


HOWARD COUNTY DEPARTMENT OF CORRECTIONS  
POLICY & PROCEDURE

	SUBJECT:	Inmate Rights, Discipline and Services
	P & P #:	H-709
	TITLE:	Inmate/Detainee Access to Telephone
	EFFECTIVE DATE:	March 30, 2020
	REVIEWED BY:	<i>P. Asempa</i> Prince Asempa, Administrative Captain
	REVIEWED BY:	<i>Andrea King-Wessels</i> Andrea King-Wessels, Deputy Director
	AUTHORITY:	<i>Jack Kavanagh</i> Jack Kavanagh, Director

**POLICY:** It is the policy of the Howard County Department of Corrections to provide inmates/detainees with access to telephones for newly incarcerated inmates/detainees to have access to their attorney, bondsman and family members. Reasonable telephone access will be provided inmates/detainees so they may maintain contact with the community, their families and attorneys.

**REFERENCES:** Maryland Commission of Correctional Standards – Adult Detention Center Standards .01 N, .05 C, O; PREA Standards Section §115.15 Subpart (g) Performance Based National Detention Standards 2011 Section 5.6 and HCDC Policies C-200 Intake and **H-736 Limited English Proficiency (LEP), Sign Language and Braille.**

**DEFINITIONS:**

**Inmate/Detainee Telephones:** Telephones exclusively available for inmate/detainee use.

**Emergency Telephone Calls:** Calls which concern serious illness, injury, or death of family members, as well as matters of serious consequence which are best handled by telephone as determined by the Shift Leader/Assistant Shift Leader or higher authority. An inmate's access to legal counsel, the courts, etc., is not considered an emergency. Any matter which can be reasonably handled by mail would not be deemed an emergency.

**Institutional Telephones:** Telephones that are used to conduct business of the institution and are not available for inmate/detainee use, except for emergency telephone calls conducted under staff supervision.

**Video Relay Service (VRS):** Video calls that meet the unique need of deaf and hard-of-hearing inmates/detainees.

## PROCEDURES:

### I. Newly Incarcerated Inmates/Detainees

- A. All newly incarcerated inmates/detainees shall enroll in the designated Inmate/Detainee Telephone System. These inmates/detainees then shall be allowed to complete at least three (3) local and/or long distance collect telephone calls at the time of admission on the inmate phone system by the Intake Officer. These calls are to be recorded **in the SallyPort JMS** or on the Admission Record if JMS is inoperable during Intake processing. See HCDC Policy C-200 Intake.
- B. Any instances of a new inmate/detainee being unable to enroll in the telephone system shall be immediately reported to the Administrative Captain by email.

### II. Inmate/Detainee Telephones

All inmate/detainee telephone calls must be made using the inmate/detainee telephone vendor. Calls are either collect charged through an inmate/detainee account debiting or through phone cards purchased thru the vendor.

- A. All inmate/detainee telephone calls are subject to monitoring and/or recording.
- B. Inmate/detainee telephones are available in the dayrooms of inmate/detainee housing units except for disciplinary segregation.
- C. **Inmate/Detainee telephone shall not be in use during the hours of 11:00 p.m. through 8:30 a.m. Inmate/detainee telephones shall be turned on in the morning after the 8 to 4 institutional inmate/detainee count clearing** and shall remain on until the inmates/detainees are returned to their cells at night. The Shift Leader may cut-off housing unit phones if inmates/detainees are non-compliant with sanitation requirements and/or fail to comply with facility rules and regulations and shall be turned on when the required sanitation level is attained. Any long-term phone cut-offs shall be approved by the Shift Leader who shall submit a written report of this action to the Security Chief.
- D. Inmates/detainees shall be advised of the following rules and regulations which are included in the inmate/detainee handbook:
  - 1. All inmate/detainee telephone calls are subject to monitoring and/or recording.
  - 2. Cases indicative of possible criminal nature and cases where the inmate/detainee calls \*911 will be referred to the Howard County Police Department for review and possible prosecution.
  - 3. **Inmate/Detainee telephones shall not be in use during the hours of 11:00 p.m. through 8:30 a.m.**
  - 4. There is a 20 minute, automated time limit for inmates/detainee using the phone. Inmates/detainees are to take turns and relinquish the phone if there are other inmates/detainees waiting to use the phone.

