



SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE		POLICY NUMBER 500-05	PAGE NUMBER 1 OF 9
		DISTRIBUTION:	Public
		SUBJECT:	Offender Access to Telephones and Tablets
RELATED STANDARDS:	ACA Standards 5-ACI: 2C-11, 3D-02, 4B-25, 7D-11	EFFECTIVE DATE:	October 01, 2023
		SUPERSESION:	08/07/2019
DESCRIPTION: Offender Management	REVIEW MONTH: September	 KELLIE WASKO SECRETARY OF CORRECTIONS	

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to promulgate rules, policies and procedures directing offender access to telephones, pursuant to SDCL §§ 1-15-20 and 24-2-1. DOC institutions will permit offenders to access telephones, tablets, and kiosks, consistent with the offender's classification and status. Use of DOC telephones, tablets and kiosks by offenders is strictly voluntary and may be subject to certain limitations, rules, and conditions. Offender use of telephones, tablets and kiosks shall not contradict or threaten the effective security, safety and good order of the institution or threaten public safety.

II. PURPOSE

The purpose of this policy is to establish procedures governing offender access to and use of telephones and tablets.

III. DEFINITIONS

Call Monitoring:

Live, electronic interception of a telephone call by an authorized individual listening to a verbal conversation between an offender and another party through a specialized system connected to the offender telephone and tablet systems.

Call Recording:

Electronic interception and storage of sounds and conversations between an offender and another party through a specialized system connected to the offender telephone system. The recording may be archived, reviewed, and investigated by authorized staff.

Tablet:

A small, wireless, portable personal computer with a touchscreen that accepts input directly onto its screen rather than via a keyboard or mouse. Tablets are typically smaller than a notebook computer but larger than a smartphone. Tablets are offered to offenders to use while incarcerated within a DOC institution. Offenders may only use the tablet assigned to them. Tablets are on loan to the offender and remain the property of the vendor.

IV PROCEDURES

1. Establishing Telephone and Tablet Privileges:

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- A. The warden will ensure telephones, tablets, and kiosks are made accessible to the offender population at each institution.
- B. Each new offender received at the institution will be provided information about the telephone and tablet systems, including how to request a personal identification number (PIN), which facilitates access to these communication systems. Offenders will receive information about how to establish an approved contact list. Certain limitations, rules and conditions apply to offender use and access of telephones, tablets, kiosks, and the supporting services.
 1. Each PIN assigned to an offender is exclusive to that offender. Offenders will retain the same PIN while serving an uninterrupted sentence/single booking, unless the offender reports the PIN as lost, stolen or otherwise compromised, in which case, a new PIN may be issued to the offender.
 - a. Offenders may be charged a fee for a replacement PIN.
 2. After an offender is assigned a PIN and has established an account with the vendor, the offender may use designated telephones, tablets, or kiosks to place calls or send and receive messages (see ARSD 17:50:02:27).
 3. No offender is allowed to use, possess, or share another offender's PIN or tablet. An offender may not divulge his/her PIN to another offender. Violators are subject to disciplinary action. Offenders are responsible for the security of their assigned PIN and all communication associated with their PIN. Any offender who suspects another offender of using their PIN must report this immediately to unit staff.

2. Contact Lists:

- A. An offender's contact list may not exceed twenty (20) separate telephone numbers. The vendor is responsible for making updates to offender contact lists, as requested by the offender, or as ordered by the DOC.
 1. Offenders will complete the *Telephone Request Form* (see attachment #3) when requesting to add or terminate telephone numbers on their contact list. Offenders must provide the telephone number, name of a single person assigned to the telephone number and the person's relationship to the offender. The provider has up to fourteen (14) days from the date the request is received to complete the change or add the number.
 2. Offender initiated telephone calls from the DOC telephone/tablet system are limited to approved numbers on the offender's contact list.
 3. Any issues with telephone numbers added or terminated from an offender's contact list should be directed to the vendor.
 4. Offenders may not use the offender telephone/tablet system to communicate with any offender currently sentenced, committed, held, or placed in any correctional facility, including a federal, state, tribal or local facility. This includes offenders on supervision in the community.
- B. State of South Dakota employees, contractual staff, and volunteers assigned to a DOC institution who have had their employment with the DOC terminated, or who have resigned in lieu of termination for inappropriate activity/relations involving an offender, or are prohibited from entering a DOC facility for any reason, may be added to the offender's approved contact list after at least one (1) year has elapsed since the date of separation from the DOC. This is limited to the offender's immediate family.
 1. Former DOC staff, contractual staff, and volunteers who voluntarily separate from the DOC, must wait three (3) months from the date of separation before being eligible to be added to an offender's approved contact list, unless otherwise approved by the warden or designee.
 2. Exceptions will not be granted if evidence exists supporting the person terminated employment with the DOC or resigned in lieu of termination for non-business relations with the offender, sexual abuse of an offender, possession, introduction, or attempted introduction of Class A contraband into a DOC facility housing offenders or aiding or attempting to aid an offender in escape.
 3. Offenders are prohibited from calling or messaging DOC staff, offenders, contract staff, volunteers, victims, and witnesses. Any exceptions will be made by the warden or designee on a case-by-case basis.

