

 <p>State of Connecticut Department of Correction</p> <p><b>ADMINISTRATIVE DIRECTIVE</b></p>	Directive Number 10.7	Effective Date 12/16/2022	Page 1 of 11
	Supersedes Inmate Communications, dated 6/19/2012		
Approved By   Commissioner Angel Quiros	Title  Inmate Communications		

1. **Policy.** The Department of Correction may allow inmates to communicate by mail, by telephone, by electronic messaging, and in person. Communications may be inspected, reviewed, read, listened to, recorded, restricted, prohibited, or confiscated in accordance with the provisions of this Directive.
2. **Authority and Reference.**
  - a. Connecticut General Statutes, Sections 4-8, 18-81, 52-570d, 54-82c, and 54-186.
  - b. Regulations of Connecticut State Agencies, Sections 18-81-28 through 18-81-51.
  - c. Administrative Directives 3.7, Inmate Monies; 6.1, Tours and Inspections; 6.6, Reporting of Incidents; 6.10, Inmate Property; 6.14, Security Risk Groups; 9.4, Special Management; 9.5, Code of Penal Discipline; 9.6, Inmate Administrative Remedies; 9.9, Protective Management; and 10.10, Inmate Tablet Use.
3. **Definitions/ Acronyms.** For the purposes stated herein, the following definitions apply:
  - a. **Communication.** The exchange or transmission of messages, or information, as by speech, visuals, signals, writing, or behavior.
  - b. **Contraband.** Anything not authorized to be in an inmate's possession or anything used in an unauthorized or prohibited manner.
  - c. **Facility Inmate Use Telephones.** Telephones that are available in areas specified by the Unit Administrator exclusively for inmate use, which allow for conversations with authorized parties.
  - d. **Facility Intelligence Unit Supervisor.** A supervisor designated by the Unit Administrator to oversee the intelligence gathering/ processing function(s) at the facility.
  - e. **General Communications.** All communications not defined as privileged communication in Section 3(i) of this Directive.
  - f. **Inspection.** A physical and visual examination of the actual contents which shall not include the reading of the correspondence.
  - g. **Media Review Board.** A group of designated Department personnel convened to review with uniformity any and all publications and/or outside tapes and CDs that are received by the facilities and are deemed questionable as to their admissibility by the Unit Administrator or designee.
  - h. **PIN. (Personal Identification Number.)** A unique number consisting of an inmate's CJIS number followed by a string of numbers unique to that inmate.
  - i. **Privileged Communication (i.e., Privileged Correspondence).** Any communication addressed to or received from federal, state and local (e.g., municipal, county, or town) elected and appointed officials, including but not limited to the following:
    - i. any judge or court, including the clerk of the court;
    - ii. the Governor;
    - iii. the members of the Legislature;
    - iv. the Attorney General;
    - v. the Commissioner of Correction or any Department official appointed by the Commissioner;
    - vi. the Board of Pardons and Paroles;
    - vii. the Sentence Review Board;
    - viii. the Commission on Human Rights and Opportunities;
    - ix. the State Claims Commissioner; and
    - x. Elected government officials.
    - xi. The word "attorneys" shall include organizations providing legal services to inmates.

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- j. Publication. A book (e.g., novel or instructional manual); calendar; single issue of a magazine, newspaper or periodical; or other materials addressed to a specific inmate, such as advertising brochures, flyers, and catalogues.
- k. Recording and Listening. The recording of the number(s) called, real time listening, and/or recording of inmate telephonic conversations and subsequent listening to recordings of inmate telephonic conversations.
- l. Review. A visual examination of an inmate's general correspondence, which may include, but shall not be limited to, reading the correspondence.
- m. Secure Messaging. Electronic, computer-based communication(s) that is sent or received by an inmate or a community member using an application that is managed by the communications service provider.
- n. Sexually Explicit Material. Any pictorial depiction of sexual activity or nudity or any written depiction of sexual activity. Details can be referenced in Section 14(a) of this Directive.
- o. Tablet. An electronic device that will be loaned to each eligible inmate, which contains applications, access to department-approved content, telephonic and messaging capabilities.
- p. Unfranked Privileged Correspondence. Inmate correspondence to the Commissioner of Correction or any Department official appointed by the Commissioner which is processed within the Department without cost to the inmate.
- q. Unit. A subdivision of the Department, subordinate to a Division, administered by a Unit Administrator or Director. A unit may be a correctional facility, a parole office, or an entity which provides a specific Department support function.

