

 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 10.7	Effective Date 6/30/2009	Page 1 of 13
	Supersedes Inmate Communications, dated 8/1/2005		
Approved By <i>Theresa C. Lantz</i>	Title Inmate Communications		

1. **Policy.** The Department of Correction (DOC) may allow inmate correspondence by mail and by telephone. Correspondence may be inspected, reviewed, read, listened to, recorded, restricted, or prohibited 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, Restrictive Status; 9.5, Code of Penal Discipline; 9.6, Inmate Administrative Remedies; and 9.9, Protective Management.
 - D. American Correctional Association, Standards for Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-5D-01.
 - E. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standards 4-4271, 4-4272, 4-4274 and 4-4487 through 4-4497.
 - F. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, Fourth Edition, June 2004, Standards 4-ALDF-2A-65, 4-ALDF-2A-66 and 4-ALDF-5B-05 through 4-ALDF-5B-12.
 - G. American Correctional Association, Performance-Based Standards for Community Residential Facilities, Fourth Edition, August 2000, Standards 4-ACRS-6A-01 and 4-ACRS-6A-06 through 4-ACRS-6A-09.

3. **Definitions.** For the purposes stated herein, the following definitions apply:
 - A. **"Collect Call Only" Telephones.** Telephones which allow for outgoing calls on a collect call basis only and which are available in areas specified by the Unit Administrator for inmate use.
 - B. **Contraband.** Anything not authorized to be in an inmate's possession or anything used in an unauthorized or prohibited manner.
 - C. **General Correspondence.** All correspondence not defined as privileged communication in Section 3(F) of this Directive.
 - D. **Inspection.** A physical and visual examination of the actual contents, which shall not include the reading of the correspondence.
 - E. **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.
 - F. **Privileged Communication (i.e., Privileged Correspondence).** Any telephone call placed on behalf of an inmate by the facility or any written correspondence 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:

Directive Number 10.7	Effective Date 6/30/2009	Page 2 of 13
Title Inmate Communications		

1. any judge or court, including the clerk of the court;
2. the Governor;
3. the Legislature;
4. the Attorney General;
5. the Commissioner of Correction or any Department official appointed by the Commissioner;
6. the Board of Pardons and Paroles;
7. the Sentence Review Board;
8. the Commission on Human Rights and Opportunities;
9. the State Claims Commissioner; and,
10. elected government officials.

"Privileged communication" shall also mean any telephone call placed on behalf of an inmate by the facility or any written correspondence addressed to or received from the Connecticut Correctional Ombudsman or attorneys. The word "attorneys" shall include organizations providing legal services to inmates.

- G. Publication. A book (e.g., novel or instructional manual), or a single issue of a magazine, newspaper or periodical, plus such other materials addressed to a specific inmate as advertising brochures, flyers and catalogues.
 - H. Recording and Listening. The electronic recording of the number(s) called, on-line listening, recording of inmate telephone conversations and subsequent listening to recordings of inmate telephone conversations.
 - I. Review. A visual examination of an inmate's general correspondence, which may include, but shall not be limited to, reading the correspondence.
 - J. 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.
 - K. 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 provides a specific Department support function.
4. Inmate Correspondence. Inmates may write and receive letters 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.
 - B. Timely Handling. Incoming and outgoing correspondence shall be processed without unnecessary delay, regardless of the inmate's housing assignment within the facility.
 - C. Correspondents. An inmate may write to anyone except:
 1. a victim of any criminal offense for which the inmate has served or is serving a sentence, or stands convicted of, or disposition is pending;
 2. any person under the age of 18 when the person's parent or guardian objects in writing to such correspondence;
 3. an inmate in another correctional facility, other than immediate family;

Directive Number 10.7	Effective Date 6/30/2009	Page 3 of 13
Title Inmate Communications		