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- C. The warden or designee may deny or terminate a person/telephone number on an offender's approved contact list if it is determined the offender's communication with the person/telephone number poses, or may pose, a risk to safety or security or is contrary to the legitimate penological interests of the DOC.
1. Denial or termination of a person/telephone number from an offender's contact list must be documented. The offender must be notified of the action within five (5) business days.
 2. If it is determined a person/telephone number must be removed from an offender's approved contact list, staff will contact the vendor to have the number removed.
 3. Offenders are prohibited from messaging or requesting to add telephone numbers to their contact list for any known victim of their crime or any known person who the offender is prohibited from contacting by court order or DOC Termination of Contact Notice (see attachment #2 – *Correspondence / Telephone / Messaging Termination Notice*).
 4. Offenders may appeal the denial or termination of a person/telephone number from their contact list through the grievance for offenders' process.
- D. Offenders may request changes to their approved contact list. A completed Telephone Request Form is required to initiate the change.

3. Accounts:

- A. Offender telephone and tablet accounts will be controlled through the respective vendor.
1. The vendor's contact information shall be made available within the unit(s) and visit room at each institution.
 2. Persons on the offender's approved contact list wishing to contribute funds to an offender's telephone or tablet/messaging account must establish an account with the vendor. All funds intended for deposit into the account must be sent directly to the vendor.
- B. Offenders may transfer funds from their spend subaccount to their telephone or tablet accounts in \$5.00 increments.
1. No offender may transfer funds to or from his/her telephone or tablet account to another offender's account.
- C. Funds in an offender's telephone or tablet account may not be withdrawn for other purposes. Any refund or credit due to the offender or account holder upon termination of the account/contract is the responsibility of the offender or account holder and vendor.
- D. Incoming funds received by the DOC designated as "phone or tablet funds" will be deposited into the offender's institutional account(s) and processed as a normal deposit.
1. An offender's telephone or tablet account will be electronically adjusted when the offender utilizes the service. The offender's account will be debited when the debit option is selected.
 2. Funds in the offender's telephone or tablet account may not be used to pay collect calls.
- E. Offenders released or discharged from the DOC are responsible for contacting the vendor regarding the status of their account (balances or other information) and to request a refund or credit for any funds remaining in their account.

4. Offender Access and Use of Telephones and Tablets:

- A. The DOC will ensure *offenders have access to* reasonably priced *public telephone* services [ACA 5-ACI-7D-11]. Services shall be provided through contracts initiated and monitored by the DOC. Contracts will:
1. Comply with all state and federal regulations.