4. Notification. Upon admission, each inmate shall be given a form (i.e., CN 100701, Notification and Acknowledgement for Inmates) which states, "I have been advised that the Commissioner of Correction has adopted regulations pertaining to mail and telephone use and that these regulations are contained in Sections 18-81-28 through 18-81-51 of the Regulations of Connecticut State Agencies." The inmate shall acknowledge reading the form by signature.

5. Inmate Correspondence. Inmates may write and receive correspondence subject to the following provisions:

- a. Frequency. There shall be no limit placed on the number of letters an inmate may write or receive at personal expense, except as a disciplinary penalty in accordance with Administrative Directive 9.5, Code of Penal Discipline, or if otherwise determined by the Commissioner or designee.
- b. Timely Handling. Incoming and outgoing correspondence shall be processed without unnecessary delay, regardless of the inmate's custodial status within the facility.
- c. Correspondents. An inmate may correspond with anyone except as enumerated below. Failure to follow the provisions set forth in this Directive may result in the issuance of a CN 100703, Inmate Cease Contact Order.
  - i. a victim of any criminal offense for which the inmate has served or is serving a sentence, or stands convicted of, or for which disposition is pending;
  - ii. any person under the age of 18 when the person's parent or guardian objects in writing to such correspondence;
  - iii. another inmate, regardless of facility, unless the inmate in question is an immediate family member AND when such correspondence between the inmate and the immediate family member is authorized by both the inmate's Unit Administrator and the Unit Administrator of the incarcerated family member;
  - iv. a parolee or inmate on community supervision unless express permission for such correspondence has been given by the writer's Unit Administrator and the addressee's parole supervisor;
  - v. any person to whom the inmate is restrained from contacting by court order; or
  - vi. Any other person, when prohibiting such correspondence is generally necessary to further the substantial interests of security, order, or rehabilitation.
- d. Cost of Correspondence. Each inmate shall pay personal mailing expenses, except an indigent inmate. An indigent inmate, as defined in Administrative Directive

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6.10, Inmate Property, and Administrative Directive 3.10, Fees, Reimbursements and Donations, shall be permitted the following items free of charge:

- i. two (2) social letters per week;
- ii. Five (5) letters per month addressed to the court or attorneys, including any request for speedy trial under Sections 54-82c and 54-186 of the Connecticut General Statutes. Additional free correspondence to courts and attorneys may be authorized by the Unit Administrator based upon the reasonable needs of the inmate;
- iii. a writing instrument; and
- iv. Writing paper, no more than 20 sheets of paper per month. Additional sheets of paper to the courts or attorneys may be authorized by the Unit Administrator based upon the reasonable needs of the inmate.
- e. Addressee Notification. All outgoing correspondence from an inmate, regardless of destination, shall bear the following or similar inscription: "This correspondence originated from an inmate at a Connecticut correctional facility."
- f. Secure messaging. All messaging communication shall be in compliance with the provisions set forth in this directive and Administrative Directive 10.10, Inmate Tablet Use.

6. Outgoing General Correspondence.

- a. Review and Rejection. All outgoing general correspondence shall be subject to being read at the direction of the Unit Administrator, by person(s) designated by such administrator, for either a specific inmate(s) or on a random basis if the Commissioner or Unit Administrator has reason to believe that such reading is generally necessary to further the substantial interests of security, order, or rehabilitation. Outgoing general correspondence may be restricted, confiscated, returned to the inmate, retained for further investigation, referred for disciplinary proceedings, or forwarded to law enforcement officials, if such review discloses correspondence or materials which contain or concern or which a staff member reasonably believes to contain or concern:
  - i. the transport of contraband in or out of the facility;
  - ii. plans to escape;
  - iii. plans for activities in violation of facility or Department rules;
  - iv. plans for criminal activity;
  - v. violations of Sections 18-81-28 through 18-81-51, inclusive, of the Regulations of Connecticut State Agencies, this Directive, or unit rules;
  - vi. information which if communicated would create a clear and present danger of violence and/or physical harm to a person;
  - vii. letters or materials written in code;
  - viii. mail which attempts to forward unauthorized correspondence for another inmate; or
  - ix. Threats to the safety or security of staff, other inmates, or the public.

