

1.5.D.4 Inmate Access to Telephones and Tablets

I Policy Index:



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II Policy:

The Department of Corrections (DOC) may promulgate rules, policies and procedures directing inmate access to telephones, pursuant to SDCL §§ 1-15-20 and 24-2-1. DOC institutions will permit inmates to access telephones, tablets, and kiosks, consistent with the inmate's classification and status. Use of DOC telephones, tablets and kiosks by inmates is strictly voluntary and may be subject to certain limitations, rules and conditions. Inmate 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.

III Definitions:

Attorney Call:

Telephone calls initiated by an inmate to the inmate's Attorney of Record or an agent of the attorney, or calls initiated by the inmate's Attorney of Record to the inmate, or calls made by the inmate to the court for legal matters involving the inmate's Attorney of Record or from the court to the inmate. Attorney calls are not subject to audio monitoring by staff.

Attorney of Record:

An attorney who has appeared in court or signed or received pleadings or other forms on behalf of their inmate client. The attorney remains the Attorney of Record until another attorney substitutes for him/her, the attorney is allowed by the court to withdraw, or the inmate's case is closed.

Call Recording:

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

Call Monitoring:

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

Class A Contraband:

Items which constitute substantial threat to the security of the institution, staff, inmates or visitors. Class A contraband are those items which, possession or introduction into the institution is a felony violation. Examples of Class A contraband are alcohol, illicit drugs and weapons.

Immediate Family:

An inmate's spouse, children (biological, legally adopted or step-children), parents, sisters, brothers, step-parents, step-sisters and step-brothers, half-sisters and half-brothers, grandparents and great-grandparents, aunts, uncles, mother-in-law, father-in-law, sister-in-law, or brother-in-law (spouse of the inmate's brother or sister or brother or sister of the inmate's spouse).

Personal/Social Calls:

Contact made by an inmate, which is not an emergency, a special phone call or privileged call placed to an approved number on the inmate's approved contact list.

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 inmates to use while incarcerated within a DOC institution. Inmates may only use the tablet assigned to them. Tablets are on loan to the inmate and remain the property of the vendor.

IV Procedures:

1. Establishing Telephone and Tablet Privileges:

- A. The Warden will ensure telephones, tablets and kiosks are made accessible to the inmate population at each institution.
- B. Each new inmate 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. Inmates will receive information about how to establish an approved contact list (See DOC policy 1.4.A.2 *Inmate Admission*). Certain limitations, rules and conditions apply to inmate use and access of telephones, tablets, kiosks and the supporting services.
 - 1. Each PIN assigned to an inmate is exclusive to that inmate. Inmates will retain the same PIN while serving an uninterrupted sentence/single booking, unless the inmate reports the PIN as lost, stolen or otherwise compromised, in which case, a new PIN may be issued to the inmate.
 - a. Inmates may be charged a fee for a replacement PIN.
 - 2. After an inmate is assigned a PIN, had their list of contacts approved by staff, and established an account with the vendor, the inmate may use designated telephones, tablets or kiosks to place calls or send and receive messages (See ARSD 17:50:02:27).
 - 3. No inmate is allowed to use, possess or share another inmate's PIN or tablet. An inmate may not divulge his/her PIN to another inmate. Violators are subject to disciplinary action. Inmates are responsible for the security of their assigned PIN and all

communication associated with their PIN. Any inmate who suspects another inmate of using their PIN must report this immediately to unit staff.

2. Contact Lists:

- A. An inmate's contact list may not exceed twenty (20) separate telephone numbers. The vendor is responsible for making updates to inmate contact lists, as requested by the inmate or as ordered by the DOC.
1. Inmates will complete the *Telephone Request* form (See [Attachment 3](#)) when requesting to add or terminate telephone numbers on their contact list. Inmates must provide the telephone number, name of a single person assigned to the telephone number and the person's relationship to the inmate. The provider has up to 14 days from the date the request is received to complete the change or add the number.
 2. Inmate initiated telephone calls from the DOC telephone/tablet system are limited to approved numbers on the inmate's contact list.
 3. Any issues with telephone numbers added or terminated from an inmate's contact list should be directed to the vendor.
 4. Inmates may not use the inmate 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.
- 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 inmate, or are prohibited from entering a DOC facility for any reason (See DOC Policy 1.1.C.1 [Staff Code of Ethics](#)) may be added to the inmate's approved contact list after at least one (1) year has elapsed since the date of separation from the DOC. This is limited to those who are immediate family to the inmate.
1. Former DOC staff, contractual staff and volunteers who voluntarily separate from the DOC must wait 3 months from the date of separation before being eligible to be added to an inmate'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 inmate, sexual abuse or sexual harassment of an inmate, possession, introduction or attempted introduction of Class A contraband into a DOC facility housing inmates or aiding or attempting to aid an inmate in escape.
 3. Inmates are prohibited from calling or messaging DOC staff, inmates, contract staff, volunteers, victims and witnesses, unless there is clear demonstration such contact will positively benefit the inmate, and permitting the contact is not contrary to the legitimate penological interests of the DOC. The Warden or Deputy Warden shall make this determination on a case-by-case basis.
- C. The Warden or designee may deny or terminate a person/telephone number on an inmate's approved contact list if it is determined the inmate'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 inmate's contact list must be documented. The inmate must be notified of the action within 5 business days.
 2. If it is determined a person/telephone number must be removed from an inmate's approved contact list, staff will contact the vendor to have the number removed.
 3. Inmates 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 inmate is prohibited from contacting by court order or DOC *Termination of Contact Notice*.
 4. Inmates may appeal the denial or termination of a person/telephone number from their contact list through the Administrative Remedy process (See DOC policy 1.3.E.2 [Administrative Remedy for Inmates](#)).
- D. Inmates may request changes to their approved contact list. A completed *Telephone Request* form (See [Attachment 3](#)) is required to initiate the change.