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2. Be based on rates and surcharges commensurate to those charged to the general public for like services.
 3. Provide the broadest range of calling options possible, as determined appropriate by the DOC, and within the capability of the vendor and the constraints of the approved contract, consistent with the requirements of sound correctional practices.
- B. Offender access to tablet/messaging and telephone services for personal calls is a privilege, not an implied right. Offenders may not circumvent or attempt to circumvent, requirements set forth and in place which guide access and use of telephones, tablets, and the respective services. Offenders must abide by all requirements set forth by the vendor, the DOC, and applicable laws pertaining to such services and contracts.
- C. Offender use of tablet messaging and telephone services for personal calls is voluntary. All telephone calls made from the general population use telephones and tablets are recorded, with the exception of attorney, and privileged calls (including calls made to victim advocacy and/or regarding disability rights). Messages may be monitored, recorded, and investigated to preserve the security and orderly management of the institution, protect the public, and to reduce criminal activity or other prohibited activity that may threaten the orderly operation of the institution. Offenders who choose to use tablets or telephones to engage in personal/social calls give consent to having their communication monitored and recorded. Acceptance of a personal call from an offender constitutes consent to the call being monitored and recorded.
1. Notices are posted near wall mounted offender telephones advising that all calls originating from the telephone may be monitored and recorded.
 2. Pre-recorded messages will be inserted into the telephone system advising those participating in the call that the caller is a SD DOC offender. This notice is not included when an offender is approved to use a telephone that is not part of the offender telephone system.
 3. Messages sent via offender tablets may be reviewed by staff before delivery. Approved messages will be delivered. Messages that constitute a threat to the security of disciplined operation of the institution or which violate policies will be rejected. The DOC does not censor message communication. Messages will be approved or rejected in their entirety. Rejected messages will be blocked from receipt by the intended recipient. The sender will receive a notice that message was blocked and not delivered (ARSD 17:50:10:07).
 4. Messages that require translation may be held until translated or it is determined the message shall be rejected.
 5. Telephone calls and messages may be introduced as evidence in a disciplinary hearing or court proceeding.
- D. DOC staff will not accept incoming telephone calls or messages intended for an offender, unless the caller identifies themselves as the offender's attorney, a privileged source, or the caller is relaying information regarding an emergency, such as serious injury or death involving an offender's immediate family member (See ARSD § 17:50:02:29).
- E. Wall mounted telephones and kiosks are available for offender use within DOC institutions. Offender access to telephones, kiosks, or designated shared tablets may be regulated and limited to permit sufficient access by the offender population to such devices and services. Specific times to access such devices and services will be established by each unit to minimize disruptions and shall be posted in the unit plan.
1. Third party calling (calls that are relayed from the number and called to another number), conference calls, multi-party lines, and call forwarding are not permitted.
 2. Offenders are permitted to talk to more than one person at the same time on a single phone line, provided all participants participating in the call are on the offender's approved contact list. Only one offender is allowed to talk into a telephone or tablet at one time.
 3. Offenders may not use or access 411, 600, 700, 800, or 900 numbers without authorization. Offenders may not contact pager numbers. Offenders are permitted to include cellular telephone numbers on their contact list. The warden or designee may authorize access to designated toll-free telephone numbers for facilitating offender contact for official purposes, i.e., foreign consulates, federal offices, advocacy, or victim service organizations, etc.

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4. Offenders may not contact any media hook-up that is recorded and broadcast live, including radio, television, or social media platform/blogging.
 5. Offenders may not use the telephone or messaging system to subscribe to any social media service which maintains a social media account on behalf of an offender.
- F. Offenders shall terminate use of a telephone, tablet, or kiosk immediately when so directed by a staff member.
1. Offender access and use of telephones, tablets, or kiosks and the respective supporting service may not interfere with offender count times, work assignments, school assignments, medication passes, fire drills, or the disciplined operation of the institution.
- G. Possession or use of any unauthorized telecommunication devices by an offender is strictly prohibited. Offenders who use an unauthorized telecommunications device to send or receive electronic communications from within a DOC institution will be charged with a major offense in custody.
- H. Offenders may not use the telephone or tablet system to engage in, initiate, further, or continue any type of criminal activity or prohibited behavior(s).
1. Offender access to telephones or tablets for personal communication may be restricted or suspended through a disciplinary sanction, or in response to behaviors which include reasonable belief an offender has used a telephone or tablet to threaten or harm another, or cause disruption or threat to the safety, security, or good order of the institution (See SDCL § 24-2-9).
 2. Telephone calls or messages may be interrupted and/or terminated at any time without prior notice to the offender or recipient of the call or message. Termination may be based on all or segments of the conversation, certain topics or words, or as directed by staff.
- I. Offenders placed on Investigative Purpose (IP) status or pending disciplinary action that involves the misuse of telephones, tablets, kiosks, or services; or those charged with using such devices to commit or further a major offense in custody or criminal conduct, may have their access to telephones and tablets for the purpose of engaging in social communication, restricted or temporarily suspended.
1. Offenders will receive written notice of the restriction or temporary suspension. Such action shall normally be limited to no more than thirty (30) consecutive days and may be extended only after review and approval by the warden or designee. Such restriction shall only apply to social communication. Attorney calls, privileged calls, and reporting PREA incidents are exempt and may be continued by contacting staff to arrange access to an offender telephone.
- J. Offenders identified for transport outside the secure perimeter may have access to telephones, tablets, and kiosks for the purpose of engaging in social communication temporarily suspended prior to the transport. Messages received for the offender while services are suspended will be sent to the offender's tablet and may be accessed when access is restored.
- K. Tablets, telephones, kiosks, and supporting services remain the property of the DOC or vendor and are nontransferable upon an offender's release or discharge.
- L. Offender use of tablets is described in the *Offender Tablet Usage Agreement* (see attachment #5). The agreement is not intended as an exhaustive guide for offender conduct while using the tablet.
- M. Offenders are responsible for costs associated with the replacement or repair of their tablet and tablet accessories, as described in the *Tablet Receipt Agreement* (see attachment #6).