The initial decision to take any action provided for in this subsection, except to read, (which shall be made at the discretion of the Unit Administrator), shall be made by the designee of the Unit Administrator. Such designee shall not be the same person who made the initial mailroom review.
- b. Notice of Rejection.
  - i. In the event that the designee of the Unit Administrator determines that outgoing general correspondence shall not be sent as provided for in Section 6(a) of this Directive, the inmate sender shall be notified in writing of the correspondence rejection and the reason therefor, which shall be documented on a CN 100702, Rejection Notice. The inmate may seek review of the rejection in writing within fifteen (15) calendar days from receiving a CN 100702, Rejection Notice, from the designee, in accordance with the provisions set forth in Administrative Directive 9.6, Inmate Administrative Remedies. The Unit Administrator shall notify the inmate of the disposition of such review and the reason(s) therefor in writing.
  - ii. In the event such rejection results in referral for disciplinary action for violation of unit or Department rules, or of the criminal law, the notice

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of rejection may be delayed until the appropriate investigation is completed.

- c. Limitations on Restrictions. Any restrictions imposed on outgoing general correspondence shall be unrelated to the suppression of expression and may not be restricted solely based on unwelcome or unflattering opinions or factually inaccurate statements contained within the correspondence.
- d. Procedure for Mailing. Outgoing general correspondence shall be inserted into the envelope and sealed by the inmate but shall be subject to inspection, review, and rejection subject to the provisions of Section 6(a) of this Directive. All outgoing general correspondence shall include:
  - i. a complete, legible name and address of the party to whom the correspondence is being sent;
  - ii. the inmate's complete legible name, inmate number, and present unit address; and,
  - iii. The name under which the inmate was committed to the facility or another name approved for official recognition.
  - iv. Correspondence which fails to include the information required in "ii" through "iii" above shall be returned to the inmate, if reasonably practicable.

7. Incoming General Correspondence.

- a. Review and Inspection. All incoming general correspondence must include the sender's return address on the outside of the envelope. In the event the return address is absent or non-legible, the correspondence may be discarded and the inmate shall be notified by the provisions set forth in Section 7(c) of this Directive. All incoming general correspondence shall be opened and inspected for contraband and money and shall be subject to being read by person(s) designated by the Unit Administrator. The reading of incoming general correspondence is at the discretion of the Commissioner or the Unit Administrator and may be imposed on either a specific inmate(s) or on a random basis when the Commissioner or Unit Administrator has reason to believe that such reading is reasonably related to legitimate penological interests. All incoming general correspondence may be rejected if such review discloses correspondence or material(s) which would reasonably jeopardize legitimate penological interests, including, but not limited to, material(s) which contain or are believed to contain or concern:
  - i. the transport of contraband in or out of the facility;
  - ii. plans to escape;
  - iii. plans for activities in violation of facility or Department rules;
  - iv. perceived plans for criminal activity;
  - v. violations of Sections 18-81-28 through 18-81-51, inclusive, of the Regulations of Connecticut State Agencies, this Directive, or unit rules;
  - vi. material which reasonably could cause physical or emotional injury to the inmate recipient as determined by the appropriate mental health staff;
  - vii. letters or materials written in code;
  - viii. envelopes with or without postage stamps;
  - ix. threats to the safety or security of staff, other inmates, or the public, facility order, discipline, or rehabilitation;
  - x. sexually explicit material(s) which meets the standards and review procedures set forth in Section 14(a) of this Directive;
  - xi. any other general correspondence, rejection of which is reasonably related to a legitimate penological interest; or
  - xii. Photographs or copies of photographs that have been manually altered after the original printing of such photographs.

b. Rejection.

- i. Incoming general correspondence containing any of the foregoing may be restricted, confiscated, returned to the sender, retained for further investigation, referred for disciplinary proceedings, forwarded to law enforcement officials, or returned in part to sender. The decision to take any action provided for in this section shall be made by the designee of

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the Unit Administrator. Such designee shall not be the same person(s) who performed the initial mailroom review.

- ii. No incoming newspaper or magazine article, copy of such articles, or clipping shall be rejected unless the designee of the Unit Administrator articulates a reason, based upon individualized review, that the content of the article or clipping, or copy thereof, constitutes a threat to the safe and secure operation of the facility. The designee of the Unit Administrator will notify the inmate in writing of such rejection by issuing a CN 100702, Rejection Notice, in accordance with Section 7(c) of this directive.

c. Notice of Rejection.

