



Virginia Department of Corrections

Offender Management and Programs

Operating Procedure 803.3

Offender Telephone Service

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Incarcerated Offender

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in February 2021 and determined that no changes are needed.

The content owner reviewed this operating procedure in February 2022 and determined that no changes are needed.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

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DEFINITIONS

Account Representative - The individual representing the contract vendor who manages the contract account for the offender telephone system with the Department of Corrections Contract Administrator and the facility

Administrative Telephone System - The business telephone system accessible to and used by Department of Corrections employees

Attorney Call - A call placed to a telephone number of an attorney or the law firm where the attorney is employed; an offender may request that all calls to the attorney number be blocked from call recording and monitoring.

Auto Enrollment - Offender's ability to add, remove, and manage numbers on their call list through the offender telephone system

Call List - An approved list of up to 15 telephone numbers, including attorney numbers, that an offender is permitted to call

Community Corrections Facility - A residential facility operated by the Department of Corrections to provide Community Corrections Alternative Programs

Facility - Any institution or Community Corrections facility

Hotline - A dedicated telephone number that offenders may use to report problems they encounter with accessing the offender telephone system, placing calls, or other call-related complaints

Institution - A prison facility operated by the Department of Corrections; includes major institutions, field units, and work centers.

Offender Telephone Service - Offender telephone system equipment, software, and services provided to offenders by a commercial vendor under contract with the Virginia Department of Corrections; this system allows offenders to place collect, pre-paid, or offender paid calls to persons on their approved call list.

PIN Number - A four-digit number that when combined with the offender's DOC number is a unique secured access number that allows the offender to place a call on the offender telephone system

Recording Block - An electronic block that prevents recording and monitoring of a call to a verified attorney telephone number; an offender must request a recording block in advance.

Subscriber - The consumer in whose name a telephone number on an offender's call list is billed by the consumer's telephone service provider

TDD devices, Videophones, Video Relay Services - Devices and services that assist hearing impaired offenders to communicate through the offender telephone service

PURPOSE

This operating procedure provides guidance under which offenders in Department of Corrections facilities may be granted access to telephone services. This privilege is always conditioned upon responsible use of the telephone in accordance with federal and state laws.

PROCEDURE

- I. Offender Telephone System
 - A. This operating procedure provides information to offenders on the offender telephone system; see Operating Procedure 440.3, *Administration and Monitoring of Offender Telephones (Restricted)*, for the administration of and security considerations related to offender telephone services. (2-CO-5D-01)
 - B. The offender telephone system is restricted to the equipment and services provided by the vendor pursuant to the service contract for the offender telephone system. (5-ACI-7D-12; 4-4497-1; 4-ACRS-5A-19-1)
 1. The service contract complies with all applicable state and federal regulations.
 2. Contracts are based on rates and surcharges that are commensurate with those charged to the general public for like services. Any deviation from ordinary consumer rates reflects actual costs associated with the provision of services in a correctional setting.
 3. The contract for offender telephone services provides the broadest range of calling options that have been determined by the DOC to be consistent with the requirements of sound correctional management.
 - C. Offender telephones may be installed in housing unit day rooms, dormitories, and recreation yards in accordance with facility mission and need.
- II. Offender Enrollment
 - A. Upon their reception into the DOC, offenders are automatically enrolled in the offender telephone system.
 - B. The offender's four-digit PIN number is automatically set to the offender's month and date of birth (MMDD).
 1. The four-digit PIN number must be used in conjunction with the offender's State ID number in order to access the offender telephone system.
 2. Any misuse of a PIN number by an offender may result in temporary or permanent withdrawal of telephone access privileges.
 3. An offender can report a PIN number problem to the vendor through the offender hotline (#21).
 4. When a PIN number is lost or replaced, the vendor will provide the offender with a new secured PIN number on an *Offender Hotline Response*.
 - C. By activating their PIN number using the offender telephone system, the offender agrees to abide by the rules governing its use, and consents to the recording and monitoring of telephone calls.
 1. To assist offenders in proper use of the offender telephone system, Attachment 2, *ICM Offender Dialing Instructions (Attachment 2S, Spanish)* and Attachment 4, *ICM Dialing Instructions for New Offenders (Attachment 4S, Spanish)* should be posted at or near offender telephones.
 2. Upon intake into the DOC, each newly received offender must be provided with a copy of Attachment 4, *ICM Dialing Instructions for New Offenders (Attachment 4S, Spanish)* on the day of arrival.
 3. During reception or orientation, a copy of the *ICM Offender Dialing Instructions* may be distributed to each offender.

