



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

GRETCHEN WHITMER  
GOVERNOR

HEIDI E. WASHINGTON  
DIRECTOR

**DIRECTOR'S OFFICE MEMORANDUM 2020 - 3**

**EFFECTIVE:** January 1, 2020

**DATE:** December 16, 2019

**TO:** Executive Policy Team  
Administrative Management Team  
Wardens

**FROM:** Heidi E. Washington, Director

**SUBJECT:** PD 05.03.130 "Prisoner Telephone Use"

**SUPERSEDES DOM 2019 - 5 (effective 01/01/2019)**

The Department entered into a contract with Public Communications Services (PCS) in 2011 to provide telephone services to prisoners. As part of PCS telephone services, prisoners may call the first 20 personal numbers the prisoner chooses to call each quarter (i.e., Jan-Mar; Apr-Jun; Jul-Sep; Oct-Dec) unless the number is blocked in accordance with PD 05.03.130. The first 20 personal numbers called each quarter will become the prisoner's "Personal Allowed Numbers" (PAN). Prisoners also may call numbers on the universal list. Staff has no responsibility for verifying or approving the numbers on a prisoner's PAN except as set forth in this Director's Office Memorandum.

Prisoners are prohibited from calling the victim of an offense for which the prisoner is serving unless the victim authorized the call-in writing as set forth in PD 05.03.130. Prisoners who attempt to call a victim who they are not authorized to call shall be subject to discipline as set forth in PD 03.03.105 "Prisoner Discipline." In addition, the prisoner may have their telephone privileges restricted as set forth in PD 05.03.130.

At the beginning of each quarter, all personal telephone numbers on a prisoner's PAN will be reset unless the number is not monitored. A number that is not monitored will remain on a prisoner's PAN until they request that the number be deleted or changed, the number is blocked under PD 05.03.130, or the number has not been called for at least five years. This means that a new PAN will be created each quarter based on the first 20 personal numbers the prisoner calls during that quarter reduced by any non-monitored telephone numbers remaining on the PAN (see information below for additional requirements regarding non-monitored calls). This will enable prisoners to add or change telephone numbers of those they want to call by simply calling a new or different number each quarter. As a result, the only PAN changes that will be allowed during a quarter are as follows:

1. To add, delete, or change the business telephone number of an attorney or a legitimate legal service organization provided the attorney is not related to the prisoner by blood or marriage.

2. To add, delete, or change the telephone number of a public official (i.e., any elected federal, state, or local government official, or a consulate general) who has made a written request to not have their calls monitored.
3. To delete any other number from a PAN containing the maximum allowable numbers so the prisoner may enter a new number. This shall be permitted only for special circumstances as set forth in facility operating procedures (e.g., the number on the PAN belongs to an immediate family member and has been changed) and only if authorized by the Warden or designee. The Warden may require verification of the need to delete the number. Only staff designated by the Warden may delete a telephone number from a prisoner's PAN.

To request a PAN change for the reason set forth in no. 1 above, the prisoner must submit a completed Telephone Agreement and Number List form (CAJ-370) as is currently required under PD 05.03.130. A Telephone Agreement and Number List shall not be used for any other purpose. Requests to add, delete, or change the telephone number of an attorney, a legitimate legal service organization, or a public official shall be processed as set forth below for non-monitored telephone calls.

In facilities designated by the CFA Deputy Director, prisoners may use voice biometrics in lieu of a personal identification number (PIN).

#### NON-MONITORED TELEPHONE CALLS

All telephone calls shall be monitored except for calls to attorneys and legitimate legal service organizations identified by the prisoner (subject to verification) to a public official upon request of the public official, and to a number on the universal list that is identified as not being subject to monitoring.

#### Public Officials

Requests received from a public official to not have their telephone calls monitored shall be processed as set forth in PD 05.03.130. The CFA Deputy Director or designee shall notify the appropriate Warden within one business day after receipt of notification from PCS that the number has been entered as a non-monitored number. The Warden shall ensure that the prisoner is notified in writing within one business day after receipt of notification from the CFA Deputy Director or designee.

#### Attorneys and Legitimate Legal Service Organizations

To not have the business telephone number of an attorney or legitimate legal service organization monitored, a prisoner must submit a completed Telephone Agreement and Number List form (CAJ-370) as is currently required under PD 05.03.130. Housing unit staff shall verify the number as set forth in PD 05.03.130. Once verified, the information shall be transmitted to PCS within one business day. PCS will add the number to the prisoner's PAN as one of their 20 allowable personal numbers but designate it as not subject to monitoring and provide written confirmation to the institution of this action, within two business days. Designated facility staff shall notify the prisoner that the number has been added to their PAN as a non-monitored number within one business day after receipt of confirmation from PCS.

Prisoners should not call an attorney or legitimate legal organization until confirmation is provided that the call will not be monitored. A call made by a prisoner prior to receiving confirmation that the

number has been added to their PAN as being non-monitored may result in the call being monitored. All monitored calls will be identified as such by a voice-over announcement at the beginning of the call that both the prisoner and the party being called can hear. A prisoner who chooses to continue a call to an attorney or legitimate legal service organization after being notified that the call is being monitored does so with the understanding that they are waiving any right they may have to confidentiality.

