprehensive review of recorded 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.
- 5.4 Employees who obtain criminal/intelligence information while monitoring or reviewing a recorded inmate telephone call shall complete and submit an Information Report, Form 105-2. The report shall be forwarded to the Unit Chief of Security and Deputy Warden.
- 5.5 Access to and use of recordings of telephone calls shall be limited to the following:
 - 5.5.1 Director
 - 5.5.2 Deputy Directors
 - 5.5.3 Assistant Directors
 - 5.5.4 Regional Operations Directors, Security Operations Administrator and Security Operations Officer
 - 5.5.5 Wardens, Deputy Wardens, Assistant Deputy Wardens, Chiefs of Security and Correctional Officer IVs
 - 5.5.6 Designated staff from the Inspector General Bureau
 - 5.5.7 Disciplinary Coordinators, Hearing Officers and Appeals Officers
 - 5.5.8 Staff designated to monitor telephone recordings
- 5.6 The intake officer shall notify inmates of monitoring and recording practices when they arrive at the institution.
 - 5.6.1 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.
 - 5.6.2 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.
- 5.7 Contract oversight and contract enforcement of phone call data system contractors and phone call recording system contractors shall be the responsibility of the **Central Office Procurement Bureau**.
- 5.8 No inmate shall tape-record personal or official conversations or any telephone calls.

6.0 VIOLATIONS AND SUSPENSIONS

- 6.1 Inmates and recipients of inmate telephone calls shall comply with the Department's standards for behavior.
- 6.2 An Information Report shall be written for violations committed by the inmate caller or the recipient of the call.

- 6.2.1 Staff discovering any violation by an inmate caller shall submit the appropriate Disciplinary Report for the violation.
- 6.2.2 Violations occurring during a call shall include, but not be limited to:
 - 6.2.2.1 Conspiracy to introduce contraband into the institution.
 - 6.2.2.2 Escape plans.
 - 6.2.2.3 Plans to incite a disturbance or threaten the security of the institution.
 - 6.2.2.4 Attempting to receive goods or money from an unauthorized source, or in an unauthorized manner.
 - 6.2.2.5 A threat of violence or physical harm to any person(s).
 - 6.2.2.6 Solicitation.
 - 6.2.2.7 Conversations of an obscene or profane nature.
 - 6.2.2.8 Any attempt to defraud, coerce, defame, blackmail, extort, intimidate, harass or bribe another individual.
 - 6.2.2.9 Violations of any requirement of this Department Order.
 - 6.2.2.10 Violations of Department written instructions.
 - 6.2.2.11 Any conduct that disturbs the orderly operation of the phone area or other inmates.
 - 6.2.2.12 Criminal activity or the commission of a crime. (This information shall be disclosed to law enforcement authorities for further investigation and possible prosecution.)
 - 6.2.2.13 Use of another inmate's identification number.
- 6.2.3 Telephone call violations may result in the following:
 - 6.2.3.1 Suspension of telephone call privileges
 - 6.2.3.2 Revocation of telephone call privileges
 - 6.2.3.3 Non-contact visitation
- 6.3 Violations committed by recipients of the call may result in a suspension of the recipient's telephone call privileges.
 - 6.3.1 When the telephone 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.
 - 6.3.2 The Warden/designee may, in the case of a temporary or indefinite suspension of visiting privileges, permit an inmate to retain phone calling privileges.

6.3.3 A visitor, once suspended from an inmate's Visitation List, shall also not be permitted any phone calling privileges.

6.3.4 For information about duration of suspensions, see Department Order #911, Inmate Visitation.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms

ATTACHMENT

Attachment A – Telephone Privileges

FORMS LIST

915-1, Inmate Telephone Sign-Up Request

915-3, Request to Communicate with an Incarcerated Family Member

915-4, Inmate Telephone System - Trouble Report

ATTACHMENT A

TELEPHONE PRIVILEGES

Custody	Phase I		Phase II		Phase III	
Minimum	(1) One per day	15 Minutes	(2) Two per day	15 Minutes	Unlimited	15 Minutes
Medium	(1) One per day	15 Minutes	(2) Two per day	15 Minutes	(5) Five per day	15 Minutes
Close	(1) One per day	15 Minutes	(2) Two per day	15 Minutes	(4) Four per day	15 Minutes
Detention	(1) One per week	10 Minutes	(1) One per week	10 Minutes	(1) One per week	10 Minutes
Maximum Custody / Death Row	Refer to Department Order #812, <u>Inmate Maximum Custody Management and Incentive System</u>					

Inmates housed in Detention Units shall be allowed one 10 minute call per week, regardless of their phase level. The Earned Incentive Program does not apply to inmates in Detention status.