- D. The offender will create their call list by using the auto enrollment system (*44).
- E. When an offender transfers to another DOC facility, the offender's account should automatically transfer to the new facility within three hours after the offender's arrival.

III. Offender Call Lists

A. Approved Call Lists

- 1. Every offender using the offender telephone system is required to have an approved call list.
- 2. Call lists are limited to 15 approved numbers, including attorney numbers and investigator's hotline telephone numbers.
- 3. Offender calls must be placed directly to, and terminate at, the number on the call list.
- 4. All call list numbers remain active until the offender removes the number, or the subscriber requests a block or cancellation.

B. Additions to and Removals from the Call List

- 1. Offenders will create their call list of up to 15 telephone numbers using the auto enrollment system by dialing *44.
- 2. The offender may add and remove telephone numbers on their call list at any time by using the auto enrollment system.
 - a. The offender must use the auto enrollment system to remove a telephone number prior to adding a new telephone number when the new number would exceed the maximum 15 telephone numbers allowed on the call list.
 - b. Telephone numbers in a pending approval status are temporarily included in the maximum 15 telephone numbers allowed.
 - c. No number will become active on an offender's call list until consent to receive offender calls is granted by the telephone subscriber. This process may take several days.
- 3. To grant consent to receive offender calls, the subscriber of the telephone number must respond to the following questions asked through the automated consent process.
 - a. Are you the person authorized to make decisions for this telephone number?
 - b. Please state your name.
 - c. Do you understand that all calls are monitored and recorded? Except attorney calls with previously approved recording blocks.

- C. Cellular or other wireless telephone numbers may be added to the call list and will be managed the same as landline telephones.

IV. Offender Access to Telephone Service

- A. Scheduled telephone service hours vary based on facility security level and should be listed in the facility's offender orientation materials or posted in designated facility locations accessible to offenders. (5-ACI-7D-11; 4-4497)

- 1. Offender access to telephone services will be as follows:
 - a. *General Population* - Access is generally permitted during scheduled service hours and when offenders are allowed access to the area(s) where telephones are located. (4-ACRS-5A-19)
 - b. *Reception Centers* - Access is generally permitted during scheduled service hours and when offenders are allowed access to the area(s) where telephones are located. Hours of access may be limited as necessary as to not interfere with the classification process.
 - c. *General Detention and Restorative Housing (RHU)* - Access is limited to two telephone calls per month. (5-ACI-4A-25, 5-ACI-4B-25; 4-4271)
 - d. *Restorative Housing Step-down 1 (SD-1)* - Access is limited to four telephone calls per month. (5-

ACI-4A-25, 5-ACI-4B-25; 4-4271)