4. a parolee or inmate on community supervision without the express permission of the Unit Administrator and the addressee's supervisor;
 5. any person to whom the inmate is restrained from writing by court order; or,
 6. 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 6.10, Inmate Property, shall be permitted the following items free of charge:
1. two (2) social letters per week;
 2. 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;
 3. a writing instrument; and,
 4. writing paper (no more than 20 sheets of paper to the courts or attorneys 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. Outgoing General Correspondence.
1. Review, Inspection and Rejection. All outgoing general correspondence shall be subject to being read at the direction of the Unit Administrator, by person(s) designated in writing 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:
 - a. the transport of contraband in or out of the facility;
 - b. plans to escape;
 - c. plans for activities in violation of facility or Department rules;
 - d. plans for criminal activity;
 - e. violations of Sections 18-81-28 through 18-81-51, inclusive, of the Regulations of Connecticut State Agencies, this Directive or unit rules;

Directive Number 10.7	Effective Date 6/30/2009	Page 4 of 13
Title Inmate Communications		

- f. information which if communicated would create a clear and present danger of violence and physical harm to a person;
- g. letters or materials written in code;
- h. mail which attempts to forward unauthorized correspondence for another inmate; or,
- i. threats to the safety or security of staff, other inmates or the public.

The initial decision to take any action provided for in Section 4(F)(1) of this Directive except to read, which shall be at the discretion of the Unit Administrator, shall be made by the Unit Administrator or designee. Such designee shall not be the same person who made the initial mailroom review.

- 2. Notice of Rejection. In the event that the Unit Administrator or designee determines that outgoing general correspondence shall not be sent as provided for in Section 4(F)(1) of this Directive, the inmate sender shall be notified in writing of the correspondence rejection and the reason therefor. The inmate may seek review in writing within five (5) days thereafter from the Unit Administrator. The Unit Administrator shall notify the inmate of the final decision and the reason therefor in writing. 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.
- 3. 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.
- 4. 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 4(F)(1) of this Directive. All outgoing general correspondence shall include:
 - a. a complete legible name and address of the party the correspondence is being sent to;
 - b. the inmate's complete legible name, inmate number, and present unit address; and,
 - c. the name under which the inmate was committed to the facility or another name approved for official recognition.

Correspondence which fails to include the information required in "a" through "c" above shall be returned, if reasonably practicable, to the inmate.

G. Incoming General Correspondence.

- 1. Review, Inspection and Rejection. All incoming general correspondence must list the sender's return address on the outside of the envelope. All incoming general correspondence shall be opened and inspected for contraband and money and

Directive Number 10.7	Effective Date 6/30/2009	Page 5 of 13
Title Inmate Communications		

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 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 concern:

- a. the transport of contraband in or out of the facility;
- b. plans to escape;
- c. plans for activities in violation of facility or Department rules;
- d. plans for criminal activity;
- e. violations of Sections 18-81-28 through 18-81-51, inclusive, of the Regulations of Connecticut State Agencies, this Directive or unit rules;
- f. material which reasonably could cause physical or emotional injury to the inmate recipient as determined by the appropriate mental health staff;
- g. letters or materials written in code;
- h. threats to the safety or security of staff, other inmates, or the public, facility order or discipline, or rehabilitation;
- i. sexually explicit material(s) which meet the standards and review procedures set forth in Section 4(N)(1) of this Directive; or,
- j. any other general correspondence, rejection of which is reasonably related to a legitimate penological interest.

Incoming general correspondence containing any of the foregoing may be restricted, confiscated, returned to the sender, retained for further investigation, referred for disciplinary proceedings or forwarded to law enforcement officials. The decision to take any action provided for in this section shall be made by the Unit Administrator or designee. Such designee shall not be the same person(s) who made the initial mailroom review.

2. Notice of Rejection. In the event the Unit Administrator or designee determines that incoming general correspondence shall not be delivered as provided for in Section 4(F)(1) of this Directive, the sender and the inmate shall be notified in writing of the correspondence rejection and the reason therefor. The person(s) so notified may seek review in writing within 10 days thereafter from the Unit Administrator. The Unit Administrator shall notify the person(s) seeking review of the Unit Administrator's final decision and the reason therefor in writing. 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. If the ultimate decision is to reject delivery and if there is no further need to retain the rejected

Directive Number 10.7	Effective Date 6/30/2009	Page 6 of 13
Title Inmate Communications		

correspondence, then it shall be returned to the sender if reasonably practicable.

