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| OAHU COMMUNITY CORRECTIONAL CENTER POLICIES & PROCEDURES MANUAL | EFFECTIVE DEC 29 2000 | POLICY NO. 7.15.51 |
| | SUPERSEDES (Policy No. & Date): 7.15.51 1/3/97 | |
| SUBJECT: INMATE TELEPHONE CALLS | | PAGE 2 of 7 |

- c. Primary Residence: That location where an inmate was domiciled prior to incarceration, or where the inmate's most significant immediate family member now resides. Factors that indicate domicile include, but are not limited to: location of job, car registration, tax payment, voter registration, last abode, and length of residence.
- d. Privileged Use: Granted conditional use, though not entitled to it.

3.0 POLICY:

The use of the telephone is a privilege and not an inherent or legal right, therefore use of the telephone is to be strictly controlled. Revocation of phone privileges shall not occur without applicable due process.

- .1 Emergency and privileged use of telephones by inmates will be closely governed by staff. This is to:
 - a. Keep as many lines open as possible for:
 - 1) State business during normal State office hours of 7:45am to 4:30pm;
 - 2) Emergency and privileged use.
 - b. Allow staff time for more meaningful services and needs.
- .2 Telephone use hours will be established from time to time by the Oahu Center Warden or his/her authorized agent.
 - a. Unit times may be more restrictive than these hours;
 - b. They will not be more generous.
- .3 Separate telephones will be provided for inmate use. Inmate will not be allowed to use any phone assigned for staff use.
- .4 Daytime use of inmate phones will be limited to:
 - a. Three telephone calls per week to their attorney if there is a justifiable need demonstrated by the inmate. "The request must explain the need to communicate by phone in lieu of using other means of court access such as personal visits by their attorney, communicating by mail, or use of the law library for research".

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|--|---|-------------------------------------|
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| | SUPERSEDES (Policy No. & Date): 7.15.51 1/3/97 | |
| SUBJECT: | | PAGE 3 of 7 |

- b. Calls shall be limited to a duration of 5 minutes. (COR.12.02, section 4.12.d.1, page 7)
- c. Long-distance collect calls to the immediate family during the assigned telephone time period.
- d. Telephone call to family if there is a death in the inmate's immediate family.
- e. Telephone call if inmate is scheduled to be transferred to a mainland facility.
- f. Circumstances other than a. through d. above which may require privileged use of the telephone.

.5 Telephone Calls:

- a. Approved weekday calls will be placed on the inmate phone between 8:00am to 1:20pm and 2:30pm to 4:15pm under the supervision of designated staff.
- b. The only phone calls which may be made during the 1:30pm to 2:30pm lockdown times are:
 - 1) Emergencies, if that is the only time that contact can be made;
 - 2) By inmates on Module Lockdown, in order to maintain segregation.
- c. Completed calls will be logged in a phone record book in each Residency Unit, after which the request form may be discarded.

.6 Incoming Calls:

- a. Incoming personal telephone calls will **not** be accepted at any time.
 - 1) Personal messages shall be referred to the Sergeant/Case Manager for further pursual.
- b. Incoming attorney calls shall be accepted, provided:
 - 1) Incoming attorney calls occur during non-lockdown hours;
 - 2) Staff can properly identify the attorney (i.e. attorney number, return phone call to place of business);
 - 2a) OCCC shall make all **reasonable** efforts to allow attorneys to initiate phone contact with their clients.

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| SUBJECT: INMATE TELEPHONE CALLS | | PAGE 4 of 7 |

4.0 PROCEDURES:

- .1 Units may establish procedures for processing inmate phone requests and phone call, which must meet the following criteria:
 - a. Inmate must submit his/her request on the Telephone Request form (DOC 6604, attachment A);
 - b. Inmate is responsible to provide sufficient valid information for a reasonable decision to be made;
 - c. Inmate will submit his/her request to a designated person (usually the ACO IV) who will screen the request for validity, sufficient information, and whether it meets the standards of this policy and procedures;
 - d. Requests must be submitted one day prior to the call being placed;
 - e. The Module ACO IV will approve/disapprove the phone call, sign the request and forward it to the Case Manager if other calls are requested.
 - g. The forwarded request will be approved/disapproved in accordance with this policy and procedures by the Case Manager.
 - h. Inmate will be informed by the decision-maker or the ACO IV of the disposition of the request.
 - i. Normally a ten-minute limit on all assigned personal phone times will apply.