5. Special Phone Calls:

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- A. Special phone calls may be granted to an offender under compelling circumstances, such as a family emergency, at the approval and monitoring of the call will be done by the unit manager.
1. Offenders may request a special phone call by completing the *Special Phone Call Request* form (see attachment #4) and turning this request in to their unit staff.
 2. Special phone calls are typically reserved for offenders to place a call under verifiable emergency circumstances to a telephone number on their approved contact list when the offender does not otherwise have access to a telephone, tablet, or kiosk; or when an indigent offender is approved to place a call to an approved telephone number.
 3. Special phone calls under verifiable emergency circumstances to a person/telephone number not on an offender's approved calling list may be granted by unit manager when compelling circumstances exist.

6. Telephone and Tablet Access Based on Status:

- A. Offenders placed in restrictive housing unit or status have access to telephone and/or tablets suspended or restricted for social purposes. ***Offenders in Restrictive Housing are allowed at a minimum telephone privilege to access the judicial process and family emergencies as determined by the unit manager unless security or safety considerations dictate otherwise [ACA 5-ACI-4B-25].*** Offenders will continue to have access to kiosks and/or telephones for specified purposes, such as access to legal research materials, policies, and other notices posted to the offender population.
- B. Offenders on a restricted status may request to call or message their attorney, advocacy lines, or other privileged source by kiting or requesting from staff.

7. Attorney or Privileged Calls:

- A. When a caller who has identified themselves as the offender's attorney, or a privileged source calls a DOC institution and requests to speak to an offender, the call will be transferred to a member of the offender's unit team. If a staff member is not available to take the call, the call will be transferred to the Officer-In-Charge (OIC). The caller may choose to leave a message or voicemail. Staff will notify the offender of the contact within two (2) business days of receipt of the attorney or privileged contact.
1. Staff may contact the State Bar of South Dakota at (605) 224-7554 to confirm whether the person holds a State Bar of South Dakota Certificate of Membership (only applicable to SD attorneys).
 2. Staff will provide the offender with the name and contact information of the contact, as provided.
 3. The offender may use the telephone system. Offenders must contact unit staff to arrange for a privileged/non-monitored telephone call.
 4. Offenders must add their attorney to their contact list using the Telephone Request Form. Once the attorney is verified the offender can request a privileged/non-monitored call.
- B. ***Written policy, procedure, and practice ensure and facilitate offender access to counsel and assist offenders in making confidential contact with attorneys and their authorized representatives [ACA 5-ACI-3D-02].*** Offenders will have access to counsel using the telephone system to contact their attorney or privileged source, unless otherwise prohibited. Offenders who do not have telephone privileges, have not been assigned a PIN number, do not have access to telephones, tablets, or kiosks, or are indigent, must submit a written request to unit staff to call their attorney or privileged source. Staff will respond to the offender's request within two (2) business days of receipt of the request.
- C. When utilizing the DOC telephone service or tablet to contact the offender's attorney or privileged source, it is the offender's responsibility to request a non-monitored telephone line.

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- D. All offenders, regardless of their assigned unit or status, will be permitted to participate in telephonic or electronic court hearings, as directed/ordered by the court. Accommodations may be provided if an attorney requests the offender participate in a telephonic hearing, as deemed appropriate by unit staff.
1. Participation in court hearings must be arranged with unit staff in advance. Confirmation may be required from the offender's attorney or representative of the court. The DOC must be provided sufficient advance notice of the time and date set for the hearing. Court-ordered telephonic hearings are typically at the expense of the DOC.
 2. Telephonic judicial hearings are not typically subject to recording or audio monitoring, unless otherwise deemed a public hearing. The offender will be visually monitored by staff.
- E. The DOC may not apply limitations to offender telephone calls or access to telephones when an offender demonstrates communication with their attorney or privileged source through privileged correspondence or privileged visitation is not adequate to meet the offender's legal needs (ARSD 17:50:02:17). In emergency cases, during normal business hours, a telephone phone number can be added to an offender's approved contact list the same business day, or as soon as possible to facilitate communication with the attorney or privileged source.
- F. Privileged source or attorney phone calls may be denied or terminated if there is reasonable belief the call is a threat to the safety or security of the institution. The warden or designee shall be notified if staff deny or terminate such a call.