3. Accounts:

- A. Inmate 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 inmate's approved contact list wishing to contribute funds to an inmate'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. Kiosks located outside of select DOC institutions may be used by outside individuals to electronically deposit funds into the account.
- B. Inmates may transfer funds from their spend subaccount to their telephone or tablet accounts in \$5.00 increments, subject to the provisions set forth in DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#).
1. No inmate may transfer funds to or from his/her telephone or tablet account to another inmate's account.
- C. Funds in an inmate's telephone or tablet account may not be withdrawn for other purposes. Any refund or credit due to the inmate or account holder upon termination of the account/contract is the responsibility of the inmate or account holder and vendor.
- D. The DOC does not accept correspondence containing monies intended for deposit into an inmate's telephone or tablet account. All such funds must be sent directly to the respective vendor.
1. An inmate's telephone or tablet account will be electronically adjusted when the inmate utilizes the service. The inmate's account will be debited when the debit option is selected.
 2. Funds in the inmate's telephone or tablet account may not be used to pay collect calls.
- E. If an inmate is housed in a location not served by the vendor/contract, the inmate may be permitted to purchase a phone card through commissary with funds from their spend

account, or to make collect calls from designated telephone. Inmates may also be permitted access to pay phones.

1. If the inmate returns to an institution served by the vendor, the phone card will be collected and held in the inmate's institutional file until discharge, release or transfer from the facility.
- F. Inmates 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. Inmate Access and Use of Telephones and Tablets:

- A. The DOC will ensure inmates have access to reasonably priced telephone services (ACA 4-4497). Services shall be provided through contracts initiated and monitored by the DOC. Contracts will:
1. Comply with all state and federal regulations.
 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. Inmate access to tablet/messaging and telephone services for personal calls is a privilege, not an implied right. Inmates 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. Inmates must abide by all requirements set forth by the vendor, the DOC and applicable laws pertaining to such services and contracts.
- C. Inmate use of tablet messaging and telephone services for personal calls is voluntary. All telephone calls, with the exception of Attorney at Record or privileged calls and 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. Inmates 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 inmate constitutes consent to the call being monitored and recorded.
1. Notices are posted near wall mounted inmate 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 inmate. This notice is not included when an inmate is approved to use a telephone that is not part of the inmate telephone system.
 3. Messages sent via inmate 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 its 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 inmate, unless the caller identifies themselves as the inmate's Attorney of Record, a privileged source or the caller is relaying information regarding an emergency, such as serious injury or death involving an inmate's immediate family member (See ARSD § 17:50:02:29).
- E. Wall mounted telephones and kiosks are available for inmate use within DOC institutions. Inmate access to telephones, kiosks or designated shared tablets may be regulated and limited to permit sufficient access by the inmate 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. Inmates 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 inmate's approved contact list. Only one inmate is allowed to talk into a telephone or tablet at one time.
 3. Inmates may not use or access 411, 600, 700, 800 or 900 numbers without authorization. Inmates may not contact pager numbers. Inmates 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 inmate contact for official purposes, i.e. foreign consulates, federal offices, advocacy or victim service organizations, etc.
 4. Inmates may not contact any media hook-up that is recorded and broadcast live, including radio or television or social media platform/blogging.
 5. Inmates 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 inmate.
- F. Inmates shall terminate use of a telephone, tablet or kiosk immediately when so ordered by a staff member.
1. Inmate access and use of telephones, tablets or kiosks and the respective supporting service may not interfere with inmate 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 inmate is strictly prohibited. Inmates 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. Inmates 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. Inmate 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 inmate 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 inmate 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. Inmates 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. Inmates 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 of Record calls, privileged calls and reporting PREA incidents are exempt and may be continued by contacting staff to arrange access to an inmate telephone.
- J. Inmates 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 inmate while services are suspended will be sent to the inmate'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 inmate's release or discharge.
- L. Inmate use of tablets is described in the *Tablet Usage Agreement* (See [Attachment 5](#)). The agreement is not intended as an exhaustive guide for inmate conduct while using the tablet.
- M. Inmates are responsible for costs associated with the replacement or repair of their tablet and tablet accessories, as described in the *Tablet Receipt Document* (See [Attachment 6](#)).

5. Special Phone Calls:

- A. Special phone calls may be granted to an inmate under compelling circumstances, such as a family emergency, at the discretion unit staff, the OIC or a chaplain, via the Cultural Coordinator.
1. Inmates may request a special phone call by completing the *Special Phone Request* form (See [Attachment 4](#)) and turning this request in to their unit staff.
 2. Special phone calls are typically reserved for inmates to place a call to a telephone number on their approved contact list when the inmate does not otherwise have access to a telephone, tablet or kiosk; or when an indigent inmate is approved to place a call to an approved telephone number.

3. Special phone calls to a person/telephone number not on an inmate's approved calling list may be granted by authorized staff when compelling circumstances exist.

6. Telephone and Tablet Access Based on Status:

- A. Inmates placed on "cell restriction" may have access to telephone or tablets suspended or restricted for social purposes. Inmates may continue to access kiosks for specified purposes, such as access to legal research materials, policies and other notices posted to the inmate population.
- B. Inmates on a restricted status may request to call or message their Attorney of Record or privileged source by kiting unit staff.
- C. Inmates housed in a restricted housing unit or status, i.e. Investigative Purposes, Administrative Detention, Disciplinary, Restricted Housing, Modified Housing, Secure Mental Health) may have limited or restricted access to telephones, tablets and kiosks.
- D. Inmates on mental health watch are generally not permitted to place or receive telephone calls or messages, except Attorney of Record calls, emergency communications, or with consideration to a compelling circumstance (See DOC policy 1.4.E.7 [Offender Suicide Prevention and Intervention](#)). An inmate's access to a tablet may be temporarily terminated or restricted if the inmate is placed on mental health watch at the direction of Behavioral Health staff. The inmate may be permitted to access kiosks when outside their cell for specified purposes.