- e. *Restorative Housing Step-down 2 (SD-2)* - Access is limited to six telephone calls per month. **(5-ACI-4A-25, 5-ACI-4B-25; 4-4271)**
 - f. *Protective Custody* - Offenders in protective custody, who are located in the protective custody unit, have the same access as general population offenders. Protective custody offenders located in Restorative Housing Units have the same access as restorative housing/SD-1 offenders based on their status. **(5-ACI-4A-25; 4-4271)**
 - g. *Medical Isolation* - Access is generally permitted during scheduled service hours, unless otherwise restricted for medical reasons.
 - h. *County Jails in State Correctional Facilities* - State facilities housing county jail prisoners should provide jail prisoners the same access as general population offenders.
 - i. *Community Corrections Facilities* - Community Corrections Facilities will generally comply with the requirements for institutions. These facilities may restrict access to telephones, including frequency of use and reduced time limits, to meet programmatic goals. **(4-ACRS-5A-19)**
2. Unless specifically authorized by the Director, the time limit for telephone calls on the offender telephone system must not exceed 20 minutes.
 3. Telephone access will be suspended during facility counts, and may be suspended at any time for emergency or security reasons.

B. Offender Access to the Administrative Telephone System

1. Except as permitted below, inmates and CCAP probationers/parolees will not place calls on the facility's administrative telephone system.
 - a. At the discretion of the Facility Unit Head or Administrative Duty Officer, an offender may be allowed to receive or place a call in the event of a death in their immediate family if access through the offender telephone system is not feasible.
 - b. As approved by the Facility Unit Head on the *Inmate Marriage Request* 801_F1, an inmate will be allowed to place a call to their intended spouse at the telephone phone number documented on the *Request* in order to participate in the approved marriage ceremony; see Operating Procedure 801.5, *Inmate Marriage Ceremonies*.
 - c. Offenders will be allowed to use the administrative phone system to receive and/ or place calls to their attorney in accordance with Operating Procedure 866.3, *Offender Legal Access*. **(5-ACI-3D-02; 4-4275; 4-ACRS-6A-01)**
 - d. Calls between Incarcerated Family Members
 - i. Married offenders assigned to facilities under the DOC's jurisdiction are permitted to speak on the telephone with each other three times per year.
 - ii. Other immediate family members may be considered on a case-by-case basis with the approval of both Facility Unit Heads.
 - iii. Calls will be placed through the administrative telephone system, at state expense and by prior arrangement, at times mutually convenient to both facilities.
 - e. An offender with immediate family in the military or otherwise located overseas may place an international call through the administrative telephone system. Note: International calls may not be possible to some countries or family members.
 - i. No more than three such calls per year are permitted; each call will be limited to 20 minutes.
 - ii. At each facility with offenders that qualify for international calls, an administrative telephone should be set up to allow for international calling.
 - (a) A request identifying the specific telephone number to be granted international access must be submitted to the *DOC Voice* mailbox.
 - (b) The Facility Unit Head should be copied on the request to verify their awareness that the request has been submitted.
 - (c) There is a nominal one-time fee added to the monthly bill when international access is set

up.

- (d) International access will remain active on that telephone until a request is submitted for removal.
 - iii. Staff will dial directly to the international number provided by the offender and confirm that the person answering is the desired recipient of the call.
 - iv. The offender should be allowed to speak for up to 20 minutes before the call is ended.
 - v. Facility staff must constantly observe (not necessarily listen to) the offender for the duration of the call to prevent misuse of the administrative telephone system.
 - vi. Staff placing the call must document the number and person called, time and date the call is placed, and the offender's name and number.
 - vii. The facility may be billed for the international call. The cost will be paid by the facility with no effort made to recover the cost from the offender.
 - f. Inmates issued a debit card instead of a government, corporate, or other business check will be allowed to contact the debit card company on the administrative telephone system to request the funds on the debit card be issued as a check and that the check be mailed to the institution for deposit into the inmate's trust account.
2. In all cases, a staff member will dial the call and observe the inmates and CCAP probationers/parolees during all calls on the administrative phone system.
- a. With the exception of verified attorney calls, staff dialed offender calls may be monitored and recorded.
 - b. Verified attorney calls will not be recorded and will be monitored by sight only.
 - c. The time limit for telephone calls on the administrative telephone system should not exceed 20 minutes except for calls made to debit card companies, as approved in this operating procedure, where the length of the call is subject to customer service wait times.

