II-F-3.4 Use of Telephones [Offender]

**Effective: 10/25/2010**

**Subject:**
Use of Telephones [Offenders]

**Section – Policy Number:**
F: Justice – 3.4

**Supersedes:**
II-F-3.4 (7/08)  
II-F-3.4.a (02/07)  
II-F-3.4 (05/04)  
II-F-3.4 (01/96)

**Effective Date:** 10/25/2010  
**Date of Last Review:** 12/14/2012

**Related Standards and References:**
- OAR 416-150-0020 (Attorney Interview)  
- Performance-based Standards (PbS), Juvenile Correction and Detention Facilities; Programming; Justice  
- American Correctional Association, Standards for Juvenile Correctional Facilities; 4-JCF-3A-16 (Telephones)  
- OYA policy: I-D-4.0 (Professional Standards Office)  
  I-A-10.0 (Preventing, Responding to, and Monitoring Offender Sexual Abuse)  
  II-F-3.6 (Offender Legal Assistance [Facility])

**Related Procedures:**
- Facilitywide procedure: FAC I-E-1.0 Youth Incident Report

**Interpretation:**
Facility Services; Professional Standards Office

**Approved:**
Colette S. Peters, Director

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**I. PURPOSE:**

This policy provides guidelines for OYA staff regarding offender telephone use in OYA facilities.

**II. POLICY DEFINITIONS:**

None

**III. POLICY:**

OYA recognizes the importance of communication between offenders in its custody with family and members of the community. Such communication allows offenders to maintain contact with their families and community, and contributes to effective planning for an offender’s treatment needs. In an effort to maintain this communication, each facility will follow the use of telephone policy and procedures described herein while also providing security within close custody.
programs. Offender telephone use will be reasonable, equitable and provide a  reasonable amount of privacy.

In accordance with its mission of providing opportunities for reformation in safe environments, OYA has established the “OYA Hotline” telephone number. Offenders may call the OYA Hotline to make complaints related to safety, abuse, or offender rights. Calls to the OYA Hotline may be anonymous. Offenders are given as much privacy as possible within the limitations of the facility’s physical design while making OYA Hotline calls. Offender information acquired through the OYA Hotline process is confidential. The OYA Hotline is not intended to replace the offender grievance process described in OYA policy II-F-1.1 (Offender Grievance Process). Calls made to the OYA Hotline are recorded, reviewed, and responded to by Professional Standards Office (PSO) staff.

IV. GENERAL STANDARDS and PROCEDURE:

A. Telecommunications Device for the Deaf (TDD)

1. Offenders with hearing or speech disabilities, and offenders who wish to communicate with parties who have such disabilities, will be afforded access to a TDD or comparable equipment.

2. Telephones with volume control will be made available to offenders with hearing impairments.

B. Attorney Telephone Calls

All communication between an offender and his/her attorney or the attorney’s authorized representative is confidential. See OYA policy II-F-3.6 (Offender Legal Assistance) regarding attorney telephone calls.

C. Regular Telephone Calls

Regular telephone calls are calls an offender may receive or make to maintain family or community ties consistent with the offender’s case plan.

1. An offender may receive or make a minimum of one regular telephone call from/to a family member per week. The length of the call must be at least 10 minutes in duration. These outgoing telephone calls are paid for by OYA.

   Telephone calls beyond the minimum may be allotted according to the facility’s behavior management system.

2. Each facility must establish the hours during which a telephone is available to offenders.

3. Staff must verify the telephone number and person the offender wishes to call have been approved by the offender’s treatment team prior to allowing the telephone call. Approved telephone numbers are normally located in the offender’s JJIS profile.
4. Staff must place and ensure the approved party answers before the offender accesses the telephone.

5. Staff must remain in visual and audio proximity to monitor the offender for safety and security reasons while the offender is on the telephone.

6. Staff must terminate a telephone call if they believe that one of the parties participating in the call is being verbally abusive or committing a facility behavior violation.

Terminated telephone calls related to an offender behavior violation must be documented in a Youth Incident Report (YIR). See facilitywide procedure FAC I-E-1.0 Youth Incident Report.

7. Staff must document all attempted or completed regular telephone calls in the offender’s JJIS “Visits/Phone Calls” tab.

8. Staff must also follow the above procedure for offender regular incoming telephone calls.

D. OYA Hotline

Staff must allow an offender access to a telephone to call the OYA Hotline regarding safety, abuse, or offender rights issues as soon as possible from the offender’s request to call, and prior to the end of the staff member’s shift.

1. Staff must give the offender as much privacy as possible within the limitations of the facility’s physical design while making an OYA Hotline call. Offender information acquired through the OYA Hotline process is confidential.

   a) Staff must not ask the offender the purpose of the call.

   b) Staff must not document the call in JJIS. Hotline calls are not tracked in JJIS.

   c) Staff must ensure only the OYA Hotline number is called.

   d) Staff must not deliberately listen to the offender’s conversation.

   e) Staff may visually monitor the offender for safety and security reasons while the offender is on the telephone.

2. If the call cannot be completed by the end of the staff member’s shift, the staff member must notify their on-duty supervisor or officer-of-the-day (OD) of the offender’s request to call the OYA Hotline.
a) The supervisor or OD must ensure the offender calls the OYA Hotline during the next shift.

b) If the call is delayed because the offender poses a danger to him/herself or others, the supervisor or OD must notify the PSO of the offender's request.

3. PSO staff must review recorded calls received through the OYA Hotline.

PSO staff must respond to the OYA Hotline calls as soon as possible.

V. LOCAL OPERATING PROCEDURE REQUIRED: NO