H. Monetary Remittances.

1. Incoming. An inmate may only receive certified, payroll, cashier or government checks and money orders from sources approved by the Unit Administrator. All 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. A receipt shall be issued to the inmate for any acceptable funds approved.
2. 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.

I. Identification of Privileged Correspondence. Only correspondence clearly identified as privileged correspondence 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(F) of this Directive.

J. Outgoing Privileged Correspondence. Outgoing privileged correspondence shall be inserted into an envelope clearly identifying a privileged correspondence addressee as enumerated in Section 3(F) of this Directive and sealed by the inmate. Outgoing privileged correspondence shall not 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(J) and 4(I) of this Directive. All correspondence shall be forwarded without unnecessary delay.

K. Incoming Privileged Correspondence. All incoming privileged correspondence shall be opened and inspected, but not read, only in the presence of the inmate addressee.

1. Inspection and Rejection. If upon opening and inspecting such privileged correspondence it contains 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 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 privilege correspondence. The sender and the inmate shall be notified in writing of the privileged correspondence rejection and the reason therefore. In no such case shall the Unit Administrator read the privileged correspondence or written enclosure(s). If the enclosure(s) is not appropriate 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

Directive Number 10.7	Effective Date 6/30/2009	Page 7 of 13
Title Inmate Communications		

Administrator reasonably believes that the enclosure(s) should be referred for criminal prosecution or investigation for violations of unit or Department rules, or of the criminal law, 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 therefor.

2. Notice of Rejection. In the event that the Unit Administrator determines that incoming privileged correspondence or enclosure(s) shall not be delivered in accordance with Section 4(K) (1) of this Directive, the inmate and the sender shall be notified in writing of the rejection and the reason therefor. The person(s) so notified may seek review in writing within 10 days thereafter from the appropriate Deputy Commissioner or designee. The Deputy Commissioner or designee shall 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 unit or Department rules, or of the criminal law, the notice of rejection may be delayed until the appropriate investigation is completed.
 3. Accidental Opening. If privileged correspondence is opened accidentally, outside the presence of the inmate, the envelope shall be immediately stapled and the required inspection for unauthorized enclosure(s) accomplished in the presence of the inmate. CN 6601, Incident Report shall be completed to document the incident and forwarded through the chain-of-command in accordance with in Administrative Directive 6.6, Reporting of Incidents.
- L. 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 not be responsible for the forwarding of general correspondence. If an inmate has escaped or is released, the correspondence shall be marked "Escaped" or "Released" and returned to the sender.
- M. 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, shall be authorized at the discretion of the Unit Administrator.
- N. Incoming Publications and Educational Materials. Requests for any local orders for books, magazines, newspapers, educational materials or periodicals shall be made through the school principal or other person as designated by the Unit Administrator who shall determine that the inmate is able to pay for such material(s). If approved, 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 in new condition only from a publisher, book club, or book store. Publications may be ordered by a third party provided the ordered items conform to the provisions of this Directive. Inmates shall be prohibited from ordering books for other inmates. Incoming materials which adversely affect a valid penological interest may be rejected in accordance with the following review procedures:

Directive Number 10.7	Effective Date 6/30/2009	Page 8 of 13
Title Inmate Communications		