8. Offenders with Communication Disabilities:

- A. Offenders with a communication disability requesting to communicate with others will be granted access to approved auxiliary aids, such as Telecommunications Device for the Deaf (TDD), teletypewriter/text telephones (TTY), video phones, phones with volume control, or other similar approved devices or reasonable accommodations. *Programs and telephone services are accessible to offenders with disabilities who reside in the facility*, and they shall have equal access to the offender telephone system as other offenders without a disability and of the same status [ACA 5-ACI-2C-11]. Offenders will contact the facility ADA coordinator to request accommodation.
- B. Offenders making telephone calls using TTY or TDD equipment will be authorized a reasonable amount of additional time to engage in the telephone conversation (applies to special phone calls, attorney calls, and when using wall mounted telephones).
- C. Calls placed from the offender telephone system on TTY/TDD equipment are subject to monitoring and recording by DOC staff.
- D. Offenders may be required to turn in teletype paper produced by non-privileged telephone calls.
- E. Offenders using a TTY or telephone with volume control will be provided equal levels of privacy, as afforded to offenders using the offender telephone system.

9. Offender Use of Other Telephones:

- A. Offenders are not permitted to use telephonic devices not designated for offender use, unless specific, prior permission has been granted. Examples include:
1. When answering the telephone is part of the offender's approved job description.
 2. When utilizing a staff phone to participate in court hearings, custody hearings, attorney calls, special phone calls, or other approved business requiring the offender's participation telephonically.

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- B. Offenders participating in work release will follow all applicable rules regarding telephone access and use.
1. Offenders may be permitted to access and use approved telephones for official work duties.
 2. Offenders with access to the community may use a telephone to contact their assigned facility to advise they will be late or to report an emergency.

10. Terminated Contact:

- A. Any individual or authorized representative of an agency, organization, or business contacted by an offender may request to terminate future contact with the offender.
1. The request to terminate contact with an offender will normally be initiated by submitting a completed Telephone Termination Request (see attachment #1 – *Correspondence / Telephone / Messaging Termination Request*).
 - a. If the request to terminate contact is received via telephone, the staff member receiving the request will obtain all information necessary to complete the Telephone Termination Request form on behalf of the requester and forward the completed form to the offender’s unit staff.
 2. The parent or legal guardian having legal custody of a minor child under the age of eighteen (18) may submit a request to terminate telephone contact on behalf of a minor child.
- B. Completed requests to terminate contact with an offender shall be forwarded to the offender’s unit staff.
1. Staff will notify the vendor to remove the specified person/telephone number(s) from the offender’s approved contact list.
 2. The offender will receive notice the person/telephone number has been terminated from their approved contact list.
 3. All telephone calls from the offender’s PIN to the terminated telephone number(s) will be blocked.
 4. Any offender who contacts, attempts to contact, or otherwise circumvents or attempts to circumvent a no contact/terminated number shall be subject to disciplinary action.
- C. Terminated contact may only be reversed by the requesting party through direct notification to the DOC. The offender may submit a Telephone Request Form to have the terminated telephone number added to their approved contact list after the requesting party has contacted the DOC and the offender to notify of their intent to cancel the terminated contact. Changes to the offender’s approved contact list may take up to fourteen (14) days to complete.

11. Contract Service Provider Responsibilities:

- A. Neither the DOC nor vendor make any guarantee of uninterrupted service when accessing or using telephones, tablets, or kiosks.
- B. An offender’s access to telephones, tablets, and kiosks, including the respective supporting service, is not transferable and terminates when the offender is no longer in the custody of the DOC. Questions regarding subscriptions, rates, terms, conditions pertaining to the service, or account balances/funds associated with the service and utilized by the customer, must be directed to the contract service provider.
- C. Offenders and friends or family of an offender with an account with the service provider should report issues or problems with the service directly to the contract service provider.

V. RESPONSIBILITY

The director of Prisons is responsible for the annual review and revision, as needed, of this policy.