- i. In the event the designee of the Unit Administrator determines that incoming general correspondence shall not be delivered as provided for in Section 7(a) of this Directive, the sender and the inmate shall be notified in writing of the correspondence rejection and the reason therefor. The sender and inmate who are notified may seek review of the rejection, in writing, within fifteen (15) calendar days of receipt of the CN 100702, Rejection Notice, from the designee of the Unit Administrator.
- ii. In the event such rejection results in referral for prosecution or investigation for violation of unit or Department rules or of the criminal law, the notice of rejection may be delayed until the appropriate investigation is completed.
- iii. If the ultimate decision is to reject delivery and if there is no further need to retain the rejected correspondence, it shall be returned to the sender if reasonably practicable.

8. Monetary Remittances.

- a. Incoming. An inmate may only receive certified, payroll, cashier or government checks, money orders, and electronic deposits from sources approved by the Unit Administrator. All such incoming monetary remittances must be mailed to the Inmate Trust Fund for processing. The amount and source shall be recorded. Cash shall not be accepted through the mail for credit to an inmate's account. The inmate shall receive a receipt for any cash, money orders, and other negotiable instruments collected during inmate admittance or for bonds.
- b. Outgoing. An inmate must obtain prior approval in order to send funds out of the facility in accordance with Administrative Directive 3.7, Inmate Monies.

9. Identification of Privileged Correspondence. Only correspondence clearly identified as privileged correspondence on the outside of the envelope shall be treated as privileged correspondence. Correspondence not so identified shall be treated as general correspondence. Such identification shall specify a correspondent as enumerated in Section 3(i) of this Directive.

10. Outgoing Privileged Correspondence. Outgoing privileged correspondence shall be inserted into an envelope clearly identifying a privileged correspondence addressee as enumerated in Section 3(i) of this Directive and sealed by the inmate. Outgoing privileged correspondence shall neither be opened nor read. Staff shall check that the correspondence is addressed to a privileged individual or entity and to that individual or entity's correct business address. Each facility shall provide a special mailbox for unfranked privileged correspondence directed toward Department officials in accordance with Sections 3(p) and 3(i) of this Directive. All correspondence shall be forwarded without unnecessary delay.

11. Incoming Privileged Correspondence. All incoming privileged correspondence shall be opened and inspected in the presence of the inmate addressee.

- a. Inspection and Rejection. If, upon opening and inspecting such privileged correspondence, it is found to contain non-written enclosure(s), then such enclosure(s) may be examined to determine whether the delivery of such enclosure(s) would reasonably jeopardize a legitimate penological interest. If the Unit Administrator or designee determines that delivery of the enclosure(s) would reasonably jeopardize a legitimate penological interest, then the Unit Administrator may refuse to deliver such correspondence and its enclosure(s). The Unit Administrator may also refuse to deliver such correspondence and enclosure(s) if the enclosure(s) is not related to the privileged correspondence. The sender

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and the inmate shall be notified in writing of the rejection of the privileged correspondence and the enclosure and the reason(s) therefor. In no such case shall the Unit Administrator read the privileged correspondence or any written enclosure(s). If the enclosure(s) does not require referral for criminal prosecution, further investigation for violation of unit or Department rules, or of the criminal law, the unread correspondence and the enclosure(s) shall be returned to the sender with a statement of the reason therefor. If the Unit Administrator reasonably believes that the unread enclosure(s) should be referred for criminal investigation and prosecution or for investigation for violations of unit or Department rules, the unread correspondence shall be sealed and forwarded in a confidential manner with the enclosure(s) to the appropriate law enforcement or other agency for investigation, together with a written statement as to the reason(s) therefor.

- b. Notice of Rejection. In the event that the Unit Administrator determines that incoming privileged correspondence and/or enclosure(s) shall not be delivered in accordance with Section 11(a) of this Directive, the inmate and the sender shall be notified in writing of the rejection and the reason(s) therefor. The person(s) so notified may request review of the rejection, in writing, within fifteen (15) calendar days of notification of the rejection. The appropriate District Administrator or designee shall review the rejection and notify in writing the person(s) of the final decision and the reasons therefor. In the event such rejection results in referral for prosecution or investigation for violation(s) of criminal law or unit or Department rules, the notice of rejection may be delayed until the appropriate investigation is completed.
- c. Accidental Opening. If privileged correspondence is opened accidentally outside the presence of the inmate, the envelope shall be immediately resealed and the required inspection for unauthorized enclosure(s) accomplished in the presence of the inmate. CN 6604, Incident Report, shall be completed to document the incident and forwarded through the chain-of-command in accordance with Administrative Directive 6.6, Reporting of Incidents.