7. Attorney or Privileged Calls:

- A. When a caller who has identified themselves as the inmate's Attorney at Record or a privileged source calls a DOC institution and requests to speak to an inmate, the call will be transferred to a member of the inmate's unit team. If a staff member not available to take the call, the call will be transferred to the Officer-In-Charge (OIC). The contact may choose to leave a message or voicemail. Staff will notify the inmate of the contact within two business days of receipt of the attorney 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 inmate with the name and contact information of the contact, as provided.
 3. The inmate may use the telephone system. Inmates must contact unit staff to arrange for a privileged/non-monitored telephone call.
 4. If the inmate's telephone privileges are temporarily suspended, or the inmate is indigent, the inmate may request unit staff or the OIC arrange a time and day for the inmate to call the contact. Return calls requested by the inmate to contact should be scheduled within two (2) business days of the inmate's request. The inmate may be granted additional telephone access until the contact is successfully reached, or a message can be left.
 - a. Attorney/privileged telephone calls are generally limited to weekdays (Monday-Friday, excluding state or federal holidays) and regular business hours (8:00 a.m.-5:00 p.m.) and must not interfere with the daily operation of the unit or institution.

- b. Telephone calls may be scheduled to take place in a staff member's office on a staff telephone.
 - c. Telephone calls scheduled by a staff member are generally limited to no more than fifteen (15) minutes. The time limit does not apply to court-ordered telephonic hearings.
 - d. Staff will not audio monitor the phone call. Visual monitoring of the inmate during the call is permitted.
 - 1) If there are no windows to facilitate visual monitoring of the inmate, the office door must remain partially open to permit visual observation of the inmate by the supervising staff member.
 - 2) If there are windows that allow for visual monitoring of the inmate, the office door may be closed during the call. Staff will maintain visual monitoring of the inmate for the duration of the telephone call.
 - e. Collect calls are limited to a maximum of 30 minutes.
- B. Inmates will have access to the telephone system to contact their Attorney of Record or privileged source, unless otherwise prohibited (See ACA 4-4275). Inmates 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 of Record or privileged source. Staff will respond to the inmate's request within two (2) business days of receipt of the request.
- C. When utilizing the DOC telephone service to contact the inmate's Attorney of Record or privileged source, it is the inmate's responsibility to request a non-monitored telephone line. Calls placed from inmate tablets or kiosks are not confidential and may be monitored and/or recorded.
- D. All inmates, regardless of their assigned unit or status shall 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 inmate 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 inmate'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 inmate will be visually monitored by staff.
- E. The DOC may not apply limitations to inmate telephone calls or access to telephones when an inmate demonstrates communication with their Attorney of Record or privileged source through privileged correspondence or privileged visitation is not adequate to meet the inmate's legal needs (ARSD 17:50:02:17). In emergency cases, during normal business hours, a telephone phone number can be added to an inmate's approved contact list the same business day, or as soon as possible to facilitate communication with the Attorney of Record or privileged source.

- F. Privileged source or Attorney of Record 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 Deputy Warden shall be notified if staff deny or terminate such a call.

8. Inmates with Communication Disabilities:

- A. Inmates 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 (See ACA 4-4497). Inmates with disabilities shall have equal access to the inmate telephone system as other inmates without a disability and of the same status. Inmate will contact the Facility ADA Coordinator to request accommodation (See [Inmate Living Guide](#) and DOC policy 1.1.E.7 [Americans with Disabilities Act \(ADA\)](#)).
- B. Inmates 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 inmate telephone system on TTY/TDD equipment are subject to monitoring and recording by DOC staff.
- D. Inmates may be required to turn in teletype paper produced by non-privileged telephone calls.
- E. Inmates using a TTY or telephone with volume control will be provided equal levels of privacy, as afforded to inmates using the inmate telephone system.

9. Inmate Use of Other Telephones:

- A. Inmates are not permitted to use telephonic devices not designated for inmate use, unless specific, prior permission has been granted. Examples include:
1. When answering the telephone is part of the inmate's approved job description.
 2. When utilizing a staff phone to participate in court hearings, custody hearings, Attorney of Record calls, special phone calls or other approved business requiring the inmate's participation telephonically.
- B. Inmates participating in Work Release, Community Service or CTP will follow all applicable rules regarding telephone access and use, as set forth in DOC policy 1.5.A.5 [Work Release](#) and DOC policy 1.5.A.6 [Community Service Program](#).
1. Inmates may be permitted to access and use approved telephones for official work duties.
 2. Inmates 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 inmate, may request to terminate future contact with the inmate.

1. The request to terminate contact with an inmate will normally be initiated by submitting a completed *Telephone Termination Request* (See [Attachment 1](#)).
 - 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 inmate'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 inmate shall be forwarded to the inmate's unit staff.
1. Staff will notify the vendor to remove the specified person/telephone number(s) from the inmate's approved contact list.
 2. The inmate will receive notice the person/telephone number has been terminated from their approved contact list (See [Attachment 2](#)).
 3. All telephone calls from the inmate's PIN to the terminated telephone number(s) will be blocked.
 4. Any inmate 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 inmate 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 inmate to notify of their intent to cancel the terminated contact. Changes to the inmate's approved contact list may take up to 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 inmate's access to telephones, tablets and kiosks, including the respective supporting service, is not transferable and terminates when the inmate 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. Inmates and friends or family of an inmate with an account with the service provider should report issues or problems with the service directly to the contract service provider.

V Related Directives:

SDCL §§ [1-15-20](#), [24-2-1](#), [24-2-9](#) and [24-15A-4](#).
ARSD [17:50:02:17](#), [17:50:02:27](#) and [17:50:02:29](#).

DOC policy 1.1.B.2 – [Inmate Accounts and Financial Responsibility](#)

DOC Policy 1.1.C.1 – [Staff Code of Ethics](#)
DOC policy 1.1.E.7 – [Americans with Disabilities Act \(ADA\)](#)
DOC policy 1.3.C.2 – [Inmate Discipline System](#)
DOC policy 1.3.E.2 – [Administrative Remedy for Inmates](#)
DOC policy 1.4.A.2 – [Inmate Admission](#)
DOC policy 1.4.E.7 – [Offender Suicide Prevention and Intervention](#)
DOC policy 1.5.A.5 – [Work Release](#)
DOC policy 1.5.A.6 – [Community Service Program](#)

VI Revision Log:

October 2004: New policy.

