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Telephone Calls, Inmates	

INMATE TELEPHONE CALLS

I. POLICY

- A. Inmates confined within the Mendocino County Jail will have reasonable access to telephones in order to maintain community ties and contact with legal representatives.

II. DEFINITIONS

- A. Legal Representative
 - 1. Attorney, legal aid officers, or assistants to the inmate's attorney of record.

III. GENERAL INFORMATION

- A. Newly admitted inmates will be given the opportunity to complete at least three local or collect long distance telephone calls.
- B. Maximum security and special handling inmates will be provided telephone privileges, unless restrictions have been placed denying use of the telephone.
 - 1. If restrictions have been placed, this should not preclude telephone calls to designated practicing attorneys in connection with prospective or pending litigation.
- C. Telephone privileges for the general population will be available on a daily basis.
- D. A recording on out-going calls advises inmates that calls are subject to monitoring/ recording.

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IV. PROCEDURE

- A. Immediately upon completion of the booking process, except when physically impossible or pursuant to Section 40304.5 of the Vehicle Code, the Booking Deputy will advise newly admitted inmates that they will be authorized to complete at least three local or collect long distance calls.
- B. To comply with Penal Code Section 851.5; an arrested person has the right to make at least three completed telephone calls no later than three hours after arrest.
 - 1. An arrested person who is a custodial parent with responsibility for a minor child or children is entitled to make at least two additional phone calls for the purpose of arranging for the care of the minor children during their absence.
 - 2. Access to a telephone shall be provided immediately upon request, or as soon as practicable.
- C. To comply with Vehicle Code Section 40304.5; an arrested person shall be provided the opportunity immediately to post bail, and shall not be booked, photographed, or fingerprinted, nor shall an arrest record be made, when the amount of bail required to be paid on the warrant may be ascertained by reference to the face thereof or to a fixed bail schedule.
 - 1. If the arrested person does not have sufficient cash in his possession to post bail, the arrested person has the right to make no less than three completed telephone calls to obtain bail, and shall have no less than three hours in which to arrange for the deposit of bail.
- D. These provisions do not preclude the arrested person to be allowed to make more than the three required telephone calls during the intake process.
 - 1. This does not include the telephone calls the arrestee may make while in the holding cell.
- E. Upon completion of the inmate's phone calls, the Booking Deputy will complete the "Arrestee/Inmate Telephone Record" form.
 - 1. If the arrestee/inmate refuses to sign the form, the Booking Deputy will write in "Declined" and complete the form.

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- F. Inmate Telephone Calls from Housing Units
1. The Housing Deputy will authorize the use of the telephones, located in the units, after the housing unit has satisfactorily passed morning inspection.
 - a. A TDD phone is located in each housing unit and in each booking cube for use by hearing impaired inmates or for calls to be directed to a hearing impaired recipient.
 2. Telephone privileges may be available from 0900 hours until 2300 hours daily for general population inmates, unless restrictions have been placed or the facility has been placed on lockdown status.
 3. Nothing shall preclude a Facility Supervisor from extending or terminating telephone privileges if the circumstances warrant.
 - a. In the event telephone privileges are terminated or suspended, an Incident Report shall be prepared documenting the action.
- G. Inmates who require the use of facility telephones shall be escorted to the Booking Area of Building One, the hallway phone in Building Two or Booking Desk for females in Building Two, or the Building One Programs Room, where they will be allowed to make their telephone calls. Requests shall be in writing on an inmate request form.
1. In such instances, the Corrections Deputy will complete an "Arrestee/Inmate Telephone Record" form.
 - a. If the arrestee/inmate refuses to sign the document, the Corrections Deputy will write "Declined" and complete the form.
- V. TELEPHONE ACCOUNT INFORMATION INMATE DEBIT CALLING
- A. Inmate phone calls may be funded by Debit Accounts, Prepaid Call Accounts, or as collect calls.
 - B. Telephone time is not intended to be traded, sold, bartered, or "held" with or by other inmates and is meant to be used only by the purchaser or the inmate for whom a prepaid account was established.

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- C. All telephone calls possess the same security features, regardless of the form of funding.
- D. The owner of the destination telephone number establishes Prepaid Call Accounts directly with the inmate telephone system provider.
 - 1. No PIN number is necessary or issued for Prepaid Call Accounts
 - 2. The inmate telephone system provider handles all transactions associated with Prepaid Call Accounts.
- E. The completion of collect telephone calls is at the discretion of the destination telephone number service provider and/or the inmate telephone system provider.
 - 1. No PIN number is necessary or issued for collect calls.
- F. The Inmate Debit Calling System allows inmates to purchase telephone time using money from their Jail Trust Account.
 - 1. The cost of all applicable taxes is included in the price of the call when calculating the amount of telephone time ordered.
- G. Phone Time Purchases
 - 1. All inmates will be allowed to order telephone time. once a week unless that privilege has been withheld in accordance with the Inmate Disciplinary Procedures.
 - 2. Telephone time will be ordered at the same time as Commissary.
 - 3. A separate Inmate Debit Calling Order form will be attached to the Commissary Order form to allow inmates to order telephone time.
 - a. Telephone time will not be affected by the maximum dollar limit currently in place for Commissary orders providing the inmate has sufficient funds to cover his order.
 - 4. An inmate may request a refund, after release from the Mendocino County Jail, for any unused telephone time by submitting a request in writing to the Jail Telephone System Provider.
 - a. Pre-addressed refund post cards are available in booking for issue to inmate upon request at release.

