Central California Women's Facility Supplement



California
Department of
Corrections and
Rehabilitation

DEPARTMENT OPERATIONS MANUAL Chapter: 5

ADULT CUSTODY AND SECURITY
OPERATIONS

Article: 21

INMATE USE OF TELEPHONES

Section: 52060

52060.4 Public Telephone Access

During prison emergencies, all or part of inmate telephone privileges may be discontinued. Inmates will be supervised in areas where there are telephones with outside line capabilities.

Inmates will not be allowed to answer any telephone with outside line capabilities.

Telephones and Telecommunication Device for the Deaf (TDD) Machine

Disability Placement Plan Inmates/Facilities B, C, D, and General Population

Use of a TDD and telephones for inmates with disabilities shall be consistent with California Code of Regulations (CCR), Section 3282(h). Verification of an inmate's need for TDD may be confirmed with Central California Women's Facility (CCWF) medical staff, the inmate's assigned Correctional Counselor I (CCI) or by reviewing the CDC-1845 Disability Placement Program Verification and the Disability Placement Plan list located in Buildings 505 and 513. An inmate who has been approved by the institution to use the TDD and who wishes to call a party who does not have use of a TDD shall be permitted to use the California Relay Service.

If the inmate does not have a severe hearing or speech impairment but desires to call an outside party who requires the use of TDD, the outside party shall forward a physician's statement of TDD verification to the inmate's <u>CCI</u>. The <u>CCI</u> shall place a copy of the documentation in the miscellaneous section of the inmate's Electronic Central File. Additionally, the <u>CCI</u> shall notify housing unit staff to make a notation on the inmate's bed card. Upon meeting all verification requirements, the inmate may sign-up for telephone calls according to her privilege group designation. The TDD <u>Weekly Log</u> (<u>Attachment A</u>), covering seven (7) days, shall be maintained and logged weekly.

TDD sign-up sheets shall be divided into 40-minute increments. The TDD calls shall have extended time increments due to the amount of time delay associated with the TDD relay process. The directions for the use of the TDDs are located with each TDD.

Inmates requiring the use of a TDD shall be afforded equal access to telephone services that are available to inmates using non-TDD telephones, including access during the same time frames. Inmates shall sign-up for use of the TDD machine via the housing unit staff who shall schedule the call in an available time slot on the TDD sign-up list. The Third Watch Facility Lieutenant (Lt.) shall ensure that requests for use of the TDD machine during non-business hours are complied with by accessing the TDD machine in the 505 Housing Unit and 513 CCI's Office. Housing Unit staff are responsible for notifying the Facility Lt. that an inmate has signed up for use of the TDD during non-business hours. The Facility Lt. shall ensure that the TDD call is properly monitored. All TDD sign-up lists shall be retained and provided to the respective housing unit CCI by the housing unit staff for the previous days scheduled calls. At the end of each month, the CCIs shall provide these lists to the Americans with Disabilities Act (ADA) Coordinator for retention.

Page 2 of 7

Disability Placement Plan Inmates/Facilities B, C, D, and General Population (Continuation)

During business hours, the <u>CCIs</u> assigned to Housing Units 505, 510, and 513 shall be responsible for providing inmates access to the TDD in accordance with the unit TDD sign-up list. Housing unit staff are responsible for monitoring the sign-up list and promptly notifying the Facility <u>Lt.</u> if an inmate has signed up to use the TDD and the <u>CCI</u> is unavailable. In the event the <u>CCI</u> is unavailable to provide the inmate access to the TDD, the Facility Captain (<u>Capt.</u>) shall ensure that access is provided in accordance with the <u>Telephone</u> sign-up list (<u>CCWF-C013</u> [<u>Attachment B</u>]).

TDDs are located in the <u>CCI</u> offices in Housing Units 505, 510, and 513, the Facility A <u>Lt.</u>'s Office and the ADA Coordinator's Office. The <u>CCI</u> assigned to Buildings 505, 510, and 513 will be responsible for securing the TDD machine in his or her office at the close of each workday.

