



**DEPARTMENT OF CORRECTIONS  
MONTANA STATE PRISON  
OPERATIONAL PROCEDURE**

Procedure:	<b>MSP 3.3.7 INMATE ACCESS TO TELEPHONES</b>
Effective Date:	June 10, 2002 <span style="float: right;">Page 1 of 5 and no Attachments</span>
Revision Date(s):	July 13, 2009, December 22, 2016, January 30, 2021
Reference(s):	DOC Policy 3.3.7 Offender Access to Telephones
Signature:	/s/ Jim Salmonsens / Warden

**I. PURPOSE**

To ensure inmates at Montana State Prison (MSP), Riverside Special Needs Unit (RSNU), and Montana Correctional Enterprises (MCE) have reasonable access to telephones. Telephone service is a privilege not a right. MSP, RSNU, and MCE recognize the importance of maintaining contact with community, friends and family while inmates are incarcerated and provide this service within limitations necessary to maintain order and security.

**II. DEFINITIONS**

**Administrator** – The official, regardless of local title (division or facility, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation or management.

**Attorney Calls** – Telephone calls between an inmate and his attorney or attorney’s documented representative(s).

**Call Recording** – Electronic interception and storage of sounds and conversations between an inmate and another party. The recording may be archived, reviewed and investigated by authorized staff.

**Call Monitoring** – Live, electronic interception of a telephone call by an authorized staff member listening to a verbal conversation between an inmate and another party.

**Facility** – Refers to any prison, correctional facility, correctional or training program under Department jurisdiction or contract.

**Inmate Telephone System** – the system authorized by the Department of Corrections to facilitate inmate telephone calls.

**OMIS** – Acronym for the Department’s Offender Management Information System.

**Pre-Paid Calls** – Telephone calls placed by an inmate using funds from the inmate’s pre-paid billing account.

**TDD** – Acronym for Telecommunication Device for the Deaf.

**Teletypewriter (TTY)** – A machine that prints written messages that have been sent using a telephone system.

**Unit Management Team** – The housing staff consisting of the Unit Manager, Case Manager(s) and Sergeants.

### III. PROCEDURES

#### A. General Provisions

1. Inmates may make personal or legal phone calls using the designated inmate telephones located in accessible areas with collect call or pre-paid options located in housing units, subject to housing unit rules.
2. Inmates will provide their personal identification number (PIN) and validated voice recognition to gain access to the inmate telephone system.
3. Inmates are responsible for maintaining the security of their access information.
4. Inmates will be held accountable through the inmate disciplinary process in accordance with *MSP 3.4.1 Institutional Discipline* for misuse of the telephone including prohibited calls. Examples include but are not limited to the following:
  - a. three way or conference calls;
  - b. call forwarding;
  - c. calls to toll free and 900 numbers;
  - d. calls using prepaid phone cards or any other type of calling card;
  - e. calls to web-based phone messaging service or message retrieval service;
  - f. any damage to the inmate telephone system;
  - g. accessing or using another inmates account information; and
  - h. allowing inmate(s) to place call(s) on an account which does not belong to the inmate.
5. The Unit Management Team may authorize inmates to make calls on the state telephone system for special circumstances. At no time will an inmate be left unattended when authorized to make a call on a state telephone system.
6. Inmates are prohibited from answering phones, except as part of their training or job duties as outlined in *MCE 5.4.3.100 Inmate Workplace Telephone Privileges*.
7. All phone extensions that inmates use must not have direct dial out capability and must be programmed to go through a switchboard.
8. Telephone calls may be interrupted and/or terminated at any time without prior notice to the inmate or recipient of the call. Termination may be based on all or segments the conversation, certain topics or words, or as directed by staff for the safety and security of the institution.

