

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> <b>Standard Operating Procedures</b>		
<b>Policy Name:</b> Offender Access to Telephones		
<b>Policy Number:</b> 227.01	<b>Effective Date:</b> 2/13/2019	<b>Page Number:</b> 1 of 13
<b>Authority:</b> Commissioner	<b>Originating Division:</b> Facilities Division	<b>Access Listing:</b> Level II: Required Offender Access

**I. Introduction and Summary:** Each facility shall provide offenders with reasonable and equitable access to telephones and this policy and procedure governs offender use of telephones. The Warden or Superintendent shall determine the appropriate supervision of offender telephone calls in a manner consistent with the mission of the facility.

**II. Authority:**

- A. Georgia Department of Corrections (GDC) Board Rules: 125-2-1-.01 and 125-3-2-.04;
- B. GDC Standard Operating Procedures (SOPs): 103.63 Americans with Disabilities Act (ADA) Title II Provisions, 104.47 Employee Standards of Conduct, 205.09 Guidelines for Civilian Construction Workers, Consultant and Contract Personnel, 208.06 PREA-Sexually Abusive Behavior Prevention and Intervention Program, 209.01 Offender Discipline, 222.06 Consular Notification, and 222.08 Sex Offender Registration; and
- C. ACA Standards: 2-CO-3C-01, 2-CO-5D-01, 4-4275, 4-4272, 4-4497 and 4-4497-1.

**III. Definitions:**

- A. **Attorney** - The offender's attorney of record or an attorney employed by the Public Defenders Council.
- B. **Emergency Telephone Calls** - Calls involving death or critical illness of Immediate Family members or other matters as determined by the Warden or Superintendent.
- C. **Immediate Family** - Member of an offender's family that falls into one of the following relationships: parents, siblings, spouse, grandparents, grandchildren or children.
- D. **Offender Telephone (Phone) System** - Telephones and related equipment that are installed in GDC facilities to enable offenders to complete local, long

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distance and/or international collect, pre-paid, debit and free calls, and which may also be used by GDC for investigative purposes.

- E. **Offender Telephone System Compliance Monitor** - Contractor who is employed by GDC to monitor the Service Provider’s compliance with the terms of the contract for Offender Telephone Services.
- F. **Offender Telephone System Facility Point of Contact** - Designated GDC staff member who is responsible for addressing telephone system matters arising at GDC facilities not assigned an On-Site Offender Phone System Staff member.
- G. **On-Site Offender Telephone System Staff** - Service Provider employees who are assigned to certain GDC facilities for the purpose of addressing telephone system matters arising at those facilities.
- H. **Service Provider** - The vendor who has a current contract with GDC to provide and operate the Offender Telephone System.
- I. **TTY Phones** - Telephones with equipment (Teletypewriter) for offenders with hearing impairments.
- J. **Video Relay Service (VRS)** - A telephone service using interpreters connected to callers by video hook-up that is designed to provide persons who are deaf and use American Sign Language with telephone services that are functionally equivalent to those provided to users who are hearing.

**IV. Statement of Policy and Applicable Procedures:**

- A. Access to and Use of Telephone Equipment:
  - 1. Each facility will be responsible for providing access to telephone services for offenders in compliance with this SOP.
  - 2. Emergency Telephone Calls from family and friends of offenders and calls from Attorneys will be directed to the offender’s assigned counselor or the chaplain for verification and further action if needed.

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3. No long distance telephone calls for offenders will be made at the facility's expense without authorization from the Warden or designee.
4. Boot Camp offenders will only have access to phones in emergency situations.
5. Each offender will a phone list or "Call Allow List" made up of a maximum of twenty (20) persons. This Call Allow list does not have to correspond to the visitation list. The offender may have persons on the Call Allow list that are not on their visitation list.
6. Only calls to phone numbers on the offender's Call Allow list can be placed through the Offender Phone System. Calls to cell phone numbers are allowed and shall be listed on the approved phone list. Calls to remote forwarding numbers are not allowed.
7. The Georgia Public Defender Council is a Georgia State agency, which provides legal services and information to indigent persons in Georgia, including offenders. Offenders must be given the opportunity to add this agency's number, (404) 795-2440, to their Call Allow lists as one of the twenty numbers they are allowed. Notices must be posted in housing units or this information must be placed in the Offender Handbook informing offenders that they may choose to add the Georgia Public Defender Council's number to their Call Allow list as one of their 20 allowed numbers.
8. An offender, established as a foreign national, shall be allowed telephone calls with representatives of the Consulate General of his/her native country per SOP 222.06 Consular Notification. The phone number must be authenticated prior to the call. Staff shall maintain surveillance and general supervision during the phone call. Staff shall be positioned so as to permit the Consulate General representative and offender to converse privately and maintain the privileged nature of their relationship. Offenders may also be given the opportunity to add the number to their Call Allow lists as one of the twenty numbers, allowed. The offender must provide accurate information regarding the consular representative so the phone number can be clearly identified to ensure calls to the consular representative are not monitored or recorded.