November 2005: **Added** inmate behavior as a reason to restrict telephone calls. **Added** a section for Unwanted Telephone Contact. **Added** attachments 1 and 2.

December 2006: **Placed** a maximum balance of \$200 on the inmate phone account. **Clarified** why some state employees or contractual staff cannot be on an inmate's calling list.

November 2007: **Clarified** that some telephone privileges are subject to Administrative Rule. **Revised** the policy statement. **Clarified** that restrictions on phone privileges with employees who resigned to avoid termination or who were terminated from employment due to inappropriate activity with an inmate, or volunteers that are prohibited from entering a DOC facility specifically apply to immediate family. **Added** language about the Warden being able to restrict any person for an inmate's calling list. **Added** language regarding when, how and to whom special phone calls can be made. **Added** language stating inmates are expected to return telephone calls to attorneys using the inmate phone system if it is available.

October 2008: **Revised** formatting of policy and attachments with DOC policy 1.1. A.2.

Replaced "15" with "20" and **deleted** statement excluding in-state attorneys in ss (A3 of Establishing Telephone Privileges). **Replaced** commissary with spend in ss (B), **added** "long term", "Associate Warden" in ss (B1), of Phone Accounts). **Revised** ss (A1) to reference use of the Special Telephone Call Request form and **deleted** former ss (C) stating that special phone call logs will be turned over to Special Security every Friday of Special Phone Calls section. **Deleted** former ss (F of Telephone Use Based on Inmate Status) regarding making/receiving telephone calls while in Med Lay-In. **Revised** wording in ss (B4 of Telephone Calls with Attorneys) to state that the Unit Manager will determine the number of calls an inmate can make to his/her attorney within a day vs. limiting it to 1 phone call per day. **Added** "phone number" to ss (B1), **deleted** statement regarding any reasonable means to block a telephone call in ss (B2), **added** "Special Security Office" to ss (B3) and **replaced** demand with request throughout Unwanted Telephone Contact. **Added** Inmate Phone Repair Instructions section. **Added** reference to DOC policy in section V. **Revised** titles of Attachment 1 to be consistent with policy, attachment, and WAN. **Added** Attachment 3, 4, 5 and 6 and referenced attachments throughout policy when applicable.

October 2009: **Added** reference to respective OMs in ss (B2 of General Guidelines on Using the Telephone). **Revised** title of DOC policy 1.4. E.7. **Revised** verification of attorneys' language within ss (A2), **revised** ss (A5) to include new ss (A5a – A5c2) referencing return calls, location of calls and schedule for calls and **added** reference to hearings in new ss (C and C1) all within Telephone Calls with Attorneys. **Deleted** reference to DOC policy 1.5.D.3 in section V.

December 2009: **Added** new format to Section I. **Revised** ss (A) by referencing CSA, **deleted** former ss (A1 and A2), **deleted** statement regarding the business office will transfer any amount in excess of \$200.00 in former ss (A4), **added** new ss (A1 and B) referencing CSA contact information and spend account, **deleted** former ss (C) regarding inmates refusing to sign an authorization to deposit will not have outside funds deposited into their phone account, **added** inmate phone account managed by CSA in new ss (C), **added** reference to CSA in ss (D and E), **deleted** statement about amount exceeding \$200 in ss (F), **added** reference to general phone debit account in ss (F), **added** new ss (G) regarding setting up an account with CSA specific to a phone number and **revised** section bullets all within Phone Accounts. **Replaced** reference to

Attachment 5 with CSA toll free # in ss (A) and **deleted** former ss (A1 and A2) regarding another way to report a phone complaint both within Inmate Phone Repair Instructions. **Revised** title of DOC policy 1.5.D.3 and **added** reference to policy to section V. **Replaced** Securus Technologies Inc. to Lattice Inc. within Attachment 3. **Deleted** Attachment 5, Phone Repair Instructions and Attachment 6, SD DOC Inmate Calling Services Complaint/Problem Form.

October 2010: **Revised** formatting of Section I. **Added** new ss (A2) and **revised** ss (B) within (Phone Accounts).

November 2011: **Added** “and to check voicemail messages” in Section 1 B. 1. **Deleted** “use will” and **Replaced** with “privileges may” in Section 1 D. **Added** “from the community” to Section 2 A. 2. **Added** 1. “For a fee, those callers who are on the inmate’s approved phone list may leave a voicemail message for an inmate, provided they have an active account with CSA.” to Section 3 C. **Added** “use of the “and **Deleted** “call” to Section 3 E. and 3 E. 2. **Added** “and/or check messages” to Section 5. A. **Deleted** “make” and **Replaced** with “use the” **Deleted** “calls” and **Added** “to make” in Section 5 B. **Added** “inmates may access telephones” to Section 5 D. **Added** a. “If the request to terminate contact is submitted by the individual verbally, (via telephone), DOC staff will obtain the information required to complete Attachment 1 from the caller and forward the completed request form to the inmate’s unit team.” to Section 8 A. 1.