#### B. Attorney Calls and Calls to Consular Offices

1. Inmates will use the inmate designated telephone system to place a call to their attorney(s).
2. Inmates can request to have attorney phone numbers added to the list of Attorney Privilege Calls. After the numbers are verified as belonging to attorneys, the phone numbers are added to the database and calls to those numbers are not monitored or recorded.
3. Inmates must dial 422 on the inmate telephone system to leave a message asking to add an attorney(s) number To the Attorney Privilege Call database. Century Link will then verify the number is a valid attorney number. Once verified, the number is added to the database and a voice mail is left for the inmate stating the number was added.

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4. In the event a call is placed on a state staff telephone to an attorney(s), the call may be monitored and recorded.
5. Inmates who are foreign nationals will have access to a diplomatic representative of their country of citizenship. Staff supervising calls to consular officers will:
  - a. verify the contact information;
  - b. place the call on a designated telephone; and
  - c. determine if the call is paid by the inmate or consular officer.

**C. Inmate Work Assignment Telephone Use**

1. The facility administrator or designee must review and approve each inmate who may have access to telephones as part of an assigned work program.
2. Inmates employed by MCE will be subject to the conditions set forth in *MCE 5.4.3.100 Inmate Workplace Telephone Privileges*.

**D. Monitoring, Recording and Blocking Telephones**

1. Inmates will have no expectation of privacy while placing general telephone calls.
2. The contents of monitored and recorded telephone conversations will be divulged only as necessary to safeguard the safety and security of the institution, in response to a court order or in the prosecution or investigation of a crime.
3. Telephone conversations that effect the safety and security of the institution will immediately be reported to Command Post. An incident report will be completed by the end of shift and turned in to Command Post in accordance with *MSP 1.1.6 Incident Reporting*.
4. The administrator or designee will ensure staff who are authorized to monitor inmate telephone calls receive the appropriate training from the Department approved vendor.
5. Department Investigators may place blocks on telephone numbers when complaints are received about inmates making abusive or unwanted telephone calls. Staff receiving complaints or requests to block phone numbers will refer the complainant to the Investigators Office.

**E. Account Set Up And Services**

1. Individuals wishing to receive calls from inmates must set up a prepaid phone account through the Department. Accounts will be tied to a phone number that has been approved by the Department. Information for setting up an account on Montana.gov, or by calling Century Link customer service department or going to ICSolutions.
2. When an inmate makes a call, the option to select a “prepaid collect” call or a “real time debit call” is given. If an inmate selects a prepaid collect call, the inmate’s friend or family member will billed in real time at the end of the call for the amount of time used if they accept the charges at the beginning of the call. If the inmate selects real time debit, the inmate’s account will be debited at the end of the call for the amount of time used.
3. MDIU and each housing unit will ensure inmates have written information about the inmate phone system and its use.

**F. Emergency Calls**

1. Emergency calls are those that involve a serious family illness, death, or impending disaster related to the inmate's family or property, or unexpected problems that need immediate attention that cannot be taken care of through written correspondence due to time limitations. If a staff member receives a phone call for an inmate related to an emergency, the staff member will take the name and phone number of the caller and give it to the inmate. If circumstances do not allow the inmate to respond with a collect call, housing unit staff may arrange for the inmate to receive an emergency phone call.

**G. Inmates With Disabilities**

1. Inmates with a disability, including but not limited to, inmates who are deaf or hard of hearing may request assistance with accessing telephones. Relevant accommodations may include, but shall not be limited to, access to TTY/TDD phones, videophones, and waiver of any time limits on calls. Any accommodations granted will be documented in OMIS. See DOC 3.3.15 Americans with Disabilities Act (ADA) Offender Accommodations, for the definition and an explanation of disability. Inmates may be required to turn in teletype paper produced by non-privileged telephone calls.

**IV. REFERENCES**

- A. *MCA 53.30.153 Telephone Requirements for State Prisons*
- B. *DOC Policy 3.3.7 Offender Access to Telephones*

**V. CLOSING**

Questions concerning this procedure should be directed to the immediate supervisor.

**VI. ATTACHMENTS**

None