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9. Normal operating hours for the offender telephones will be posted in each facility. Operating hours will generally extend until lock down or lights-out time. The Warden or Superintendent shall have the authority to disable telephone operations for good cause in accordance with this policy.
10. Phone systems in all facilities (with the exception of the TTY phones and VRS) shall be programmed with a 15-minute maximum limit on all calls. Offenders using TTY and VRS devices will be allowed extra time, of at least 30 minutes, to complete calls. Phones will automatically cut off when the time limit is reached.
11. Disciplinary infractions related to telephone use may result in restriction of telephone privileges in addition to other sanctions. Restrictions shall not apply to calls related specifically to access to the offender's Attorney or the PREA Hotline.
12. Offenders under investigation for serious criminal offenses (i.e. murder, homicide, rape, assault on staff or offenders, introduction of contraband, etc.) may have their phone privileges suspended until the investigation is complete.
13. In the event of an emergency, the Warden or Superintendent has the authority to disable the Offender Telephone System at his or her facility for up to 24 hours. With the written approval of the Regional Director, the Offender Phone System may be disabled for up to 48 hours. The Warden must receive the written approval of the Director, Field Operations in order to disable the Offender Phone System for a period in excess of 48 hours.
14. All Offender Phone System computer equipment shall be maintained in a secure area and shall be inaccessible to offenders at all times.
15. All Offender Phone System records to include User I.D.s, Passwords, offender Call Allow lists, audio recordings of offender calls, and both manual and on-line records of offender calls are deemed a part of the offender's institutional file.

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B. Call Allow Lists and the Centralized Data Base:

1. While in Diagnostics, Attachment 1 Diagnostic/Permanent Offender Call Allow List (“Call Allow List”) will be completed for each offender and entered into the centralized offender telephone data base. The Call Allow List, once completed by the offender, is a confidential document and must not be left in plain view of other offenders, given to other offenders, or left otherwise unsecured.
2. The offender’s PIN or identifying number is the offender’s GDC State ID number.
3. Information on the Call Allow list includes the telephone numbers, name, relationship to the offender, address, city, and state of the people whose numbers are being placed on the list. Complete information must be given before a number can be entered into the telephone system. All land line phone numbers must be tied to a phone located at the physical address listed. This may not be possible with cell phones. Cell Phone numbers are authorized for placement on offender call-allow lists. Remote forwarding is a violation of policy. Verification is not required for the Public Defender Council’s number as specified in this policy.
4. The Offender Phone System Facility Point of Contact or designee will indicate whether the phone list is the initial or an update by circling the appropriate information on the Call Allow List at the time the data is entered into the system. Once the initial list is entered, six-month revisions will be based on the last digit of the offender’s identification number. The system will work as follows:

Last Digit of ID#	Six-Month Review
0 or 5	January & July
1 or 6	February & August
2 or 7	March & September
3 or 8	April & October
4 or 9	May & November

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**Note:** Only one Call Allow List can be submitted for updates during each month of the six-month review period for each offender, unless an additional submission is approved by the Warden/Superintendent or designee.

5. Once the data is entered, the Call Allow list, including both the initial and updates, shall be placed in the offender’s institutional file.
6. The facility must include the six-month phone review schedule in the Offender Handbook or post it in all offender living units.

C. The Offender Shall Be Responsible for:

1. Providing accurate information for the Call Allow List. Any offender who gives deceptive or inaccurate information in an effort to circumvent these established procedures shall be subject to disciplinary action in accordance with GDC SOP 209.01, Offender Disciplinary process;
2. Providing accurate information regarding their Attorney and designating the number for the Attorney to ensure calls to the Attorney are not monitored or recorded. The offender must ensure that the Attorney is clearly designated on the call allow list;
3. Using the phone system in accordance with operating instructions. Misuse of the phone system, including providing incorrect identification information (ID number; name; etc.) or failing to follow directions given through phone system prompts, will result in disciplinary action which may include loss of phone privileges in addition to other sanctions;
4. Updating, if desired, and submitting their Call Allow List to their assigned facility counselor in the appropriate months for review; and
5. Obtaining Attachment 2, Offender Telephone Trouble Report (“Telephone Trouble Report”) and completing it to report any problems with the Offender Phone System. This form shall be used instead of the standard Offender Request Form to report trouble with the Offender Phone System. The offender

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will forward the completed form to their counselor or Offender Phone System Facility Point of Contact via the internal facility offender mail system.