If the call is determined to be a confidential call between the inmate and her attorney, pursuant to California Code of Regulations (CCR), Title 15, Section 3282 (g) (1) and (h), the transcript with the relayed messages will be given to the inmate when the TDD call is completed. Should the inmate not wish to retain the transcript, staff shall dispose of the unread text by placing the transcript in a shredder and shredding the document. The transcript for all other TDD calls shall be given to the Facility Lieutenant who shall have it screened for unusual messages, criminal activities, manipulation, etc. This transcript will be forwarded to the Investigative Services Unit (ISU) on a weekly basis.

Inmate telephones with volume controls are available in each housing unit.

Any questions regarding this matter should be referred to the ADA Coordinator at extension 5150.

Reception Center-Facility A

A TDD machine is located in the Facility "A" <u>Lt.</u>'s Office. Any requests for use of this device by a hearing or speech impaired Facility "A" inmate, or any Facility "A" inmate requiring the use of this device to communicate with another party that has a verified need to use a TDD device, must submit a written request to the Facility "A" <u>Lt.</u>, to include a requested date and time to make the telephone call. Inmates requesting a telephone call to an outside party, who required the use of a TDD machine, will be required to have the outside party forward a physician's statement of TDD verification to the inmate's respective CCI.

The Facility "A" <u>Lt.</u> receiving the request will review the request. The inmate will be notified of the decision, and if granted, the scheduled telephone time. The allocated time for the call is 40 minutes.

The Facility "A" Lt. is responsible for ensuring the telephone call is made as a collect call and that the communication is properly monitored.

52060.5 Inmate Personal Calls

Reception Center

Reception Center inmates who have volunteered to work the following assignments: yard crew, porters and Facility "A" Administration office crew positions will be allowed one telephone call for every 20 hours of work performed. The work supervisor must validate the inmate's performance of the minimum 20 hours of work. No more than one telephone call will be granted to an inmate per week.

Emergency telephone calls may be authorized by the inmate's caseworker upon validation of the need (e.g., family death, child custody or health care issues, and telephone calls to Legal Counsel for in-process litigation). Emergency telephone calls may be granted on weekends and during non-business hours with the authorization of the Facility "A" Program Lt. or Sergeant (Sgt.) upon validation of the need for the call. Correctional Officers are to screen requests to ensure the above criteria is met prior to forwarding to the caseworker, Lt. or a Sgt. for a decision.

Page 3 of 7

Skilled Nursing Facility

The power to the patient-inmate telephone located in the Skilled Nursing Facility (SNF) is controlled by the Building 504 Control Booth Officer, who also is responsible for monitoring all calls made by the patient-inmates. When not in use, the patient-inmate telephone in the SNF shall be turned off. Patient-inmates may only access the telephone upon prior authorization from custody or medical staff.

The SNF General Population patient-inmates may make one telephone call per day. During weekdays, the call may be placed between 0900 to 1200 hours, 1300 to 1600 hours and 1800 to 2045 hours. During the weekend, the call may be placed between 1000 to 1200 hours, 1300 to 1600 hours and 1800 to 2045 hours. Patient-inmates may request permission to use the telephone by signing up on the CCWF-C013 which is available to all patient-inmates during 1000-1100 hours during the weekdays and 0900-1100 hours on the weekends. The SNF patient-inmates are limited to 15 minutes per call.

Custody or medical staff will notify the patient-inmate when she may place a telephone call. Custody or medical staff is also to notify the Building 504 Control Booth Officer when the patient-inmate telephone needs to be turned on and request that the call be monitored. Only collect calls are placed by the patient-inmate. After 15 minutes, the patient-inmate shall be instructed to terminate her call. The patient-inmate telephone is to remain on only if there is another authorized 15 minute call to immediately follow, otherwise custody or medical staff is to contact the Building 504 Control Booth Officer and advise him/her that the patient-inmate telephone needs to be turned off.