12. Forwarding of Mail. An inmate shall be responsible for informing a correspondent of a change of address. When an inmate is transferred to another facility, privileged correspondence shall be forwarded to the inmate's new facility. The Department shall attempt to forward general correspondence to the inmate's new facility. If an inmate has escaped or is released, the correspondence shall be marked "Escaped" or "Released" and returned to the sender.

13. Certified Mail. Requests for a speedy trial under Sections 54-82c and 54-186 of the Connecticut General Statutes and correspondence with the Sentence Review Board shall be the only correspondence routinely sent certified. Any other request for mailing by certified mail, for good cause, may be authorized at the discretion of the Unit Administrator.

14. Incoming Publications and Educational Materials. Requests for any orders for books, magazines, newspapers, calendars, educational materials, and periodicals shall be made through the school principal or other person as designated by the Unit Administrator. If the request is approved it shall be confirmed that the appropriate funds are available, if so confirmed, a check or money order for payment shall be withdrawn from the inmate's account and included with the order. An inmate may order books, only in new condition only from a publisher, book club, or book store. Publications in new condition may be ordered from a publisher, book club, or book store by a third party, provided the ordered items conform to the provisions of this directive. An inmate enrolled in an education program authorized by the school principal may order educational publications in used condition if the publications are required to complete the education program. Inmates shall be prohibited from ordering publications for other inmates. Incoming materials which adversely affect a valid penological interest may be rejected in accordance with the following review procedures:

- a. Procedures for Review of Publications. The Unit Administrator or designee may reject a publication only if it is determined to be detrimental to the security, good order, or discipline of the facility or which may facilitate criminal activity. The Unit Administrator or designee may not reject a publication solely

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because its content is religious, philosophical, political, social, sexual, or because its content is unpopular or repugnant. Publications which may be rejected by a Unit Administrator or designee include but are not limited to publications which meet one of the following criteria:

- i. it depicts or describes procedures for the construction or use of weapons, ammunition, bombs or incendiary devices;
- ii. it depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or other descriptions of Department of Correction facilities;
- iii. it depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs;
- iv. it is written in code;
- v. it depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption;
- vi. it encourages or instructs in the commission of criminal activity; or
- vii. it is sexually explicit material, either pictorial or written, which by its nature or content poses a threat to the security, good order, or discipline of the facility, facilitates criminal activity, or harasses staff.

1. Pictorial sexually explicit material that shall be rejected by a Unit Administrator or designee is any visual depiction of sexual activity or nudity, unless those materials which, taken as a whole, are literary, artistic, educational, or scientific in nature.
  - a. Pictorial depiction of sexual activity is defined as the visual representation of conduct which includes but is not limited to:
    - i. sexual intercourse, including genital-genital, oral-genital, or oral-anal contact, whether between persons of the same sex or opposite sex, with any artificial device, or any digital penetration;
    - ii. bestiality;
    - iii. masturbation;
    - iv. sadistic or masochistic abuse;
    - v. depiction of bodily functions, including:
      1. urination,
      2. defecation, or
      3. ejaculation
    - vi. conduct involving a minor, or someone who appears to be under the age of 18; and
    - vii. Activity which appears to be nonconsensual, forceful, threatening or violent.
  - b. Pictorial depiction of nudity is defined as the visual depiction or display of genitalia, pubic region, anus, or female breast where the areola is visible and not completely and opaquely covered.
2. Written sexually explicit material that shall be rejected by a Unit Administrator or designee includes but is not limited to written material which, by its nature or content, poses a threat to the security, good order, or discipline of the facility, or facilitates criminal activity. Written material of any of the following types shall be rejected.
  - a. sado-masochistic,
  - b. bestiality;
  - c. involving minors; or
  - d. Materials depicting sexual activity which involves the use of force or without the consent of one or more parties.
3. A Unit Administrator or designee shall determine whether pictorial or written material is sexually explicit and whether it should be rejected or confiscated.