November 2012: **Added** a. to Section 1 A. 1. **Added** “Inmates are responsible for the security of their assigned PIN” in Section 1 A. 2. **Deleted** “has been” and **Replaced** with “is currently” in Section 1 A 3. b. **Added** “his or her designee” to Section 1 A. 3. d. **Added** “or other pay numbers” to Section 1 C. 3. **Added** “an inmate’s access to telephone privileges may also be restricted as part of a disciplinary sanction” in Section 1 D. **Added** “and investigated” and **Added** “Attorney of Record” to Section 3 B. **Deleted** “matters” and **Replaced** with “telephone calls” in Section 3 B. 2. **Added** 5. and 6. to Section 3 B. **Deleted** “Inmates are not allowed to receive telephone calls” and **Replaced** with “DOC staff will not accept incoming telephone calls or messages for an inmate’s” and **Added** “inmate’s Attorney at Record” in Section 3 C. **Added** 2. to Section 3 C. **Added** new E. to Section 3. **Added** 3. to Section 3 F. **Added** H. and I. to Section 3. **Added** “during release planning” to Section 4 A. 3. **Deleted** 2. from Section 4 B. **Added** “as set forth by the posted unit plan” in Section 5 A. **Deleted** “housing supervisor” and **Replaced** with “designated unit staff/OIC” in Section 5 C. **Deleted** “shall” and **Replaced** with “will generally” and **Added** “privileges” and “as provided by the posted unit plan” in Section 5 D. **Added** “and firm/employer (if applicable) and **Deleted** “call back” and **Replaced** with “be notified of the attorney’s call/attempt to contact” in Section 5 A. 1. **Deleted** “from the attorney” and **Replaced** with “person claiming to be an attorney” and **Added** “(only applicable to SD attorneys)” in Section 5 A. 2. **Deleted** “a message will be forwarded to the applicable inmate to contact the attorney” and **Replaced** with “staff will contact the inmate and provide the inmate with the name and telephone number of the attorney” in Section 5 A. 3. **Deleted** “is expected to return the telephone call” and **Replaced** with “may contact the attorney” in Section 5 A. 4. **Added** “or the inmate does not have telephone privileges” in Section 5 A. 5. **Deleted** “visual contact” and **Replaced** with “visual monitoring” in Section 5 A. 5. c. **Added** “within 2 business days of when the call was received. The inmate will be granted additional telephone calls until the attorney is successfully contacted, or the inmate is able to leave a message for the attorney” in Section 6 A. 5. **Added** “8:00 a.m.-5:00 p.m.” to Section 6 B. 2. **Added** “or classification” and **Deleted** “before a court” and **Replaced** with “directly involve” in Section 6 C. **Deleted** “staff/state” and **Replaced** with “unauthorized “and **Deleted** “by the warden, deputy warden or an associate warden” and **Replaced** with “to the inmate by an authorized staff member” in Section 7 A. **Added** “designated/pre-authorized” in Section 7 A. 1. a. **Added** c. to Section 7 A. 1. and **Added** 1. to same section. **Deleted** “terminated” and **Replaced** with “restricted” and **Deleted** “person” and **Replaced** with “specified individual” in Section 8.

October 2013: **Modified** the definition of “Immediate Family”. **Deleted** “or who has filed a letter of representation with the particular institution where the inmate resides” in the definition of “Attorney at Record”. **Deleted** “Customer Service of America” and **Replaced** with “Combined Customer Care” throughout the policy. **Added** new Section 2. (title only). **Added** “Inmates will complete the Telephone Request form to add persons to their approved phone list” in Section 2

A. **Added** “Non-eligible/past” and **Added** “inappropriate conduct and/or just cause” in Section 2 A. 2. **Deleted** 3. “These provisions apply to members of an inmate’s immediate family who are an employee of the state of South Dakota” in Section 2 A. **Added** “or when an inmate’s access to telephones may pose a threat to the safety and security of the facility, staff and/or public” in Section 2 D. **Deleted** “into an inmate’s spend account” and **Replaced** with “in accordance with” in Section 3 B. **Added** I. to Section 3. **Deleted** 6. “An inmate’s telephone call may be terminated for being obscene, abusive, threatening or harassing. The telephone number may be deleted from the inmates calling list with approval from the Warden or his/her designee” in Section 4 B. **Added** “Offense in Custody” to Section 4 B. 5. **Deleted** “Emergency calls should be documented in the shift log” in Section 4 C. 2. **Deleted** 1. “Inmates who fail to abide by this directive will be subject to disciplinary action” in Section 4 F. **Added** “or serious injury” to Section 5 A. 3. **Deleted** “The special security officer of other designated security staff” and **Replaced** with “staff” in Section 5 B. 1. **Added** “or in the case of a family emergency” in Section 6 D. & E. **Deleted** “document the attorney’s name, telephone number and firm/employer” in Section 7 A.1. **Deleted** “facilitate” and **Replaced** with “attempt to arrange” in Section 7 A. 5. **Added** “Staff will document the call in the special phone call log” in Section 7 A. 5. b. Deleted “to the inmate each day to/from his/her attorney” in Section 7 B. 4. **Deleted** “that affect/directly involve the inmate” and **Replaced** with “as directed by the court” in Section 7 C.

November 2014: **Deleted** “where there is suspicion that such access would jeopardize the security, safety or disciplined operation of the institution” and **Replaced** with “Inmate access to telephones is subject to those limitations and conditions which the Warden determines are necessary to ensure the security and good order of the facility or to protect the public” in the policy statement. **Added** “or possess” and “and for reporting any compromised PIN to unit staff” in Section 1 A. 2. **Added** “An inmate-initiated telephone call is limited to those telephone numbers identified on the inmate’s official telephone list” in Section 2 A. **Added** 3 and 1. & 2. to Section 2 A. **Deleted** “and to check voicemail messages” in Section 2 B. 1. **Added** “provided there are sufficient funds in their phone account” in Section 2 B. 2. **Added** “with prior authorization” in Section 2 C. 1. **Deleted** “Restrictions on telephone privileges may be imposed on those inmates whose custody/classification status or behaviors are determined by staff to be contrary to the disciplined operation of the institution or when an inmate’s access to telephones may pose a threat to the safety and security of the facility, staff and/or public” and **Replaced** with “An inmate may submit changes to his/her telephone list at any time” in Section 2. D. **Deleted** reference to Combined Customer Care (CCC) and replaced with “Contract phone service provider” in Section 3. **Added** “To ensure the safety and security of the institution and public, inmates housed in a DOC facility must place all personal telephone calls through the DOC phone system and not circumvent or attempt to circumvent the system.” in Section 4 A. **Added** “to preserve the security and orderly management of the facility and to protect the public” in Section 4 B. **Added** a. to Section 4 B.2. **Added** “attempt to engage in” and **Added** “or other prohibited behavior” in Section 4 H. **Added** 1. to Section 4 H. **Added** I. and 1. 2. & 3. to Section 4. **Deleted** “check messages” in Section 6 A. **Added** “Staff may grant an exception in the case of a family emergency.” in Section 6 B. **Added** “Staff will make reasonable efforts to verify the call is from an attorney or on behalf of an attorney.” to Section 7 A. 2. **Deleted** C. and **Added** E. to Section 7. **Added** “Children under the age of 18” to Section 9 A. 2. **Added** “While the inmate is incarcerated in the DOC facility or a DOC contract facility” in Section 9 B. 3. **Added** C. to Section 9.

