

KENTUCKY CORRECTIONS Policies and Procedures	Policy Number 16.3 Date Filed June 3, 2005	Total Pages 2 Effective Date September 20, 2005
References ACA Standard 4-4497 4-4497-1, 4-4275 KRS 196.035, 197.020;KRS 45A CPP 15.2	Subject INMATE ACCESS TO TELEPHONES	

I. AUTHORITY

This policy is issued in accordance with the provisions of KRS 196.035 and 197.020 that authorizes the Commissioner of the Department of Corrections (Corrections) to adopt, amend or rescind rules and regulations necessary for the proper administration of Corrections.

II. PURPOSE

This policy sets forth procedures governing inmate access to and use of telephones.

III. APPLICABILITY

This policy applies to all inmates assigned to, and all staff employed at, state and private correctional institutions.

IV. DEFINITIONS

“Emergency telephone call” means a call involving an illness of a serious nature or death of immediate family or impending disaster related to the inmate’s property.

“Immediate family” means:

1. Parents, including stepparents and those who may have reared the inmate in place of parents;
2. Grandparents;
3. Brothers, sisters and other sibling relations such as half and step siblings;
4. Spouse and children including step-children or adopted children; or
5. A child to whom the inmate, although not a natural parent, acted as a parent.

V. POLICY and PROCEDURE

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- A. An inmate shall be provided with reasonable and equitable access to the telephone. The telephone service shall be reasonably priced, with rates and surcharges commensurate with the general public, and comply with state and federal regulations.
- B. An inmate with hearing or speech disabilities, and inmates who wish to communicate with parties who have these disabilities shall be afforded access to a telecommunications device for the deaf (TDD), or comparable equipment.
- C. An inmate telephone call may be monitored on a random basis or if there is reason to believe the telephone privilege is being abused in a manner that is in violation of law or detrimental to the security of the institution, employees or other inmates. When an institution monitors an inmate's telephone call, a sign clearly stating that telephone conversations may be monitored shall be visibly posted by every inmate telephone or within the telephone area if multiple phones are provided.
- D. Staff shall not listen to a call from an inmate to his attorney.
- E. If an inmate receives an incoming emergency telephone call, the call shall be referred to an appropriate institutional staff member who shall verify the emergency nature of the call and obtain the telephone number and name of the calling party. The inmate may be advised of this information and permitted to return the call.
- F. An inmate telephone call shall be a collect call made at the expense of the person called. Third party calls shall not be permitted. An inmate telephone call may be charged to the institution only in an emergency situation with prior approval from institutional administrative staff.
- G. The offenses and penalties for a violation of this policy shall be in accordance with CPP 15.2.