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4. Possession or transferring of pictorial sexually explicit materials will result in the issuance of a Class 'A' Discipline in accordance with Administrative Directive 9.5, Code of Penal Discipline.

b. Individual Review of Publications. Each facility shall establish a review process for all incoming publications that is in accordance with guidelines established by the Media Review Board. All incoming publications shall be reviewed initially by the Unit Administrator or designee. If the Unit Administrator or designee determines that the publication does not meet the criteria for rejection set forth in Section 14(a) of this Directive, the publication shall be forwarded to the inmate. If the Unit Administrator or designee determines that the publication may meet the criteria for rejection set forth in Section 14(a) of this Directive, the Unit Administrator or designee shall forward the publication to the facility's Media Review liaison. If the facility's Media Review liaison determines that it is questionable whether the material or content of the publication meets the criteria for rejection set forth in Section 14(a) of this Directive, the publication shall be forwarded to the Media Review Board. The Media Review Board shall review anything deemed questionable by the facility Media Review liaison and notify the Unit Administrator or designee of its decision. The Unit Administrator or designee may not establish an excluded list of publications. The Media Review Board shall maintain a database of the individual publications that have been subject to prior review in accordance with this Directive. Rejection of one or several issues of a subscription publication is not sufficient reason to reject the subscription publication in its entirety. A publication may be rejected in part if it is a magazine or newspaper that contains less than six (6) pages of objectionable material. Up to five (5) pages of objectionable material may be removed from a magazine or newspaper and the publication will be forwarded to the inmate. The Media Review Board shall make all decisions pertaining to the partial rejection of a newspaper or magazine.

c. Notice of Rejection. When a publication is deemed objectionable, the Unit Administrator or designee shall inform the inmate in writing of the decision and the reasons for it by utilizing CN 100702, Rejection Notice. The notice of rejection must contain reference to the specific article(s) or material(s) deemed objectionable. The inmate shall be allowed to appeal the decision within 15 calendar days of receipt of the rejection notice (i.e., CN 100702, Rejection Notice) in accordance with Administrative Directive 9.6, Inmate Administrative Remedies.

d. Notification to Publisher or Sender. The Unit Administrator or designee shall provide a copy of the, CN 100702, Rejection Notice, to the publisher or sender of an unacceptable publication. The Unit Administrator or designee shall advise the publisher or sender that an independent review of the rejected material may be obtained by writing to the Commissioner or designee within 15 days of receipt of the rejection notice (i.e., CN 100702, Rejection Notice). The Unit Administrator or designee shall return the rejected publication to the publisher or sender of the material after 15 calendar days of the rejection, unless the inmate appeals the rejection, in which case the Unit Administrator or designee shall retain the rejected material at the facility for review. In case of appeal, if the rejection is sustained, the Unit Administrator or designee shall return the rejected publication to the publisher or sender when appeal or legal use is completed. The inmate shall be responsible for the expense of sending the rejected publication to any entity other than the publisher or sender. Refunds for rejected publications shall be the responsibility of the inmate. If the rejection is reversed, the publication shall be delivered to the inmate.

15. Quantity Limitations. Limits on the number or volume of publications an inmate may receive or retain in the inmate's quarters shall be in accordance with Administrative Directives 6.10, Inmate Property, and 9.4, Special Management, for reasons related to fire hazard, housekeeping, security, or discipline. The Unit Administrator or designee may authorize additional storage space for an inmate for the storage of necessary legal materials in accordance with Administrative Directive 6.10, Inmate Property.

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16. Stationery Supplies. Each correctional facility commissary shall sell: (1) stationery, envelopes, postcards, greeting cards, and postage; and if still utilized by the United States Postal Service, (2) aerogramme folding letters (for foreign air mail letters).