Patient-inmates on Administrative Segregation Unit status may not place telephone calls from the SNF.

52060.6 Scheduling of Outside Telephone Calls

Telephone calls are to be recorded on the CCWF-C013. Copies of these lists are to be turned in daily to the ISU Office and to the Program Sgt. at the completion of every Third Watch shift, to be kept on file.

Telephone sign-ups will be supervised by the housing unit staff beginning at 1800 hours daily or after inmates have returned from dinner. The sign-up period will run for 30 minutes. Inmates working Third Watch will be allowed to sign-up from 0700 until 1300 hours. Phone list sign-ups will be conducted the evening prior to the date reflected on the phone list.

Inmates that are on Privilege Group "A" status will be allowed to sign-up for any remaining time slots. Inmates will not be allowed to sign-up for "back-to-back" telephone calls (e.g., 0800, 0815, 0830). Sign-ups on vacant phone slots will only be allowed after breakfast.

After the majority of the inmates have returned, the housing unit staff will allow a ten minute time period after each meal for the inmates to sign-up in vacant slots.

Time slots that are vacated, due to an inmate forfeiting her time slot, will be reassigned at the discretion of the unit staff.

Telephone calls are for 15 minutes maximum and staff are expected to monitor inmate calls and ensure the 15 minute time block is adhered to.

Phone calls will be issued by time slot availability.

To ensure that all phones are utilized on an equitable basis, individual phones will not be assigned to designated wings. This will allow for the use of five phones in each housing unit.

Page 4 of 7

52060.6 Scheduling of Outside Telephone Calls (Continuation)

Anytime that inmate telephones become inoperable and unavailable for use, <u>housing unit staff</u> must immediately report the problem to the facility supervisor and forward a completed CDCR 2184 Plant Operations Work Order Request, to be processed in accordance with Operational Procedure B-003. Every reasonable effort must be made to ensure that all of the inmate telephones are operational and available for use. When an inmate telephone is out of service, staff must document the reason that it is out of service on the sign-up list until the telephone is back in service.

Anytime an inmate is authorized to use the telephone, <u>housing unit staff</u> will ensure the inmate's name and California Department of Corrections and Rehabilitation (CDCR) number is legibly entered on the phone list in the appropriate time slot. Inmates will also turn in their identification cards to the <u>housing unit staff</u> before using the phone.

The sign-up sheet will be reviewed by the First Watch Officer to ensure that no inmate has signed up more than once, and that the inmate <u>name</u> and CDCR number is correct. Falsification of any information will result in disciplinary action.

The First Watch Officer will log all Privilege Group "B" inmates signing up for phone calls ensuring only one call is allowed per month. This information will be logged on the inmate's unit bed card. Inmates may not exchange time slots.

Attorney Telephone Calls

Grade A condemned inmates have unlimited telephone contact with their attorney(s) or their agents, i.e., investigator, paralegals. Once a call has been identified as legal it is to become confidential and the housing unit Control Officer is to cease word for word monitoring of the call. Condemned inmates have litigation with several types of legal counsel, appellate, civil, probate, tax, etc. Confidential telephone calls are arranged through the CCI or Facility Lt.'s office. Staff will originate the call to ensure it is collect.

Only Grade A inmates may sign-up to use the unit telephones. Grade B inmates are eligible for verified emergency phone calls which are approved by the <u>CCI</u>, Facility A <u>Lt.</u>, or the Facility A <u>Capt.</u>

The telephone will be available from 0800 hours to 1200 hours, 1300 hours to 1600 hours, and 1800 hours to 2045 hours. Telephone time slots will be at 15-minute intervals, and each Grade A inmate is allowed up to 45 minutes a day. The Third Watch Floor Officer will be responsible for the telephone sign-up lists. Each inmate is responsible for ensuring she, and only she, uses her reserved time slot. Inmates may reserve up to three time slots in advance. There will be no more than three reservations per day. Reservations shall be made 24 hours in advance each day for phone call on the following day. All empty time slots will be filled from a standby lists.