July 2015: **Deleted** “All outside funds received by the DOC for the inmate and deposited into the” in Section 3 A. **Deleted** B. In Section 3. **Added** new E. to Section 3. **Deleted** “To ensure the safety and security of the institution and public” in Section 4 A. **Deleted** “make reasonable efforts” and **Added** “Staff may also verify the validity of the attorney receiving the call” in Section 4 A. 2. a. Deleted “attorney at record” and **Replaced** with “an attorney” in Section 6. **Deleted** 1. and 4. in Section 7 B. **Deleted** “or furlough” and **Added** “medical emergency” in Section 8 C.

February 2016: **Added** “without approval of the Warden” in Section 2 A. 1. **Added** 2. & 3. a. b. c. to Section 2 A.

August 2016: **Added** “unless lost, stolen or otherwise compromised” and **Added** a. in Section 1 A. 1. **Added** “and is managed and maintained by the contract telephone provider” and **Deleted** “includes attorneys” and **Deleted** “persons” and **Replaced** with “number” and **Added** “The inmate must provide the telephone number, a single person who is assigned to the telephone number and the relationship of the person to the inmate” in Section 2 A. **Deleted** “may threaten public safety or disrupt and **Replaced** with “poses substantial risk” and **Added** “or could result in serious bodily injury to persons or substantial damage to property that may cause risk of death or serious bodily injury to persons” and **Added** b. in Section 2 B. 4. **Added** “or termination of a telephone number” in Section 2 B. 4. **Added** 3. in Section 2 C. **Added** “A completed Telephone Request form (See Attachment 2) is required to initiate the change” in Section 2 D. **Added** new 3. a. b. and c. in Section 3. **Added** “Inmate use of the telephone system is voluntary” and **Added** “and reduce criminal activity or activity that could threaten the orderly operation of the facility” in Section 4 B. **Added** “under compelling circumstances, such as a family emergency” in Section 5 A. **Deleted** “loss of recreation” in Section 6 B. **Added** “Inmates shall have access to the telephone system to make confidential contact with their Attorney at Record (See ACA 4-4275). Access to telephones shall be in accordance with normal telephone hours, as posted in the Unit Plan” in Section 7 B. **Added** new Section 8. **Added** “or representative of any agency, organization or business” and **Added** “or all inmates housed in a SD DOC facility” in Section 10 A. **Revised** language in C. in Section 10. Language and structure changes to policy. **Revised** Attachment 1 and 2.

October 2017: **Added** reference to “tablets” to policy. **Added** definition of “Tablet”. **Deleted** “Telephone” and **Replaced** with “Contact” in Section 2. **Added** “Inmates may message (if the service is available to the inmate) and call any person on their approved contact list” in Section 2 A. **Added** “for a minimum of one year from the date of termination/resignation” in Section 2 B. **Added** L. to Section 4. **Added** “a caller who has identified themselves as” in Section 7 A. **Added** “consecutive” in Section 4 I. 1. **Added** J. to Section 4. Formatting changes.

December 2017: **Added** Attachment 5. and 6.

February 2018: **Added** “The provider has up to 14 days from the date the request to add a telephone number is received to complete the change.” in Section 2 A. 1. **Added** 4. to Section 2 A. **Added** “Individuals may also utilize kiosks located outside of select DOC institutions to deposit funds into established accounts” in Section 3 A. 2. **Deleted** “savings” in Section 3 B. Other minor revisions to language.

May 2019: **Revised** policy statement. **Added** definition of Attorney Call and Personal Call. **Deleted** “on supervised release (parole, probation, suspended sentence, suspended execution of sentence) or any offender” in Section 2 A. 4. **Deleted** 5. “Offenders on supervised release (parole, probation, suspended sentence, suspended execution of sentence) or any inmate sentenced, committed, held or placed at facility or program under the control of Federal, State or local corrections or the contract facility/community corrections program of any correctional entity, may not contact an inmate through the tablet messaging service” in Section 2. **Added** “who are the immediate family to the inmate” in Section 2 B. **Deleted** “Telephone numbers associated with current DOC staff or former DOC staff members who do not meet the conditions of B. above, may not be added to an inmate’s approved contact list without complete disclosure and prior approval from the Warden or designee” and **Replaced** with “Former DOC staff, contractual staff and volunteers who voluntarily separate from the DOC must wait 3 months from the date of separation before being eligible to be added to an inmate’s approved contact list, unless otherwise approved by the Warden or designee” in Section 2 B. 1. **Added** 2. and 3. to Section 2 B. **Added** “within 5 business days” to Section 2 C. 1. **Added** “from messaging or” in Section 2 C. 3. **Added** 3, 4 and 5. to Section 4 C. **Added** 1,2,3 and 4. to Section 4 E. **Added** “Inmates 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” in Section 4 G. **Added** 2. to Section 4 H. **Added** “staff will notify the inmate of the contact within two business days of receipt of the attorney call” in Section 7 A. **Added** “The time limit does not apply to court-ordered telephonic hearings” in Section 7 A. 4. c. **Added** e. to Section 7 A. 4. **Added** “court-ordered telephonic hearings are typically at the expense of the DOC” in Section 7 D. 1. **Added** 2.

to Section 7 D. **Added** "In emergency cases, during normal business hours, a telephone phone number can be added to an inmate's approved contact list the same business day, or as soon as possible to facilitate an Attorney at Record or privileged source call" to Section 7 E. **Added** F. to Section 7. **Added** Attachment 7.