D. The Offender's Assigned Counselor Shall Be Responsible for:

1. Verifying the accuracy and completeness of information on the offender's Call Allow List;
2. Verifying the accuracy of the offender's State I.D. number in order to ensure the correct number is given to the Offender Telephone System Facility Point of Contact, or designee. The Offender Telephone System Facility Point of Contact or designee will forward correct identifying information to the Service Provider for enrollment in the Offender Telephone System;
3. Ensuring that the telephone numbers of any of the offender's victims or witnesses are not on the offender's Call Allow List unless authorized by the Warden or Superintendent; and
4. Verifying the accuracy of the information given for the offender's Attorney. The number of the Attorney must be verified to ensure that the number listed does belong to the Attorney and that the person listed is, in fact, the offender's Attorney. This action is critical as, once approved, these calls WILL NOT be monitored or recorded. Calls with Attorneys are protected by attorney-client privilege and must remain confidential. Once verified, the Call Allow List shall be forwarded to the Warden or designee for approval.

E. The Offender Phone System Facility Point of Contact, or Designee Shall Be Responsible for:

1. Establishing a logbook system, consisting of three logbooks for the documentation of telephone system activity and information. Logs shall be established as follows:
  - a. The first logbook shall be used to document all action by the facility to report trouble with the phone system (who reported, what was reported,

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when reported, where reported, why reported and what action was taken) or to document information received from the Service Provider regarding problems related to the Call Allow Lists or other problems. This log shall be maintained by the Offender Phone System Facility Point of Contact or designee;

- b. The second logbook shall be used to document all visits by the Service Provider’s representatives (technician, trainer, etc.) to the facility, to include date and time of arrival, reason for visit, action taken, and time of departure. This logbook shall be kept by the Offender Telephone System Facility Point of Contact or designee to ensure that they are aware that the Service Provider’s representative is in the facility and of the activity taking place on the phone system as a result of each visit; and
- c. An after-hours logbook will be set-up in central control or at the facility entrance portal for Service Provider’s representative to sign when visiting the facility after normal work hours.

2. Forwarding completed Telephone Trouble Reports to Service Provider once received from the offender.

**F. Service Provider Responsibilities:**

- 1. Accurately entering the offender telephone information within five days of receipt;
- 2. Ensuring that when an offender’s Attorney’s number is entered into the computerized telephone system, that the recording feature of the system is blocked for that number;
- 3. Addressing the problems outlined in Telephone Trouble Reports and responding to the offender within five (5) days of receipt of the Trouble Report with the action taken.

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G. Staff System Access:

1. In order to access the administrative control system, authorized users must be assigned a User I.D. and Password. Once a user logs onto the system, the administrative control system tracks every action of the authorized staff while working in that system. Under no circumstances will staff give their Passwords or User I.D.s to anyone else. The person assigned a Password and User I.D. will be accountable for any unauthorized activity which takes place under those identifiers. Unauthorized activity includes but is not limited to removing or adding an offender's numbers without the proper authorization and commencing or terminating an offenders phone privileges without proper authorization.
  
2. There are three levels of access available for authorized staff at all facilities within the administrative control system. User capability will be based on the individual assigned level of access below:
  - a. Data Entry Access: Each facility shall designate staff authorized to forward the Call Allow List to the Service Provider for the data to be entered into the computerized telephone system. Service Provider is responsible for the entry of offender Call Allow List data, updating changes to previously entered numbers, and entry of information related to offender privileges, i.e. length of call (if different from the standard fifteen (15) minutes), number of calls that can be made in a specified time period, the time of day and the days of the week the telephone can be used, and the entry of restriction of telephone privileges based on disciplinary action.
  
  - b. Call Search Access: Each Offender Telephone System Facility Point of Contact or designee shall have Call Search Access, which allows review and research of telephone data for cross-reference purposes. To obtain this level of access, an authorization form must be completed and signed by the Warden or Superintendent.
  
  - c. Call Monitoring Access: This level of access will allow the monitoring of live and recorded calls and will be limited to the Warden and the

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Superintendent and their designees at each facility. It is prohibited for any staff to monitor live or recorded calls without authorization.

H. Call Monitoring Procedures:

1. Monitoring activities will only be conducted by the Warden or the Superintendent and their designees at each facility. Attachment 3, Record of Monitoring Offender Calls (“Record of Monitoring”) must be created for all live or recorded calls monitored. When completed, the Record of Monitoring sheet will be placed in a notebook which is the Offender Telephone Monitoring Log.
2. The offender telephone system automatically records all offender calls unless a number has been blocked for recording purposes. Calls placed to the offender’s Attorney and to the Indigent Defense Council will be entitled to attorney-client confidentiality and will not be recorded or monitored if the offender designated the number as being that of their Attorney on the Call Allow list. The recording feature must be blocked on all calls to this number so these calls are NOT recorded. When monitoring calls, it is the responsibility of the person monitoring to ensure they are not monitoring an attorney call. **It is the responsibility of the Warden/Superintendent, or their designee to ensure they are not monitoring calls protected by attorney-client privilege.**
3. It is the responsibility of each facility to ensure that offenders are aware that telephone calls may be monitored or recorded. The Warden or Superintendent of every facility must inform, in writing, the entire offender population that telephone calls may be monitored or recorded. This notice must be posted by each offender telephone.
4. Monitoring may be conducted if the offender is suspected of, is attempting to, or is in the process of compromising the safety, security, or integrity of the facility, staff, another offender, or the general public. Calls may also be selected randomly for monitoring.