C. Handicap Access ([5-ACI-7D-13](#); [4-4497-2](#); [4-ACRS-5A-19](#))

- 1. The vendor will provide an adequate number of telephones at wheelchair height and, where needed, special equipment suitable for the hearing impaired, including videophones.
- 2. Offenders with hearing and/or speech disabilities, and offenders who wish to communicate with parties who have such disabilities, are afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
- 3. Hearing impaired offenders who require TDD to call a party who requires TDD will utilize a *Call List Consent Form* 803_F3 to add telephone numbers to their call lists.
- 4. Public telephones with volume control are also made available to offenders with a hearing impairment.

V. Authorized Services ([5-ACI-7D-12](#); [4-4497-1](#); [4-ACRS-5A-19-1](#); [2-CO-5D-01](#))

- A. Except as authorized in this operating procedure, offenders must place all telephone calls on the offender telephone system to include calls to attorneys.
- B. Telephone calls may be placed to any area code within the continental United States, Hawaii, Alaska, and area codes serving Puerto Rico and the U.S. Virgin Islands (St. John, St. Thomas, and St. Croix).
- C. Without exception, every offender telephone call on the offender telephone system must be placed as a collect, pre-paid, or offender paid call.
 - 1. Collect calls are limited to \$5.00, once the one-time limit has been met, a Global Tel*Link AdvancePay account must be established or the offender must set up a debit account.
 - 2. AdvancePay Collect Services
 - a. Persons wishing to receive offender calls may join and add funds to the Global Tel*Link AdvancePay Collect Service by:

- i. Telephone (payment by credit or debit card) to 1-877-650-4249 Monday through Friday between 8:00 AM and Midnight EST; Saturday and Sunday 9:00 AM to 8:00 PM EST
 - ii. Mail (payment by check or money order):
AdvancePay Service Dept.
PO Box 911722
Denver, Colorado 80291-1722
- b. If there are less AdvancePay funds in the account than the maximum call time allowed, the call will be disconnected once the AdvancePay funds are used up.
3. Offender Debit Calls
- a. Offenders are allowed to set up a debit account through the Inmate Trust System to pay for their own calls to numbers on their call list; see Operating Procedure 802.2, *Offender Finances*.
 - b. Debit calls will be charged at the same rate as AdvancePay calls.
 - c. If there is a minimum of a one-minute balance in the debit account, the call will be announced as a debit call, otherwise the call will not go through and the offender will be told there are insufficient funds to place the call and to try again later.
 - d. If there are less debit funds in the account than the maximum call time allowed, the call will be disconnected once the debit funds are used up.
 - e. Family and friends can make deposits to an offender's debit account at any time (24/7) online through www.ConnectNetwork.com using MasterCard or Visa credit or debit cards.

VI. Restricted Services

A. The following are examples of services that are not permitted on the offender telephone system.

1. Incoming calls
2. International calls
3. 700, 800, 888, 900, and similar calls to toll free numbers
4. Calls charged to credit cards, third parties, or any billing other than collect, AdvancePay to the called party, or offender debit account
5. Calls transferred to a third party
6. Call forwarding, call forwarding services, answering services
7. Calls to pager numbers
8. Calls to pay telephones
9. Calls to DOC employees (With prior approval of the respective Regional Operations Chief, exceptions may be made for family members of offenders only.)

B. No offender other than the offender whose PIN number is used to place the call is allowed to talk

C. Facilities may post Attachment 1, *Offender Phone System Restricted Services*, to remind offenders of the restrictions.

VII. Security and Monitoring

A. Any abuse of the offender telephone system, to include but not limited to the following may result in criminal prosecution, administrative disciplinary action, or a temporary or permanent withdrawal of the privilege of using the offender telephone system.