1. Procedures for Review of Publications and Sexually Explicit Materials. The Unit Administrator or designee may reject a publication or sexually explicit material only if it is determined to be detrimental to the security, good order, or discipline of the facility or if it might facilitate criminal activity. The Unit Administrator or designee may not reject a publication or sexually explicit material solely because its content is religious, philosophical, political, social or sexual, or because its content is unpopular or repugnant. Publications or sexually explicit material which may be rejected by a Unit Administrator or designee include but are not limited to publications which meet one of the following criteria:
 - a. it depicts or describes procedures for the construction or use of weapons, ammunition, bombs or incendiary devices;
 - b. it depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of DOC facilities;
 - c. it depicts or describes procedures for the brewing of alcoholic beverages, or the manufacture of drugs;
 - d. it is written in code;
 - e. it depicts, describes or encourages activities which may lead to the use of physical violence or group disruption;
 - f. it encourages or instructs in the commission of criminal activity; or,
 - g. it is sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the facility, or facilitates criminal activity. A Unit Administrator or designee shall determine that sexually explicit material of the following types is to be excluded:
 1. sado-masochistic;
 2. bestiality;
 3. involving children; or,
 4. materials depicting sexual activity which involves use of force or without the consent of one or more parties.
2. Individual Review of Publications or Materials. Each facility shall establish a review process for all incoming publications in accordance with guidelines established by the Media Review Board. The Media Review Board shall then review anything deemed objectionable by the facility and notify the Unit Administrator or designee of the decision. The Unit Administrator or designee may not establish an excluded list of publications. The Unit Administrator or designee shall review the individual publication prior to the rejection of that publication. Rejection of several issues of a subscription publication is not sufficient reason to reject the subscription publication in its entirety.
3. Notice of Rejection. Where a publication is found unacceptable, the Unit Administrator or designee shall promptly advise the inmate in writing of the decision and the

Directive Number 10.7	Effective Date 6/30/2009	Page 9 of 13
Title Inmate Communications		

reasons for it. The notice must contain reference to the specific article(s) or material(s) considered objectionable and deemed to pose a threat or detriment to the security, good order or discipline of the facility or to encourage or instruct in criminal activity. The inmate shall be allowed to appeal the decision within 15 days of receipt of the rejection letter (i.e., CN 100702, Publication Rejection Notice) in accordance with Administrative Directive 9.6, Inmate Administrative Remedies.

4. Notification to Publisher or Sender. The Unit Administrator or designee shall provide the publisher or sender of an unacceptable publication a copy of the rejection letter (i.e., CN 100702, Publication Rejection Notice). 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 letter (i.e., CN 100702, Publication Rejection Notice). The Unit Administrator or designee shall return the rejected publication to the publisher or sender of the material unless the inmate indicates an intent to file an appeal under the Inmate Administrative Remedies Process, 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 rejected publication shall be returned when appeal or legal use is completed.
 5. Quantity Limitations. The Unit Administrator or designee may set limits locally (for fire, sanitation, housekeeping, security or disciplinary reasons) on the number or volume of publications an inmate may receive or retain in the inmate's quarters in accordance with Administrative Directives 6.10, Inmate Property and 9.4, Restrictive Status. The Unit Administrator or designee may authorize an inmate additional storage space for storage of necessary legal materials in accordance with Administrative Directive 6.10, Inmate Property.
- O. Stationery Supplies. Each correctional facility commissary shall sell: (1) stationery, envelopes, postcards, greeting cards and postage; and (2) aerogramme folding letters (for foreign air mail letters).
5. Telephone Access. Each Unit Administrator shall provide "collect call only" telephones which allow for outgoing calls in areas specified by the Unit Administrator for inmate use. Schedules and terms for telephone use shall be posted in telephone areas. Inmate use of "collect call only" telephones shall be deemed a privilege and not an entitlement. Use of any telephone may be prohibited by the Unit Administrator in accordance with Administrative Directives 6.14, Security Risk Groups 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 or designee. Inmates shall not have access to use any facility telephone, other than a "collect call only" telephone, except as authorized in this Directive.

Directive Number 10.7	Effective Date 6/30/2009	Page 10 of 13
Title Inmate Communications		

Credit card calls, billing to a third party, call forwarding, transfers or any other method which circumvents collect call billing shall be prohibited.

- A. General Provisions for "Collect Call Only" Telephones. "Collect call only" telephones 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. An inmate requesting to use a "collect call only" telephone shall submit a list of no more than ten (10) phone numbers. The facility shall review the submitted phone numbers and delete any restricted phone number(s) from the list (e.g., known phone number of victim of the inmate's crime). The list of authorized numbers shall be entered into the phone system and shall constitute the inmate's allowed call list. Each inmate shall be allowed to change the list of phone numbers once every 30 days.

The Commissioner shall issue a list establishing the authorized number of phone calls allowed. Each phone call from a "collect call only" telephone shall be limited to 15 minutes. The calls may only be made between the hours of 6:00 a.m. and 11:00 p.m. There shall be no time limit between allowable calls. 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. Restrictive Status Inmate.