The standby calls will be terminated at the time of the next regularly schedule time slot. All calls will be collect. Billing to a third party is not permitted. All unit telephone calls, with the exception of calls protected by attorney-client privilege, will be monitored. There are no special unlocks for telephone use. The overall security of the unit is the first priority. Telephone calls can be canceled at the unit <u>Sgt.</u>'s discretion after consultation with the Facility <u>Lt.</u>

52060.8 Confidential Telephone Calls

A request for a Confidential Telephone Call (CTC) will be received and processed by the Litigation Coordinator.

The request:

• Is authorized only under extraordinary or emergency circumstances. It is for the purpose of facilitating emergency legal concerns and is not to be utilized for routine communication between attorney and inmate.

Page 5 of 7

52060.8 Confidential Telephone Calls (Continuation)

- Must be sent to the Litigation Coordinator via facsimile on the attorney's office letterhead stationery.
- Must contain the inmate's name, CDCR number and sufficient information to authenticate the identity and professional status of the attorney, e.g., name, driver's license number, social security number and State Bar registration number (out-of-state attorneys must provide the telephone number of the State Bar, with which he or she is registered).
- Must show proof that the attorney is the attorney of record, e.g., copy of a filed court document or letter of representation signed by the inmate. The attorney must also provide the name and telephone number of the court where the matter is pending, along with the case name and number. If the attorney has a hearing or speech impairment, requiring the utilization of a TDD machine, a physician's statement of TDD machine verification must also be sent by facsimile.

A request for a CTC can be denied when it is determined that normal legal mail or attorney visits are the appropriate means of communication.

The Litigation Coordinator will approve or disapprove the CTC on a case-by-case basis, as dictated by the results of the review.

CTCs will be received on designated non-inmate telephones as an incoming telephone call paid for by the attorney. The CTC will not be monitored or recorded.

A CTC initiated by an inmate shall be placed as a collect call or by providing for the toll to be deducted from the inmate's trust account. The inmate shall provide the attorney's name and telephone number. The Litigation Coordinator will contact the attorney to assess the need for the CTC and if approved, to apprise the attorney of the procedure for submitting the request.

Time limits comparable to routine telephone sessions should be observed and enforced (CTC calls shall not extend beyond 15 minutes, TDD calls shall not exceed forty minutes).

The Litigation Coordinator with the assistance of the assigned <u>CCI</u> will facilitate the date and time of the call, and the phone number to be utilized. All confidential calls will be placed from the <u>CCII</u>'s Office, taking into consideration the inmate's work schedule and availability of office and phone access.

If the inmate must be removed from a work or training assignment to receive the CTC, the <u>CCI</u> will instruct the work or training supervisor to grant "S" time for the time period needed to complete the call.

When the demand for confidential calls seriously burdens institutional operations, the institution head, or his or her designee, shall prioritize confidential calls.

The Litigation Coordinator will contact the attorney and provide instructions detailing when the call should be placed and the number to be called.

The <u>CCI</u> will answer the phone and confirm the caller is the approved attorney Confidential Phone Call Request (CDCR 106-A [Attachment C]). The assigned <u>CCI</u> will provide constant visual coverage by standing outside the office for the duration of the call.

52060.9 Emergency Calls

Telephone calls received regarding a death, serious injury, or accident involving a member of an inmate's immediate family shall be directed to the following staff members for verification and notification:

Page 6 of 7

52060.9 Emergency Calls (Continuation)

During normal work hours, Monday though Friday, calls should be forwarded to the assigned <u>CCI</u>. In the absence of the respective CCI, the call will be forwarded to CCII.