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H. Procedures

1. Inmate Debit Calling forms will be handed out to inmates on Mondays along with the commissary ordering forms.
2. The completed Commissary Order and Inmate Debit Calling forms shall be delivered to the Account Specialist prior to 0800 hours on Tuesday morning.
3. The Account Specialist will review the order for compliance to Corrections Division policies and procedures.
4. The Account Specialist will audit and compute the order, and deduct the amount of commissary and telephone time ordered from the inmate's account.
5. The Account Specialist will initial, date and enter the amount deducted from the inmate's account for telephone time in the "OFFICE USE ONLY" section of the Inmate Debit Calling Order form.
6. If the inmate does not have enough on the account to cover the Commissary Order and Inmate Debit Calling Order, the Commissary Order will be filled first. Any remaining funds will be applied to the Debit Calling Order. In the event no money remains the Inmate Debit Calling Order form will be initialed, dated and returned to the inmate by the Account Specialist marked "Insufficient Funds" in the "OFFICE USE ONLY" section of the form.
7. The Account Specialist will have the total amount of telephone time purchased transferred from the Special Jail Fund Inmates Account to the Inmate Welfare Fund.
8. The Account Specialist will forward the processed Inmate Debit Calling Order form to the Jail Telephone System Site Administrator prior to 1700 hours on Wednesday.
9. The Jail Telephone System Site Administrator will review the Inmate Debit Calling Order form and enter the amount of telephone time purchased into the Jail Telephone System computer.
 - a. Entering the telephone time purchased into the Jail Telephone System computer will involve:

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- i. Generating a four digit Personal Identification Number (PIN) for the inmate. The inmate's "A" number plus the four randomly assigned numbers (PIN) will be used to access the Debit Phone Account. If the inmate's "A" number has less than five digits a "0" (zero) will be used as the first digit.
 - ii. Initialing and, dating the "OFFICE USE ONLY" section of the Inmate Debit Calling Order form.
 - iii. Providing the four randomly assigned PIN numbers to the inmate in a sealed envelope.
 - iv. Making a copy of the Inmate Debit Calling Order form which will serve as the inmate's receipt and forwarding the copy to Corrections Division personnel.
10. Corrections Division personnel will deliver the copy of the Inmate Debit Calling Order form to the inmate and if warranted, the sealed envelope containing the PIN number.
11. If an inmate's PIN has been compromised, the Jail Telephone System Site Administrator and/or designee will generate a new 4 digit PIN. Repeated incidents of compromise may result in the closure of the inmate's Telephone Debit Account. The inmate will no longer be able to make debit calls and may apply for a refund for any unused telephone time remaining on the account upon release.
12. Upon release, an inmate may apply for a refund of any unused telephone time remaining on the account by mailing an Inmate Phone Debit Refund Request form to the Jail Telephone System Provider.
 - a. A request for refund must be received by the Jail Telephone System Provider no later than 30 days after the inmate is released from the Mendocino County Jail. If the request for refund is received after thirty days of the facility's documented release date, the refund will not be issued.
 - b. Requests for refunds will take approximately six to eight weeks to process after being received by the Jail Telephone System Provider.
13. Upon release, an inmate's Telephone Debit Calling Account will be disabled by the Jail Telephone System Site Administrator.

I. Billing and Commission

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1. The Jail Telephone System Provider will bill MCSO monthly for phone calls made using debit accounts.
 - a. Commission will be deducted from the monthly amount due.
 - b. Monthly invoices for telephone calls made using debit accounts will be paid from the Inmate Welfare Fund.
2. The Jail Telephone System Provider will issue a monthly check to the Inmate Welfare Fund for commission on prepaid and collect calls.
3. Taxes will be paid by the Jail Telephone System Provider.

J. Telephone Repairs

1. Facility telephone maintenance repairs, i.e., telephone does not work, handset is broken, need of new cord, etc., will be immediately reported to the On-Duty Supervisor.
2. Upon receipt of a repair request, the On-Duty Supervisor will obtain a "Mendocino County Inmate Phones In-House Trouble Report" form located in the phone binder in each building.
3. The On-Duty Supervisor will fill in the heading of the report listing which facility, the date and the time, and the description of the trouble.
4. The On Duty Supervisor will then call the telephone provider
5. The On Duty Supervisor will finish filling out the form including:
 - a. The person they contacted, and
 - b. The priority level of the repair,
6. The completed form will be placed back into the binder.

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