


NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>Resident Programming</u> STATEMENT NUMBER <u>7.28</u>
SUBJECT: TELEPHONE SYSTEM PROPONENT: <u>Benjamin Jean</u> <i>Name/Title</i> <u>Assistant Commissioner 752-0301</u> <i>Office Phone #</i>	EFFECTIVE DATE <u>06/19//2018</u> REVIEW DATE <u>06/19/2020</u> SUPERSEDES PPD# <u>7.28</u> DATED <u>11/01/13</u>
ISSUING OFFICER:  <i>Helen E. Hanks, Commissioner</i>	DIRECTOR'S INITIALS _____ DATE _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

- I. **PURPOSE:**
To provide a policy for persons under departmental control (PUDC) access to telephones and phone enabled devices.
- II. **APPLICABILITY:**
To all PUDC and staff working for or on behalf of the New Hampshire Department of Corrections (NHDOC).
- III. **POLICY:**
It is the policy of the NHDOC to provide for PUDC access to telephones and phone enabled devices.
- IV. **PROCEDURE:**
 - A. All PUDC, except those in disciplinary segregation, serving a disciplinary sanction of loss of telephone privileges or have temporarily had their telephone privileges suspended by the Warden/Director, may make outgoing collect and/or prepaid telephone calls. Phone calls may be made to anyone on the individual's 20-person telephone list. PUDC will submit telephone numbers through the contracted vendor's electronic system(s). PUDC may make calls during times that do not conflict with their attendance at required programs, work or other departmental obligations.
 - B. PUDC who are in segregation are governed by PPD 7.49.
 - C. PUDC control on observation level will be governed by PPD 6.10
 - D. PUDC are not permitted to access or use department telephones unless authorized under the provisions of PPD 3.03.
 - E. PUDC are **ONLY** allowed to make collect and/or prepaid calls from the contracted vendor's telephones or phone enabled devices. Three-way calls are prohibited. PUDC making 3-way calls will be subject to disciplinary action, privilege reductions, and may lose their telephone privileges. Other parties, including members of the public, who are involved in phone misuse, may be subject to sanctions, e.g. loss of visiting and/or phone privileges.
 - F. PUDC are responsible to safeguard their phone PIN. If a PIN is lost or stolen, PUDC are responsible to notify staff immediately and request a new PIN. PUDC are not permitted to share

- their phone account or make calls for other PUDC. Any violation will be considered phone misuse, and PUDC involved will be subject to disciplinary action.
- G. If it is found, with a preponderance of evidence, that a PUDC is utilizing the telephone system in a manner that is prohibited by law, policy, rule, court order, or compromises the safety and security of a NHDOC Facility, the called telephone number will be blocked from the telephone system. The Division of Professional Standards Investigator III, or their designee, will be responsible for approving and entering the telephone number block in the vendor's electronic system and will document the approval in the investigative case file. The individual will be notified in writing of the telephone number block utilizing Attachment 1. Removal of phone number blocks will be the responsibility of the Division of Professional Standards Investigator III, or their designee, who will also document the removal in the investigative case file.
 - H. All telephone calls are recorded and may be accessed only by members of the Investigations Bureau. Any requests by other NHDOC staff members and/or outside law enforcement agencies for recorded phone calls must be submitted in writing to the Investigations Bureau and will need approval by an Investigator III/designee or higher authority. Calls to or from a PUDC legal counsel of record as confirmed by the process described below are not recorded. When a PUDC sends their regular telephone request to the department's telephone system vendor, the vendor will make a note in the system of the relationship of the party they want to add to their telephone call list. If it is noted that the person is the attorney of the PUDC, indicating an attorney-client relationship, the vendor company will verify the name of the attorney and determine that the attorney is in good standing with the NH Bar Association (or similar organization if from another state). The attorney's telephone number will also be verified. It will then be noted in the system that the person is the attorney of the PUDC and the vendor company will ensure that the calls will not be recorded. For PUDC at the Secure Psychiatric Unit whose clinical condition is such that they need assistance facilitating this request, their assigned clinician will assist them in sending in their telephone request with the proper notation to assist in attorney-client privilege.
 - I. Calls between a PUDC and any outside correctional institution or with PUDC under supervision of the Division of Field Services is not authorized unless approved in writing by the Warden/Director and the supervising Probation/Parole Officer of any PUDC under supervision who is involved in the call. Investigations Bureau staff will randomly check recorded telephone calls to ensure compliance.
 - J. Limits may be placed on the frequency and duration of allowed calls at the discretion of the Department to promote the security and orderly operation of its facilities. PUDC assigned to restricted housing units are permitted to make one 15-minute call per hour (e.g. SHU, CCU, etc.) during designated out of cell times. PUDC assigned to general population or lower classification levels are permitted to make one 30-minute call per hour (e.g. TWC, MCS, etc.). Additional phone access restrictions may be implemented based on founded disciplinary infractions or security issues as documented by the Hearings Office, the Investigations Bureau, or the Warden/Director.

REFERENCES:

Standards for the Administration of Correctional Agencies

Second Edition Standards

2-CO-5D-01

Standards for Adult Correctional Institutions

Fourth Edition Standards

4-4497 thru 4497-1

Standards for Adult Community Residential Services

Fourth Edition Standards

4-ACRS-5A-19

Standards for Adult Probation and Parole Field Services

Third Edition Standards

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