Mike Leidholt (original signature on file)

08/07/2019

Mike Leidholt, Secretary of Corrections

Date

Attachment 1: Correspondence/Telephone/Messaging Termination Request

The **Correspondence/Telephone Termination Request** form is located at:
<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Correspondence-Telephone Termination Request.doc>

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Corr.-Telephone Termination Request Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Offender Correspondence / Inmate Access to Telephones	
CORRESPONDENCE/TELEPHONE TERMINATION REQUEST		
Dear Sir or Madam:		
The Department of Corrections will stop mail and/or telephone calls from a specific inmate(s) in response to a written request from you. You may make the written request on behalf of yourself, your current spouse, or any minor children residing in your household.		
It has come to our attention that	(inmate name)	(inmate number)
may have been contacting you or may want to contact you with unwanted correspondence and/or telephone calls. This letter is to inform you that you may request "no contact" with the above named inmate by completing the information below. Please make sure you sign this letter at the bottom and mail it back to the facility where you believe the inmate is housed. If you are unsure of where the inmate is housed, please mail this letter to the South Dakota State Penitentiary address.		
It is possible an inmate may find some other means of contacting you. The Department of Corrections will take the steps available to prevent any further contact from the inmate. Please report any further contact from the inmate to the facility where you believe the inmate is housed. If you are unsure of where the inmate is housed, please contact the South Dakota State Penitentiary.		
MAIL:		
I/We	(print your name)	request that the
above named inmate be prevented from contacting me by MAIL at the following address:		
Street		
P.O. Box		
City/State		Zip
TELEPHONE		
I/We	(print your name)	request that the
Above named inmate be prevented from contacting me by TELEPHONE at the following numbers (please include the area code):		
Home:		
Business:		
Cell:		
Other:		
Signed: _____		
South Dakota State Penitentiary	Mike DeWee State Prison	South Dakota Women's Prison
Attn: Mail Room Officer	Attn: Mail Room Officer	Attn: Mail Room Officer
P.O. Box 3011	1412 Wood Street	3200 E. Highway 34
Sioux Falls, SD 57117-3911	Springfield, SD 57062-2239	C/o 300 E. Capitol Avenue
		Pierre, SD 57501
Revised: 10/22/08		Page 1 of 1

Attachment 3: Telephone Request Form

The *Telephone Request Form* is not a DOC document.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: SD DOC Inmate Telephone Services (S-46) Please refer to DOC policy 1.5.D.4 Inmate Access to Telephones	
SD DOC INMATE TELEPHONE SERVICES			
INMATE NAME (FIRST/LAST): _____		DATE: _____	
BLOCK/CELL#: _____	INMATE ID#: _____	INMATE IPIN#: _____	
<p>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. You must indicate attorney.</p> <p>**3-way calls are not permitted. Attempting to make 3-way calls may cause your call to be disconnected.</p>			
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. () _____	_____	_____	_____
Revised: 10/23/2008		Page 1 of 1	

Attachment 4: Special Phone Request

The *Special Phone Request* form is available in carbon format.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Special Phone Call Request (VI-8) Please refer to DOC policy 1.5.D.4 Inmate Access to Telephones
SPECIAL PHONE CALL REQUEST	
Cell: _____ Inmate 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: _____	
Revised: 10/23/2008	Page 1 of 1

Attachment 6: Tablet Receipt Document

The **Tablet Receipt Document** form is located at:
<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Tablet Receipt Agreement.doc>