5. Inmates/detainees telephones are not to be used for calling corrections officials, correctional staff or other outside officials without the approval of the Director.
  6. Inmate/detainee telephones shall not be used in violation of a court order prohibiting contact with specified individuals, businesses or agencies.
  7. Profanity while using the telephone shall not be tolerated.
  8. The calling of individuals who do not wish to receive the calls is prohibited and by doing so may result in disciplinary action.
  9. Credit card calls are prohibited.
  10. Third party calls are prohibited.
  11. Telephone calls are not to be passed from one inmate/detainee to another.
  12. The use of the telephone shall not interfere with detention center programs, work assignments, transportation to Court, etc.
- E. Violation of any of the above rules and regulations may result in disciplinary action and the loss of telephone privileges.

### III. Inmate/Detainee Hearing Impaired Video Relay Services

Any inmates/detainees who are deaf or hearing impaired shall be afforded the same opportunity to make a phone call through the facility telephone vendor using the Video Relay Service called Lionbridge.

- A. The same rules shall be followed as noted in Section II. D. above.
- B. The location of the device is in the ICE office with instructions.
- C. Inmates/detainees shall make phone request using the Kiosk to the Shift Leader.
- D. The Shift Leader shall grant and/or deny the request as soon as reasonably possible.

### IV. Suspension of Telephone Privileges

An inmate/detainee's telephone privileges may be suspended for the following reasons:

- A. In the event of inmate/detainee abuse or violation of institutional rules and regulations;
- B. When complaints are received from the operator or the person(s) being called;
- C. When an inmate/detainee is placed on disciplinary segregation for violation of institutional regulations;
- D. When an inmate/detainee violates a court order or condition by use of a telephone;

- E. Being involved in a three (3) party call; and/or
- F. For security violations.

V. Telephone Calls Using Institutional Telephone

- A. Institutional telephones may be utilized for emergency calls when an inmate experiences a serious illness or death in their family or for other matters of serious consequence which cannot be handled by mail with the approval of the Shift Leader/Assistant Shift Leader, Classification or Work Release Supervisor, Counselor or higher authority.
- B. All authorized calls made by inmates/detainees using institutional telephones (except for routine work release related calls) shall be strictly monitored and shall be documented by staff in a log, clinical note, inmate/detainee basefile or on JMS and shall include the name, telephone number and nature of the call.
- C. Except where it is determined to be an emergency, inmates/detainees shall not use institutional telephones for communication with attorneys or their representatives. Inmates/detainees are expected to utilize inmate/detainee telephones where available, or regular mail delivery for this communication.
- D. Indigent inmates/detainees may use institutional telephones under appropriate supervision for calls approved by the Classification or Work Release/Reentry Supervisor, Counselor, Shift Leader or higher authority.
- E. Classification staff and other treatment program staff may allow and supervise an inmate's use of an institutional phone for a purpose consistent with providing treatment and transition to the community, such as telephone conferences with outside treatment providers, setting appointments for treatment upon release, housing arrangements, work related issues, etc. Such telephone calls must be made under strict supervision and are made only when it is not feasible for the inmate to make the call directly using an inmate telephone.
- F. Work Release staff may allow and supervise an inmate's use of an institutional phone for employment purposes. This use shall be documented in the SallyPort JMS.

VI. Directors Prerogative

The Director has the authority to revise/change a policy or post order as needed to meet the operational demands of the Department. As the change(s) are initiated, they may be communicated by an email, memoranda or in rare circumstances verbal due to unforeseen situations.

**ATTACHMENTS:** None

**RESCISSIONS:** HCDC Policy H-709, Inmate/Detainee Access to Telephone effective February 17, 2019, February 11, 2018, February 3, 2017, June 14, 2006.