1. Circumventing or attempting to circumvent security features and functions
2. Misusing PIN numbers
3. Harassing or threatening victims, law enforcement officials, judicial officials, or public officials
4. Harassing consumers of telephone services through unsolicited calls, repeat calls, or any other form

of harassment

5. Using the offender telephone system to engage in fraud of any kind
 6. Accessing or attempting to access restricted telephone services such as PBX's, 800 numbers, or 900 numbers
 7. Using any modem device, computer, or tone dialing device
 8. Placing or attempting to place a call using call forwarding, third party calling, or in any manner other than a properly placed collect, prepay, or debit call that is correctly identified as a collect, prepay, or debit call from an offender confined in a DOC facility
- B. These prohibited activities apply to all offender telephone calls including calls through TDD devices, videophones, and video relay services.
- C. Recording and Monitoring
1. Telephone calls originating from DOC facilities may be recorded and monitored. Facilities will post Attachment 3, *Monitoring and Recording Notice*, at all telephone locations.
 2. Blocking Attorney Calls from Recording and Monitoring (5-ACI-3D-02; 4-4275; 4-ACRS-6A-01)
 - a. It is the offender's responsibility to request a recording block to prevent recording and monitoring of an attorney call using a *Request to Block Attorney Numbers* 803_F4.
 - b. Facility staff will email the completed *Request to Block Attorney Numbers* to GTL at va_att_form@gtl.net.
 - c. GTL staff should process the *Request* within two days.
 - i. When GTL staff cannot process the *Request* within two days for any reason, they must notify the Facility Unit Head and the Operations Support Manager.
 - ii. The Facility Unit Head will ensure that the offender is provided the opportunity to speak to their attorney using the administrative phone system.
 - d. Numbers are subject to verification, including the existence of a bona fide attorney-client relationship.
 - e. Home numbers of attorneys will not be permitted unless the attorney's office of record and their residence are the same.
 - f. Paralegals and investigators are not considered attorneys for the purpose of blocking call recording and monitoring.
 - g. A recording block will only be provided upon verification by the vendor that the telephone number is for an attorney or law firm.
 - h. The offender will not receive a confirmation that the recording block is in effect. When a recording block is in effect, the message at the beginning of the call will not say that the call is being monitored and recorded.
 - i. If an area code split affects a number with a recording block, it is the offender's responsibility to resubmit the changes to continue to have the number blocked from monitoring and recording.

VIII. Offender Hotline

- A. Offenders who have complaints or questions about the telephone service should be referred to the vendor's hotline, accessible by dialing 1 for English or 2 for Spanish, then dialing 0 for collect call, then entering their offender identification code (DOC state ID + 4 digit GTL assigned PIN), and dialing #21 from the offender telephone system.
1. The hotline is available from 7:00 A.M. to 9:00 P.M., Monday through Thursday, and 7:00 A.M. to 3:00 P.M. on Friday.
 2. The hotline is closed on weekends and holidays.
 3. The vendor is not required to respond to messages left on the Hotline outside of business hours; see

ICM Offender Dialing Instructions.

B. PREA/Sexual Abuse Hotline is available by dialing #55 at any time the offender telephones are available. (§115.51[a], §115.251[a])

REFERENCES

Operating Procedure 440.3, *Administration and Monitoring of Offender Telephones* (Restricted)

Operating Procedure 801.5, *Inmate Marriage Ceremonies*

Operating Procedure 802.2, *Offender Finances*

Operating Procedure 866.3, *Offender Legal Access*

ATTACHMENTS

Attachment 1, *Offender Phone System Restricted Services*

Attachment 2, *ICM Offender Dialing Instructions*

Attachment 2S, *ICM Offender Dialing Instructions - Spanish*

Attachment 3, *Monitoring and Recording Notice*

Attachment 4, *ICM Dialing Instructions for New Offenders*

Attachment 4S, *ICM Dialing Instructions for New Offenders - Spanish*

FORM CITATIONS

Inmate Marriage Request 801_F1

Call List Consent Form 803_F3

Request to Block Attorney Numbers 803_F4