17. Telephone Access. Each Unit Administrator shall provide telephones for inmate use which allow for outgoing calls in areas specified by the Unit Administrator. Schedules and terms for telephone use shall be posted in facility telephone areas. Inmate use of telephones shall be deemed a privilege and not an entitlement. Use of any telephone may be prohibited or restricted by the Unit Administrator in accordance with Administrative Directives 6.14, Security Risk Groups, 9.4, Special Management and 9.5, Code of Penal Discipline, or to meet any valid penological interest. If the call is to an attorney, such prohibition shall be based upon a determination relating to the maintenance of security, safety, or orderly operation of the facility. The availability or use of any telephones may be restricted or terminated at the discretion of the Commissioner of Correction or designee. Inmates shall not have access to any facility telephone, other than a telephone designated for inmate use as authorized in this Directive.

a. General Provisions for Telephone Calls. Telephones designated for inmate use shall operate on a Personal Identification Number (PIN) system. Each inmate shall be required to enter their authorized Personal Identification Number to place a call.

- i. An inmate requesting to use a telephone shall submit a list to the designated staff member, of no more than twelve (12) phone numbers. The facility shall review the submitted phone numbers and block any restricted phone number(s) from the list.
- ii. The inmate's list of authorized numbers shall be entered into the phone system and shall constitute the inmate's allowed call list. And inmate shall be allowed to change the list of phone numbers once every 30 days.
- iii. Restricted phone numbers include but are not limited to any individual meeting the criteria outlined in Section 5(c) of this directive. Failure to follow this Directive may result in issuance of an Inmate Cease Contact Order (CN 100703).
- iv. Each phone call made by an inmate shall be limited to a maximum of 15 minutes. The calls may only be made between the hours set by the Unit Administrator. There shall be no time limit between allowable calls.
- v. Any unauthorized or fraudulent use of the phone system shall subject an inmate to loss of phone privileges in accordance with Administrative Directive 9.5, Code of Penal Discipline.

b. Any outgoing inmate telephone call placed from a correctional facility that involves 3-way calling or any form of interruption to the original call, including the use, by a call recipient, of the "flash" button or any other similar telecommunications feature that interrupts the continuity of the original call, shall be prohibited.

c. Special Management Inmate.

- i. An inmate on punitive segregation status, administrative detention status, or transfer detention status in accordance with Administrative Directive 9.4, Special Management, shall not be allowed to use an inmate telephone except for cause and as approved by the Unit Administrator.
- ii. An inmate assigned to administrative segregation, security risk group, or chronic discipline status, shall be allowed phone use in accordance with the provisions set forth in Administrative Directive 9.4, Special Management.
- iii. An inmate on protective custody status in accordance with Administrative Directive 9.9, Protective Management, shall be allowed telephone calls on a comparable basis to inmates in general population, but may be limited to those periods when protective custody inmates are allowed out of their cells.

d. Emergency Calls. Upon approval by the Shift Commander or designee, an inmate may be allowed to place an emergency call. Such calls shall be at state expense if the inmate is indigent in accordance with Administrative Directive 6.10, Inmate Property, and Administrative Directive 3.10, Fees, Reimbursements and Donations.

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Such calls shall be listened to and documented in the facility log book in accordance with Administrative Directive 6.2, Facility Post Orders and Logs.

e. Recording and Listening to Inmate Telephone Calls. Telephone calls from inmate telephones may be recorded and listened to, provided the following provisions are complied with:

i. Notification.

1. A sign in English and Spanish shall be posted at each inmate telephone location which reads: "Any conversation utilizing these telephones shall be subject to recording and listening."
2. Upon admission, each inmate shall be given a form (i.e., CN 100701, Notification and Acknowledgement for Inmates) stating that the inmate's telephone calls are subject to recording and listening. The inmate shall acknowledge reading the form (i.e., CN 100701, Notification and Acknowledgement for Inmates) by a legible printed name and signature of the inmate or by an appropriate assent acknowledged in writing by a staff member. Any inmate not so consenting shall not be allowed use of the inmate telephones and shall be instructed that any such use shall be unauthorized and in violation of institutional rules.
3. Automatic Tone Warning. Inmate telephone calls shall be recorded in accordance with the provisions of Section 52-570d of the Connecticut General Statutes and any other applicable law. No call shall be recorded unless the recording is accompanied by an automatic tone warning device which automatically produces a distinct signal that is repeated at intervals of approximately 15 seconds during the communication while such instrument, device, or equipment is in use.

ii. Listening. Listening shall be authorized only by the Unit Administrator or higher authority when there is reason to believe that such listening is reasonably related to the maintenance of the security, good order, or discipline of the facility or the prevention of criminal activity either within the facility or in the community.