VI. AUTHORITY

SDCL §§ 1-15-20, 24-2-1, 24-2-9

ARSD: 17:50:02:17, 17:50:02:27, 17:50:02:29, 17:50:10:07

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VII. HISTORY

September 2023
December 2020
May 2019
February 2018
December 2017
October 2017
August 2016
February 2016
July 2015
November 2014

ATTACHMENTS *(*Indicates document opens externally)*

1. Correspondence/Telephone/Messaging Termination Request*
2. Correspondence/Telephone/Messaging Termination Notice *(Generated in COMS CTM_TERM)*
3. Telephone Request Form*
4. Special Phone Call Request *(Carbon Copies used)*
5. Offender Tablet Usage Agreement *(Generated in COMS TABLET_USAGE)*
6. Tablet Receipt Agreement *(Generated in COMS TABLET_AGREE)*
7. DOC Policy Implementation / Adjustments

CORRESPONDENCE/TELEPHONE/MESSAGING TERMINATION REQUEST

Dear Sir or Madam:

The Department of Corrections will make reasonable efforts to stop correspondence, messages, and telephone calls from the below specified offender to you. Parents and/or guardians of a minor child may, in the best interests of the child, make a termination request on behalf of the child.

Please list the offender(s)

_____ (Offender's name)

_____ (ID number)

Check here for all offenders

By completing this form, you are requesting to terminate (indicate type of contact) Telephone Contact Correspondence Messaging with the above listed offender. Please sign and date this request and return it to the facility.

It is possible the offender may find some other means of contacting you. Please report any contact or attempt to contact by the offender(s) to staff at the facility. If you are unsure of the offender's assigned facility, please contact the Department of Corrections at (605) 773-3478.

MAIL:

I: _____ request that the
(Print your name and minor child's name if you are requesting on their behalf)

above named offender terminate contact as indicated above to the following address:

Street _____
P.O. Box _____
City/State _____ Zip _____

TELEPHONE

I: _____ request that the
(Print your name and minor children if requesting on their behalf)

above named offender terminate contact by **TELEPHONE** to the following numbers (please include the area code):

Home: _____
Business: _____
Cell: _____
Other: _____

Signed: _____ Date: _____

South Dakota State Penitentiary
Attn: Mail Room Officer
P.O. Box 5911
Sioux Falls, SD 57117-5911

Mike Durfee State Prison
Attn: Mail Room Officer
1412 Wood Street
Springfield, SD 57062-2239

South Dakota Women's Prison
Attn: Mail Room Officer
3200 E. Highway 34
C/o 500 E. Capitol Avenue
Pierre, SD 57501

Approved Termination Requests shall be maintained by the IG staff of the institution and/or by unit staff.

Approved Termination Requests shall be kept on file until such time as the requesting party terminates the request in writing or the offender discharges or releases from the institution, at which time the request shall be properly disposed of.

Approved requests for termination of correspondence are not automatically renewed if an offender is returned to DOC custody from supervision or is incarcerated on another conviction/sentence. A new request is generally required from the requesting party.

CORRESPONDENCE/TELEPHONE/MESSAGING TERMINATION NOTICE

To: _____
(Offender name) (ID number)

You are hereby notified that you:

- May not contact, attempt to contact, have someone else contact, or attempt to have someone else contact the person(s) listed below. You will be subject to disciplinary action if you violate this termination notice. Contact shall include the following forms of communication Correspondence Telephone Messaging.
- May not contact, attempt to contact, have someone else contact, or attempt to have someone else contact the telephone number listed below on your behalf by telephone. You will be subject to disciplinary action if you violate this termination notice.

Name(s)/ _____
Telephone _____

(printed staff member name) (date)

(staff member signature)

****A copy of the completed form shall be kept by unit management and/or the inspector general's office with the approved Correspondence/Telephone/Messaging Termination Request.

OFFENDER TELEPHONE REQUEST FORM

OFFENDER NAME (FIRST/LAST): _____ DATE: _____

BLOCK/CELL#: _____ OFFENDER ID# _____ OFFENDER IPIN#: _____

All calls will be collect or debit. A recording will state the call is from the South Dakota Prison System. If there is incomplete information the number **WILL NOT** be added. You can have a maximum of **20** numbers on your list. Attorney numbers will not be recorded if made from the General Population use phones. Calls made from tablets are recorded unless the call is to your attorney or other privileged source. *You must indicate attorney.*

****3-way calls are not permitted. Attempting to make 3-way calls may cause your call to be disconnected.**

ADD (Area Code) Number	Name of Person(s)	Address	Relation to You
------------------------	-------------------	---------	-----------------

1. () _____
2. () _____
3. () _____
4. () _____
5. () _____
6. () _____
7. () _____
8. () _____
9. () _____
10. () _____
11. () _____
12. () _____
13. () _____
14. () _____
15. () _____
16. () _____
17. () _____
18. () _____
19. () _____
20. () _____