1. An inmate on punitive segregation status, administrative detention status or transfer detention status in accordance with Administrative Directive 9.4, Restrictive Status shall not be allowed to use a "collect call only" telephone except for cause as approved by the Unit Administrator.
2. An inmate on administrative segregation status in accordance with Administrative Directive 9.4, Restrictive Status shall be allowed one (1) phone call up to 15 minutes per week, plus telephone calls to attorneys, as approved by a supervisor.
3. 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 limited to those periods when protective custody inmates are allowed out of their cells.

- C. Emergency Calls. Any inmate upon approval by the Shift Commander/Unit Manager 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 shall be listened to and documented in the facility log book in accordance with Administrative Directive 6.2, Facility Post Orders and Logs.

- D. Recording and Listening to "Collect Call Only" Telephone Calls. Only telephone calls from "collect call only" telephones may be recorded and listened to provided the following provisions are complied with:

1. Notification. A sign in English and Spanish shall be posted at each inmate telephone location which reads:

Directive Number 10.7	Effective Date 6/30/2009	Page 11 of 13
Title Inmate Communications		

"Any conversation utilizing these telephones shall be subject to recording and listening."

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 or by an appropriate assent acknowledged in writing by a staff member. Any inmate not so consenting shall not be allowed use of the "collect call only" telephones and shall be instructed that any such use shall be unauthorized and in violation of institutional rules.

2. 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.
 3. 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 without.
- E. 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 should be a person whose duties relate to the purposes as stated in Section 5(D)(3) 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 three (3) 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 prearranged non-recorded telephone calls to any person enumerated in Section 3(F) of this Directive on non-collect call only telephones without the recording and/or listening provided for in Section 5(D) of this Directive, and provided the person enumerated in Section 3(F) called agrees to accept the charges. Privileged calls to state and federal public defenders offices and Legal Assistance to Prisoners shall be toll free. This shall not extend to private attorneys handling particular cases as special public defenders or on a "pro bono" basis. Inmates shall be allowed two privileged calls a month in addition to calls initiated by the inmate's attorney. Calls answered by a busy signal shall not be counted. Calls answered by a person or machine, capable of taking

Directive Number 10.7	Effective Date 6/30/2009	Page 12 of 13
Title Inmate Communications		

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 following the day on which the request was received 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 limitations 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 employee 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.

A log shall be kept for privileged telephonic communications in accordance with Administrative Directive 6.2, Facility Post Orders and Logs, denoting the following:

1. Inmate name and number;
2. Date and name of person making request;
3. Date and time of call;
4. Authorizing authority;
5. Staff placing call;
6. Number called;
7. Person contacted;
8. Duration of call;
9. Inmate signature (at completion of call); and,
10. Date and time call completed.

When an inmate's 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:

1. The telephone call is placed by a Department of Correction staff member whose duties include placing of telephone calls for inmates.
2. 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 they both agree to this arrangement.
3. Such call and listening is reasonably related to a legitimate penological interest.
4. The inmate signs a statement (i.e., CN 100701, Notification and Acknowledgement for Inmates) agreeing to have the conversation listened to.

Directive Number 10.7	Effective Date 6/30/2009	Page 13 of 13
Title Inmate Communications		

- H. Termination. Any call may be terminated for the following reasons:
1. violation of unit rules;
 2. illegal activity;
 3. exceeding applicable time limits;
 4. vandalism or misuse of equipment;
 5. threatening or disruptive behavior;
 6. in the event of a unit emergency; or,
 7. for a legitimate penological interest.
- I. Community Residential Telephones. Each community residential facility shall provide a written directive for telephone use. Such telephones shall not be recorded and/or listened to.
6. 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.
7. Disclosure of Correspondence and/or Telephone Conversations. Information obtained from correspondence and/or telephone calls by correctional staff, pursuant to the provisions of this Directive, shall be disclosed only as reasonably necessary to promote legitimate penological, law enforcement or public safety purposes.
8. 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, Publication Rejection Notice.
9. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.