After normal work hours, weekends, and holidays, the calls will be forwarded to the Facility Sgt. or Lt.

Staff members who make notification must complete a General Chrono (CDC 128B) regarding the notification. The Emergency Notification to an Inmate worksheet (Attachment D) must also be completed. Copies of the completed CDC 128B and accompanying worksheet must be distributed to the Records Office, assigned Facility Capt., CCII, Lt., and the inmate.

Personal notification must be made in a private location e.g., program office, conference room, etc. Staff must be sensitive to and cognizant of the inmate's reaction. Referrals to the institutional Chaplain and Mental Health staff should be made when appropriate.

The staff member making the notification must be prepared to inform the inmate of the criteria for a Temporary Community Leave, if the inmate requests such information.

Authorizing the inmate to make an emergency telephone call may be appropriate. When possible, the call should be made from the inmate telephones located in the housing units. When such a call is authorized, the housing unit staff must be notified and the provision of the call must be noted in the housing unit logbook. Housing unit staff will monitor the call like any other outgoing call to determine whether or not it is a legitimate emergency.

Whenever staff is able to determine that there was no death, serious injury or an accident involving an immediate family member, then the call will be immediately terminated. If it can be determined that the inmate was involved in manipulating the circumstances surrounding the call, a Rules Violation Report will be issued.

A CDC 128B will be utilized to document the circumstances if it is determined that the inmate was not involved in the manipulation of the circumstances.

There may be some occasions when it will be necessary to allow an inmate to make an emergency call as described above from an institutional telephone. Under these circumstances, the call should be made collect. If this is not possible, the inmate must sign an Inmate Trust Account Withdrawal for "time and charges" for the telephone call. The time and date of the call must be documented on the form.

Page 7 of 7

52060.12 Telephone Monitoring

Inmates must tell the operator their first and last names each time a call is made. All Federal and State laws governing communications will be obeyed by inmates using the telephones. Inmates will be expected to be courteous, polite, and refrain from vulgar, threatening or harassing phone calls. Such calls may be terminated and may be cause for disciplinary action.

Attachments

- Attachment A—TDD Weekly Log Attachment B—Telephone Sign-Up Attachment C—Confidential Phone Call Request
- Attachment D—Emergency Notification To An Inmate

Associate Warden (A)

Housing

Warden

Date: / / through / /

TDD Weekly Log

TDD Locations: 504 Sgt/A-Lt/B-505/C-510/D-513/SNF/ADA Coordinator

SUNDAY		MONDAY		TUESDAY		WEDNESDAY		THURSDAY		FRIDAY		SATURDAY	
Inmate	Time	Inmate	Time	Inmate	Time	Inmate	Time	Inmate	Time	inmate	Time	Inmate	Time
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	0840-0920		0840-0920		0840-0920		0840-0920		0840-0920		0840-0920		0840-0920
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TELEPHONE SIGN-UP

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0815/ 8:15 A. M.					
0830/ 8:30 A. M.				***************************************	
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STATE OF CALIFORNIA CONFIDENTIAL PHONE CALL REQUEST CDCR 106-A (02/08)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

READ CAREFULLY. Please **PRINT** or **TYPE**. The information requested will be used by officials of the California Department of Corrections and Rehabilitation (CDCR) to determine whether your questionnaire will be approved or disapproved. The information provided will be maintained in a file pertaining to the inmate.

In accordance with the Privacy Act of 1974 (PL93-579), providing your Social Security number is optional. However, any omission or falsification on this questionnaire may be cause for denial of the confidential phone call. Please mail this form directly to the Litigation Coordinator's office of the institution where the inmate is confined.

1, NAME OF INMATE YOU WANT TO CALL (LAST, FIRST, MIDDLE)									INMATE'S CDC NUMBER				
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EMERGENCY NOTIFICATION TO AN INMATE

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c.c. CC-I										

c.c. CC-I C-FILE PROGRAM SERGEANT