<p>South Dakota Department of Corrections Policy Distribution: Public</p> <p>Attachment: Tablet Receipt Document Please refer to DOC policy 1.1.B.2, 1.3.C.4 and 1.5.D.3 Inmate Accounts & Financial Resp./ Inmate Pers. Property / Offender Corr.</p> <p>TABLET RECEIPT DOCUMENT</p> <p>RESTRICTIONS AGREEMENT</p> <p>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 THE USE OF TABLETS, MY ACCESS TO THE TABLET 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 STATUS, HOUSING ASSIGNMENT OR DISCIPLINARY SANCTIONS.</p> <p>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 CONTAINED WITHIN MAY BE EXAMINED WITHOUT REASONABLE CAUSE. ALL INFORMATION OR TEXT CONTAINED WITHIN IS NOT CONSIDERED PRIVATE INFORMATION.</p> <p>FINANCIAL RESPONSIBILITY</p> <p>I ACKNOWLEDGE AND AGREE I AM LIABLE FOR ALL CHARGES, COSTS, FEES OR EXPENSES INCURRED THROUGH MY USE OR POSSESSION OF THE TABLET, INCLUDING ANY CHARGE FOR GTS SERVICE AND SUBSCRIPTIONS FOR CONTENT, EXCEPT SUCH CHARGES, COSTS, FEES OR EXPENSES PAID BY THE PROVIDER.</p> <p>REPLACEMENT OR REPAIR</p> <p>I UNDERSTAND I AM FULLY RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE REPLACEMENT OR REPAIR OF THE TABLET AND/OR TABLET ACCESSORIES ISSUED TO ME. I UNDERSTAND I MAY BE CHARGED A FEE FOR ANY REPAIRS MADE TO THE EQUIPMENT NOT TO EXCEED THE REPLACEMENT COST OF THE EQUIPMENT.</p> <p>I UNDERSTAND ANY ATTEMPT TO ALTER THE EQUIPMENT OR TAMPER WITH DATA, CONFIGURATION, FILES, PROGRAMS, SOFTWARE, SYSTEM PERFORMANCE OR COMPONENTS WILL BE CONSIDERED A PROHIBITED ACT AND SUBJECT ME TO DISCIPLINARY ACTION.</p> <p>I UNDERSTAND GTS IS RESPONSIBLE FOR ALL MANUFACTURER CONFIRMED DEFECTS. I UNDERSTAND I AM RESPONSIBLE FOR ANY INTENTIONAL DAMAGE TO THE TABLET OR RELATED ACCESSORIES I MAY CAUSE THROUGH MY ACTIONS, INCLUDING NEGLIGENCE. I WILL IMMEDIATELY REPORT THE LOSS, THEFT, OR DAMAGE OF THE TABLET TO THE DOC.</p> <p>IF I AM NO LONGER ELIGIBLE FOR A "FREE" TABLET, I MUST PAY A FEE OF <u>100.00</u> TO LEASE A TABLET FROM THE PROVIDER. THIS AMOUNT IS NONREFUNDABLE. I UNDERSTAND I MUST REMIT PAYMENT FOR THE FULL AMOUNT PRIOR TO RECEIPT OF THE TABLET.</p> <p>MAINTENANCE, SERVICE AND OPERATION</p> <p>I AGREE NOT TO REMOVE, ALTER, DISFIGURE OR COVER ANY NUMBERING, LETTERING OR INSIGNIA DISPLAYED UPON THE TABLET. I WILL ENSURE MY TABLET IS NOT SUBJECT TO MOISTURE OF ANY KIND; OR CARELESS, UNUSUALLY OR NEEDLESSLY ROUGH USAGE; AND I SHALL MAINTAIN THE TABLET IN GOOD REPAIR AND OPERATIVE CONDITION.</p> <p>THE DOC DOES NOT GUARANTEE UNINTERRUPTED OR ERROR-FREE SERVICE TO THE TABLET; NOR DOES THE DOC MAKE ANY WARRANTY AS TO THE RESULTS OBTAINED FROM THE USE OF AVAILABLE SERVICES OR ACCURACY OR QUALITY OF INFORMATION POSTED TO THE TABLET. NEITHER THE DOC NOR ITS EMPLOYEES SHALL BE LIABLE FOR ANY DIRECT, INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES ARISING OUT OF ACCESS TO THE</p> <p>Created: 02/11/2017 Page 1 of 1</p>	<p>South Dakota Department of Corrections Policy Distribution: Public</p> <p>Attachment: Tablet Receipt Document Please refer to DOC policy 1.1.B.2, 1.3.C.4 and 1.5.D.3 Inmate Accounts & Financial Resp./ Inmate Pers. Property / Offender Corr.</p> <p>TABLET OR INABILITY TO ACCESS THE TABLET OR SERVICES.</p> <p>RETURNING TABLETS</p> <p>I ACKNOWLEDGE THAT UPON OR IMMEDIATELY PRIOR TO MY RELEASE OR TRANSFER FROM THE FACILITY, OR AS DIRECTED BY THE DOC, I WILL RETURN ANY TABLET AND CHARGER ISSUED OR LEASED TO ME. I UNDERSTAND I WILL NOT BE REIMBURSED FOR SUBSCRIPTION SERVICES I HAVE PURCHASED IF MY ACCESS TO A TABLET IS DISCONTINUED FOR DISCIPLINARY REASONS. I AGREE TO ABIDE BY POLICIES AND PROCEDURES FOR TERMINATION OF SERVICES BASED ON THE END USER LICENSE AGREEMENT. I UNDERSTAND ACCESS TO TABLET SERVICES IS NOT TRANSFERABLE OR EXTENDABLE AND TERMINATES WHEN I AM NO LONGER IN THE CUSTODY OF THE DOC.</p> <p>_____ INMATE PRINTED NAME</p> <p>_____ STAFF WITNESS SIGNATURE</p> <p>_____ INMATE SIGNATURE</p> <p>_____ DATE</p> <p>Created: 02/11/2017 Page 1 of 1</p>
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Attachment 7: Definition of Privileged/Legal Correspondence

- A. Incoming and outgoing correspondence from the following sources is considered privileged/legal:
1. Judge of any court.
 2. Clerk of any court.
 3. County Auditor.
 4. Private practice attorneys/lawyers or law firms.
 5. State's Attorney.
 6. Public Defender office (State or Federal).
 7. Public Advocate Offices.
 8. South Dakota Advocacy Service (SDAS).
 9. South Dakota Attorney General or representative of the Attorney General's office.
 10. South Dakota Governor.
 11. South Dakota Secretary of Corrections.
 12. U.S. Attorney General, U.S. Attorney for South Dakota and Assistant U.S Attorneys for South Dakota.
 13. South Dakota Division of Criminal Investigation.
 14. Inmate foreign nationals shall be permitted write their embassy or consulate.
 15. Organizations or entities which are known to provide legal services (such as East/West River Legal Services, Dakota Plains Legal Services and the American Civil Liberties Union).
 16. Organizations or entities which are known to provide rape crisis/ victim advocate services (such as Compass Center, Missouri Shores, Working Against Violence and River City Domestic Violence Center).
- B. Outgoing correspondence addressed to county sheriffs:
1. If the contents of the outgoing correspondence are a summons, complaint or other document intended for service of process, and it is addressed to a county sheriff's office, the mail will be treated as privileged/legal mail. Unit staff are allowed to summarily review the documents in order to determine whether they are summons and complaints, subpoenas, or other documents intended for service of process.
- C. The following incoming correspondence will normally be treated as privileged/legal only if the envelope is clearly marked "personal", "legal" or "privileged".
2. U.S. and State Representatives and Senators.
 3. Governors (other than the Governor of South Dakota).
 4. Prison or correction agencies or officials (other than the South Dakota Secretary of Corrections).
 5. Parole authorities.
 6. Law enforcement agencies or officials.
- D. Examples of outgoing correspondence NOT considered privileged/legal:
1. U.S. and State Representatives and Senators.
 2. Governors (other than the Governor of South Dakota).
 3. Prison or corrections agencies or officials (other than the South Dakota Secretary of Corrections).
 4. Parole authorities.

5. Law enforcement agencies or officials (excluding SD Division of Criminal Investigation).
6. The National Association for the Advancement of Colored People (NAACP).
7. The Bureau of Indian Affairs (BIA).
8. Amnesty International.
9. The State Bar Association of South Dakota and its committees.
10. The Center for Constitutional Rights (main office is in New York, NY).
11. Governmental agencies or officials not listed above in Section A.
12. National Commission on Correctional Health Care (NCCHC).