SPECIAL PHONE CALL REQUEST

Cell: _____ Offender Name & Number: _____

Work: _____

Are you currently on loss of phone privileges? Yes _____ No _____

Individual you want to call: _____ Time & date of call: _____

Number: _____

Reason for call:

Approved By: _____ Date: _____

Offender Tablet Usage Agreement

Tablet Rules:

The tablet and charger issued to you must be treated with care. You are responsible for making sure the tablet and charger are not lost, stolen, damaged or destroyed. You are responsible for any damages to the tablet or charger, including and up to the cost to replace the tablet or charger. You are also responsible for any costs, liability, or damages or loss caused by your use of the tablet or services. This is in addition to all costs, fees or charges incurred or assessed for subscription services to the tablet that are not the responsibility of the DOC or provider.

- You are responsible for keeping your tablet charged.
- Food, drink, and water should not be in close proximity to the tablet. The tablet must not get wet.
- Do not use chemical cleaners or abrasives to clean your tablet or tablet screen. This may damage the tablet.
- Tablets and chargers should not be left unsupervised in common areas of the unit.
- Do not share your log-in information/password with other offenders or allow other offenders to use your tablet.
- You may not disassemble any part of the tablet or charger or attempt to alter or repair the tablet or charger.
- Tablets and all information contained within the tablet are subject to search and inspection by the DOC, the provider or law enforcement, at any time, without notice or cause.
- Misuse of the tablet or charger may result in disciplinary action.
- Neither the DOC or provider make any guarantee that services supplied to the tablet will be uninterrupted or error-free.

Messaging:

Tablets are capable of receiving electronic messages. Friends and family may purchase messaging services by contacting the provider for a messaging account. By sending or receiving messages, you and your correspondent are agreeing to all terms and conditions set forth by the provider and the DOC.

Use of the tablet and messaging service to send or receive messages is completely voluntary. All incoming and outgoing messages are subject to inspection and search. Designated DOC staff and the provider have access to the message system and will investigate all incoming and outgoing messages. Messages may be copied, recorded, and released by the DOC for safety and security interests. The DOC may hold or block any message. All incoming and outgoing messages, including those not delivered to the intended recipient (blocked), will be billed to the account holder.

- You are responsible for informing your correspondents of the rules pertaining to messaging.
- Messages received on your tablet may not be forwarded or shared with other offenders. You may not receive messages on your tablet intended for delivery to another offender. Third party messaging is not permitted.
- The contents of a message sent or received shall not be considered privileged. All messages are subject to inspection by staff and cannot be used to transmit or receive privileged/legal material or information.
- Incoming and outgoing messages are not subject to censorship. A message will be permitted or rejected in its entirety.

- The sender of the message will receive a notice that the message was blocked from delivery and the process to appeal.
- Any incoming or outgoing message that contains prohibited content, as found in Section 8 of DOC Policy 1.5.D.03 *Offender Correspondence*, or that is otherwise determined by staff to be a threat to security, safety, or the disciplined operation of the facility, is subject to being held and/or blocked. Messages may be used as evidence in disciplinary hearings or criminal proceedings.

Telephone Calls:

Telephone calls may be placed from the tablet. Offenders, friends, and family may establish and contribute to a telephone account. Your access to your tablet to place telephone calls is a privilege, not an implied right. Use of your tablet to place telephone calls is completely voluntary. Offenders have no expectation to privacy when using a tablet to make a telephone call. You must have sufficient funds in your telephone account to place a call from your tablet. By using your tablet to place calls, you are giving consent to the DOC and provider to monitor, record and investigate your calls.

Calls made from your tablet are subject to many of the same rules and limitations that apply to calls made from telephones located in your housing unit. For more information, please refer to DOC Policy 500-05 *Offender Access to Telephones and Tablets*.

- Tablets should not be used to place attorney calls.
- You may place telephone calls from your tablet any time, except as prohibited or limited by your current status, housing location, DOC rules or directives.
- You are required to immediately terminate use of your tablet when directed by staff.
- You may not use the tablet to engage in or attempt to commit, initiate or further any criminal activity, prohibited act or to circumvent the rules.
- Telephone rates and fees will be comparable to those that apply to telephones offenders may access in the facility.
- You must use ear buds when using the table to place a telephone call. Ear buds are available on commissary.