- .2 Long Distance Calls:
 - a. Inmates will be allowed to place long-distance calls during their assigned phone time.
 - b. Long-distance calls will be for the duration of their assigned time of ten-minutes.
 - c. All relevant portions of 4.1 will apply.
 - d. Staff will verify from the phone call log that the calls are within the limit.
 - e. Calls will be approved only to an immediate family member located at the inmate's primary residence. P&P 493.15.03 allows inmates with no such person to designate another appropriate person, subject to normal approval procedures.

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| SUBJECT: INMATE TELEPHONE CALLS | | PAGE 5 of 7 |

f. The inmate's family or designee must accept the collect charges for all long-distance calls.

- 1) The receiver of the call must not enable calling features such as Caller ID blocking, 3-way calling, Call Forwarding, etc. Conference calling is prohibited.

g. If the inmate desires to pay:

- 1) In addition to the normal screening procedures, the Case Manager/ACO will determine from the Business Office that the inmate has sufficient spendable funds to pay for the cost of the call.
- 2) Inmate shall not exceed the spendable amount on phone charges. Telephone charges will be deducted from the inmates' account.
- 3) International calls shall be completed by the Long Distance Service Provider through the facility switchboard operator.
- 4) Inmates shall not use "phone cards" or "1-800" services.

3 Personal phone calls will be completed during established times.

- a. Evening phone calls will not begin before 4:30pm nor extend beyond 9:30pm.
- b. No calls will be made on the weekends or holidays (exception: see 3.5b).
- c. Each inmate is limited to a ten-minute time slot. The inmate may make more than one call within the ten-minute time slot.
- d. Personal phone time slots will be scheduled by the 3rd Watch ACO IV in such a way as to allow equal access to all inmates in the housing unit.
- e. Schedules may be established for any convenient time period (i.e. day, week, month, etc.).
- f. No trading of personal phone times will be permitted after the schedule has been established. Violation of this rule will result in both inmates being charged with a low moderate misconduct.
- g. No selling of inmate personal phone time will be permitted. Both inmates will be charged with a moderate category misconduct (7.13.52, 4.4a, #31).

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| SUBJECT: | INMATE TELEPHONE CALLS | PAGE 6 of 7 |

- h. If an investigator determines that force or coercion appears to have been used in establishing the trading or selling of personal phone time, the appropriate Greatest or High category misconduct will be charged.
 - i. There will be no loitering around the inmate phone area.
 - j. Evening phone calls may be placed by the inmate and not be logged, but must be observed by staff to assure proper phone use.
- .4 Emergency calls from an attorney or concerning a death or serious illness in the inmate's family will be accepted only:
- a. If the caller is known and/or verifiable by the staff person.
 - b. Staff shall obtain the necessary information and notify the inmate of the pending emergency.
 - c. If at all possible, staff will allow the inmate to return the call.
 - d. Completed call will be recorded in the Residency Unit logbook and the Residency informer.
 - e. The Case Manager will be notified as soon as possible.
 - f. Staff will monitor the inmate and if necessary, ensure that the inmate receives counseling.
- .5 The following are prohibited and will result in disciplinary action, reprogramming and/or criminal charges, as appropriate:
- a. Calls to conduct or further personal business;
 - b. Threatening, profane or abusive language on the phone;
 - c. Conspiracy to smuggle contraband, extortion, escape or any other illegal activity;
 - d. Illegal long-distance telephone call will result in disciplinary action.
- .6 Review/revision:
- a. At the discretion of the Oahu Center Warden, as needed.
 - b. If revision is needed, the Oahu Center Warden will:


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| SUBJECT: | | |
| INMATE TELEPHONE CALLS | | PAGE 7 of 7 |

- 1) Assign a person to prepare a draft;
- 2) Consult with others for input, as desirable;
- 3) When revision is completed, have it typed in final form and forwarded to the Warden for final approval/disapproval.

5.0 SCOPE:

This policy and procedures covers all inmate telephone calls at OCCC except calls to the Ombudsman or the American Civil Liberties Union (ACLU), which are governed by 7.12.04, Access to the Ombudsman.

APPROVED: _____


 Clayton Frank, Warden



Date