### NOTICE OF MONITORING

PD 05.03.130 currently requires Wardens to ensure that signs are posted on or beside each telephone designated for prisoner use that specifically state that all calls are being recorded and may be listened to. The signs are required by PD 05.03.130 to be in English, Spanish, and, at facilities designated to house visually impaired prisoners, Braille. PCS will include this required information in both English and Spanish on a label affixed to each telephone. Additional signs are not required. Signs in Braille are no longer required since the voice-over announcement at the beginning of each call provides adequate notice of monitoring to those who are sight-impaired. Wardens shall ensure that the label is replaced if it is removed or defaced in a way that makes it illegible.

### ACCESS TO TELEPHONE MONITORING RECORDS

In addition to those authorized access to telephone monitoring records under PD 05.03.130, a Warden who believes it is necessary to access telephone monitoring records of a prisoner at another institution may authorize their Deputy Warden, Inspector, or other staff responsible for the call control system at their institution to access those records with written approval of the Warden of the institution at which the prisoner is housed. If approved, the Warden approving the request shall contact the Automated Data Systems Section to allow for access.

### CALLS BETWEEN PRISONERS WHO ARE IMMEDIATE FAMILY MEMBERS

Paragraphs MM through PP of PD 05.03.130 set forth the process for a prisoner to call another prisoner who is an immediate family member. Such calls are no longer allowed except in an emergency situation as determined by the Warden or designee. Emergencies include critical illness or death of an immediate family member, serious prisoner illness, and other situations as determined by the Warden or designee. Approval is required by the Wardens of the institutions at which both prisoners are housed. If approved, designated staff at the facility at which the prisoner who requested the call is housed shall arrange and schedule the telephone call. The call shall be placed and received in the housing unit by housing unit staff. Once the call is connected, the prisoners shall be permitted to begin their conversation that shall not exceed 15 minutes. Housing unit staff shall be present for the duration of the call and listen to the entire conversation. Housing unit staff shall terminate the call for any of the reasons set forth in Paragraph HH of PD 05.03.130 or if the prisoner engages in any misconduct during the telephone call.

### INTERNATIONAL TELEPHONE SERVICES FOR PRISONERS

Prisoner telephone services also allow prisoners to place telephone calls to countries identified on the attached. The international calling rate for calls to the listed countries is currently \$0.75 per minute. These calls are subject to all requirements and restrictions set forth in PD 05.03.130 "Prisoner Telephone Use."

COUNTRIES COVERED AT CURRENT INTERNATIONAL RATE OF \$0.75/MIN				
Albania	Christmas Island	Guyana	Montserrat	Slovakia
Algeria	Cocos Island	Haiti	Morocco	Slovenia
American Samoa	Colombia	Honduras	Namibia	South Africa
Andorra	Congo (Zaire), Democratic Rep.	Hong Kong	Nepal	Spain
Anguilla	Costa Rica	Hungary	Netherlands	Swaziland
Antigua and Barbuda	Croatia	Iceland	Netherlands Antilles	Sweden
Argentina	Cyprus	India	Nevis	Switzerland
Aruba	Czech Republic	Indonesia	New Zealand	Syria
Australia	Denmark	Ireland	Nicaragua	Taiwan
Austria	Djibouti	Israel	Niger	Tajikistan
Bahamas	Dominica	Italy	Nigeria	Thailand
Bahrain	Dominican Republic	Jamaica	Norway	Togo
Barbados	Ecuador	Japan	Oman	Tonga
Belarus	Egypt	Jordan	Panama	Trinidad and Tobago
Belgium	El Salvador	Kazakhstan	Papua New Guinea	Tunisia
Belize	Faroe Islands	Kenya	Paraguay	Turkey
Benin	Federated States of Micronesia	Korea, South	Peru	Turkmenistan
Bermuda	Fiji	Kuwait	Philippines	Turks and Caicos Islands
Bolivia	Finland	Latvia	Poland	Uganda
Bosnia and Herzegovina	France	Lesotho	Portugal	Ukraine
Botswana	French Antilles	Liberia	Qatar	United Arab Emirates
Brazil	Gabon	Liechtenstein	Romania	United Kingdom
British Virgin Islands	Gambia	Lithuania	Russia	Uruguay
Brunei	Germany	Luxembourg	Saint Kitts	Uzbekistan
Bulgaria	Ghana	Macao	Saint Lucia	Vatican City
Burkina Faso	Greece	Macedonia	Saint Pierre and Miquelon	Venezuela
Cameroon	Greenland	Malawi	Saint Vincent and The Grenadines	Western Samoa
Canada	Grenada	Malaysia	San Marino	Yemen
Cape Verde	Guadeloupe	Marshall Islands	Saudi Arabia	Yugoslavia
Cayman Islands	Guatemala	Mexico	Sierra Leone	Zambia
Chile	Guinea	Monaco	Singapore	Zimbabwe
China				