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5. All requests from outside agencies (i.e.: FBI; GBI; other law enforcement agencies) to monitor offender calls must be made, in writing, to the Warden/Superintendent of the facility housing the offender with detailed information regarding why the request is being made. The Warden shall forward this information to the Director, Field Operations who, in turn, will forward the request to the Assistant Commissioner, Facilities Division for review and authorization as appropriate.
  6. The Office of Professional Standards has authorization to monitor offender calls.
  7. The Records of Monitoring and Offender Monitoring Log shall be kept in the Warden or Superintendent's office in a secure location. Should the offender transfer to another facility, the Record of Monitoring associated with that offender shall be forwarded to the receiving Warden or Superintendent. GDC audit teams and GDC Central Office staff will be allowed to access these records for auditing and review purposes.
  8. Monitoring must be done in a private and confidential setting, out of sight and sound of other staff and offenders in order to avoid disclosure of the contents of the call. Headphones may be used to contain sound, but the monitor must be out of sight of all offenders and staff not authorized to monitor calls.
- I. Transitional Centers: A collect only telephone system is installed at these facilities. This system does not have the security features of the Offender Telephone System requiring the entry of a Call Allow list and Call Allow List procedures in this SOP do not apply. The telephone system (with the exception of the TTY phones and VRS) shall be programmed for a fifteen (15) minute maximum limit on all calls. Offenders using TTY and VRS devices will be allowed extra time, of at least 30 minutes, to complete calls. Phones will automatically cut off when the time limit is reached. Transitional Centers shall continue to utilize their established procedures for access to telephones.

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**J. Customer Service/Reporting of Telephone Problems:**

1. If complaints are received at the facility from family members of offenders or others related to the Offender Phone System, designated staff at the facility will advise the caller to contact the Service Provider directly. If the complaint is not addressed by the Service Provider, the facility will provide contact information for the Offender Phone System Compliance Monitor.
2. If the facility experiences problems with the telephone system that cannot be corrected by facility personnel, the facility should contact the GDC Offender Phone System Compliance Monitor in order to open a trouble ticket. This information should then be documented in the Offender Phone System Logbook.
3. In the event a facility needs to place a block on a telephone number at the request of a called party, or for any other reason, the facility will refer the called party to the GDC Offender Phone System Compliance Monitor. This information should also be recorded in the Offender Phone System Logbook.

**K. On-Site Offender Phone System Staff:**

1. On-Site Offender Phone System staff are located at designated GDC facilities. (Arrendale, GDCP, and SOSTC) On-Site Offender Phone System staff are employees of the Service Provider and not employees of GDC. They are on-site full time and serve as Offender Telephone System Facility Point of Contact at selected GDC facilities. These contractors must adhere to all GDC policies, procedures, rules, and regulations applicable to contractors and shall comply with this SOP.
2. Background Checks: Offender Phone System staff are required to have background checks completed prior to being approved to work in GDC facilities. They must also meet the requirements in SOPs 205.09 Guidelines for Civilian Construction Workers, Consultant and Contract Personnel and 208.06 PREA-Sexually Abusive Behavior Prevention and Intervention Program. The Service Provider will contact the GDC Offender Telephone Service Contract

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Manager when they want a new employee approved to enter GDC facilities. Background checks shall be completed by GDC Central Office staff and approval or disapproval will be relayed from the GDC Offender Telephone Service Contract Manager to the Service Provider. Upon approval, arrangements will be made for a GDC Vendor Identification Card to be made at a GDC facility.

**V. Attachments:**

Attachment 1: Diagnostic/Permanent Offender Call Allow List;  
 Attachment 2: Offender Telephone Trouble Report; and  
 Attachment 3: Record of Monitoring Offender Phone Calls

**VI. Record Retention of Forms Relevant to this Policy:**

Upon completion, Attachment 1 shall be placed in the offender's institutional file and retained according to the official records retention schedule for that file. Attachment 2 shall be kept on file by the Offender Phone System Facility Point of Contact for one year for audit purposes and then destroyed. A copy shall be returned to the offender informing them of the status of the problem reported. Attachment 3 shall be maintained in a confidential and secure area in the Warden's or Superintendent's office for one year and then destroyed.