iii. Access to and Retention of Recordings of Telephone Calls. Only personnel authorized in writing by the Unit Administrator or higher authority shall listen to inmate telephone calls or recordings of inmate telephone calls. Such person authorized in writing to listen shall be a person whose duties relate to the purposes as stated in Section 17(e) of this Directive and who has been instructed and trained in these governing standards so as to eliminate the listening to conversations not directly related to these standards. Access to recordings shall be limited to persons designated in writing by the Commissioner or the Unit Administrator or their designees. Recordings shall be maintained for a minimum of 90 days. Any recording containing information leading to administrative, investigative, or legal action shall be maintained for ten (10) years or for the duration of the proceedings, whichever is longer.

f. Privileged Telephone Calls. An inmate shall be provided a reasonable accommodation to make non-recorded telephone calls to any person enumerated in Section 3(i) of this Directive on telephones without the recording and/or listening provided for in Section 17(e) of this Directive, provided the person enumerated in Section 3(i) called agrees to accept the call. Inmates shall be allowed to initiate two privileged calls a month in addition to privileged calls initiated by the inmate's attorney. Calls answered by a busy signal shall not be counted as a contact. Calls answered by a person or machine capable of taking a message shall be counted as a contact. An inmate's request for a call to an attorney shall be honored either by the close of the first business day or on the day specified by the inmate, whichever shall occur later. Requests by attorneys, to include paralegals and law students working under an attorney's supervision, for privileged calls to inmates shall be honored by the close of the first business day following the day on which the request was received from the attorney or at the time specified by the attorney, whichever shall occur later. Requests by attorneys shall be honored without

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limitation as to number or frequency. Privileged calls shall be placed by staff who shall verify the party's identity prior to placing the inmate on the line. The staff member shall then move out of listening range of the inmate's conversation. The staff member placing the call may maintain visual observation of the inmate. Privileged calls shall normally be limited to 10 minutes' duration. In the absence of exigent circumstances, this limitation may be increased at the oral or written request of the attorney.

- i. All privileged telephone communications shall be logged on a CN, 100704, Non-Recorded Telephone Call Log
- ii. When an inmate's privileged call is terminated due to exigent circumstances, an incident report shall be completed in accordance with Administrative Directive 6.6, Reporting of Incidents. A copy of the report shall be forwarded to the appropriate District Administrator for review.
- g. Listening to Non-Recorded Telephone Calls. Non-privileged telephone calls conducted on non-recorded telephone lines may be listened to (e.g., on an extension line) provided the following provisions are complied with:
  - i. The telephone call is placed by a Department of Correction staff member whose duties include the placement of telephone calls for inmates.
  - ii. The inmate for whom the call is made and the person to whom the call is made are informed by such staff member that the call shall be listened to and both parties agree to this arrangement.
  - iii. Such call and listening is reasonably related to a legitimate penological interest.
  - iv. The inmate signs a statement (i.e., CN 100701, Notification and Acknowledgement for Inmates) agreeing to have the conversation listened to.
- h. Termination. Any call may be terminated for the following reasons:
  - i. violation of unit rules;
  - ii. illegal activity;
  - iii. exceeding applicable time limits;
  - iv. vandalism or misuse of equipment;
  - v. threatening or disruptive behavior;
  - vi. in the event of a unit emergency; or
  - vii. For any other legitimate penological interest.
- i. Community Residential Telephones. Each community residential facility shall provide a written directive for telephone use. Calls placed from such telephones shall not be recorded and/or listened to.
- 18. Inmate Communication Devices. Each Unit Administrator may provide additional communication devices in areas specified by the Unit Administrator for inmate use. These devices shall adhere to all recording and listening guidelines as outlined in this directive and Administrative Directive 10.10, Inmate Tablet Use.
- 19. Disclosure of Correspondence and/or Telephone Conversations. Information obtained by correctional staff from non-privileged inmate communication pursuant to the provisions of this Directive shall be disclosed only as reasonably necessary to promote legitimate penological, law enforcement, and/or public safety purposes or interests.
- 20. Forms and Attachments. The following forms are applicable to this Administrative Directive and shall be utilized for the intended function:
  - a. CN 100701, Notification and Acknowledgement for Inmates; and,
  - b. CN 100702, Rejection Notice,
  - c. CN 100703, Inmate Cease Contact Order; and
  - d. CN 100704, Non-Recorded Telephone Call Log.
- 21. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner of Correction.