Posted Information:

The DOC may post informational information and notices to offender tablets. Although efforts shall be made to assure the accuracy and completeness of information posted to offender tablets, the DOC makes no expressed or implied warranty as to the accuracy, adequacy, completeness, legality, reliability, or usefulness of such information.

The DOC is not liable for any improper or incorrect use of the information contained on the tablet and assume no responsibility for your use of the information. The DOC shall not be held liable for any direct or indirect damages caused in any way through the use of the information.

Kiosks:

Offenders may use kiosks located within the facility to access approved services, such as telephone and messaging services and to review posted information and notices. All rules that apply to the tablets apply to use of the kiosks.

Subscription Services:

For a fee, offenders may subscribe to services that allow access to music, games, and books. Subscriptions to these services for thirty (30) day increments, starting the date the service was activated. You will not be reimbursed or

given credit for unused services or time which you do have access to the service, i.e., time served in disciplinary, out to court, admitted to the hospital. Subscriptions cannot be placed on inactive status or on hold.

If you are transferred to contract housing outside of the DOC, or released or discharged, you will not be eligible to collect for any unused service that remains in your thirty (30) day service contract. You are, however, eligible to receive any unused funds that remain in your tablet account upon reaching your release or discharge date.

User Agreement:

I have read, understand, and agree to abide by the terms of this agreement. I understand that any violation by me of the rules, policies or directives of the DOC may result in termination or suspension of my tablet privileges and subject me to disciplinary action.

Offender Name and Number

Date

TABLET RECEIPT AGREEMENT

RESTRICTIONS AGREEMENT

I acknowledge and agree that access to the tablet issued to me is a privilege and not an implied right. I understand that should I fail to abide by the tablet usage agreement and rules pertaining to use of tablets, my access to the tablet and its supported services may be revoked and I may be subject to disciplinary action. Further, I understand my access to the tablet may be limited or restricted by my status, housing assignment, behaviors or as a disciplinary sanction.

I understand my use of the tablet and technology resources supporting the tablet must be consistent with the intended usage. I understand the tablet and all information, messages and photos contained within is subject to search and may be copied or recorded and that I have no expectation of privacy when using the tablet. I understand my use of the tablet is completely voluntary.

FINANCIAL RESPONSIBILITY

I acknowledge and agree I am liable for all charges, costs, fees or expenses incurred through use of my tablet, including any charges or fees for services or subscriptions, except those covered by the provider.

REPLACEMENT OR REPAIR

I understand I am fully responsible for all costs associated with the replacement or repair of the tablet and tablet accessories issued to me. I understand I may be charged a fee for any repairs made to the tablet and tablet accessories not to exceed the replacement cost.

I understand any attempt to alter the tablet or tamper with or manipulate data, configuration, files, programs, software, services, system performance, or components of the tablet is against the rules and will subject me to disciplinary action.

I understand GTL is responsible for all manufacturer confirmed defects. I understand I am responsible for any damage caused to the tablet or related accessories that is a direct or indirect result of my actions, including negligence on my behalf. I will immediately report the loss, theft, or damage of my tablet to the DOC.

I understand if I am no longer eligible for a "free" tablet, I must pay a fee of \$199.00 to lease a tablet from the provider. This amount is nonrefundable. I understand I must remit the full amount prior to a tablet being issued to me.

MAINTENANCE, SERVICE AND OPERATION

I agree not to remove, alter, disfigure or cover any numbering, lettering, or other insignia contained on the tablet. I will ensure my tablet is not subject to moisture of any kind; or careless, unapproved, or needlessly rough usage; and I will maintain the tablet in good repair and operative condition.

The DOC does not guarantee uninterrupted or error-free service; nor does the DOC make any warranty as to the results obtained from the use of available services or accuracy or quality of information that may be accessed through the tablet. Neither the DOC nor its employees shall be liable for any direct, indirect, incidental, special, or consequential damages arising out of my access or use of the tablet, including any terminated access to the tablet, or supportive services.

TERMINATION

Prior to my release or transfer from the facility, or as directed by the DOC, I must return the tablet and any tablet accessories issued or leased to me to the DOC. I understand that my tablet account will not be closed until the date of my release or discharge and I am not eligible to receive any funds that may remain in the account until such date. I agree to abide by policies and procedures for termination of tablet services based on the end user license agreement. I understand my access to the tablet and tablet services is not transferable, may not be extended and shall terminate upon my release or discharge from the DOC.

Offender Printed Name

Offender Signature

Staff Witness Name

Date