DEPARTMENT OF CORRECTIONS

Policy Number:	**302.210**
Title:	**Telephone Use**
Effective Date:	**03/31/26**

PURPOSE: To outline procedures to provide for safe and equitable access to telephone calls by incarcerated people.

APPLICABILITY: All adult correctional facilities

DEFINITIONS:

Attorney calls – calls between incarcerated people and verified attorneys and/or student attorneys working under the supervision of a licensed attorney, not a paralegal, investigator, or any other party as outlined in procedure C.1-6.

Forwarded call – call forwarded to a number not initially called; includes calls set up through a forwarding system.

Immediate family member – an incarcerated person's legal spouse, child (birth, step, and adopted), parent, sibling (birth, step, adopted, and half), grandparent, or grandchild.

Third party calls – calls involving an additional party at a different number.

PROCEDURES:

A. General access to telephones

1. At intake, incarcerated people are provided with written notification that their communications may be monitored, including the electronic tracking, recording, and listening of telephone calls. Facilities must also have notification posted by each telephone used by incarcerated people. See section C. for exceptions.

2. Incarcerated people must use recorded and monitored telephone lines in all situations except for attorney calls (see section C, below).

3. Incarcerated people are assigned a personal identification number (PIN).
   a) The security of the PIN is the responsibility of the incarcerated person to whom it is issued.

   b) The facility is not responsible for theft or loss resulting from an incarcerated person lending their PIN or failing to keep it secure.

   c) The facility does not provide incarcerated people with call logs or recordings of their phone calls.

d) A PIN may be changed and reissued at the incarcerated person's expense. To request a new PIN, an incarcerated person must contact the phone vendor directly during a phone call.

e) Incarcerated people must only use the PIN assigned to them.

4. Rules governing telephone use that vary by unit, such as sign-up procedures, hours, and special unit regulations must be made available to incarcerated people.

5. Incarcerated people do not pay for telephone time; Calls are free in Minnesota Correctional Facilities.

6. Telephone calls are limited to a maximum of 15 minutes per connection and cannot be made consecutively, except at MCF-Red Wing. Connected calls are subject to a 15-minute break upon completion to allow for fair and equitable access to telephones.

7. Calls utilizing telecommunications relay service, allowing an incarcerated person with hearing or speech disabilities to place and receive telephone calls, may be extended to 30 minutes.

B. Special access to telephones

1. Emergencies

Emergency messages must be verified prior to being communicated to an incarcerated person. Special telephone calls by the incarcerated person may be approved following authorization by designated staff. Whenever possible, all special telephone calls should be made on a recorded and monitored telephone line. Staff who make an exception to the use of a recorded and monitored line must document the exception and reasons for it on an incident report.

2. Telephone calls to incarcerated people in other facilities

Incarcerated people may request permission to make calls to immediate family members incarcerated in other facilities if warranted by special circumstances, such as a verifiable family emergency involving the hospitalization, serious injury, or death of an immediate family member.

a) The incarcerated person's caseworker or on-duty supervisor arranges and monitors the calls;

b) Prior approval must be obtained from the facility warden or designee;

c) The warden or designee may allow a special call to a non-immediate family member when staff have confirmed and documented that a special relationship existed between the incarcerated person and that extended family member; and

d) The staff person arranging the call must write an incident report detailing circumstances and the family relationship between the incarcerated people participating in the call.

3. Assistive Technology and Telecommunications Relay Service calls
Incarcerated people who are deaf or have hearing or speech impairments, or who are calling individuals with such impairments may use the machines provided by the facility or use the facility's designated number for Minnesota relay upon request and approval by the facility ADA committee. Phones with volume control are also available to incarcerated people. Staff must assist with placing such calls as needed. Staff may monitor assistive technology calls. Approved legal calls are not monitored.

4. Telephone calls for hospitalized incarcerated people
Incarcerated people who are hospitalized for ten or more consecutive days may request a telephone call to an immediate family member or emergency contact person, and every ten consecutive days thereafter. See Policy 301.096, "Medical Transportation," for the complete procedures.

5. If language line services are needed for an outgoing call from an incarcerated person, the call must be arranged through case managers or watch commander.

C. Attorney calls

1. Attorneys must typically communicate with clients through legal mail, as required by Policy 302.020, "Mail".

2. Requests by attorneys to communicate via telephone with their client due to the nature of the legal matter will be accommodated when possible.
   a) When legal deadlines and timelines for action are 60 days or less, staff must provide access to legal counsel by telephone.
   b) If necessary, an in-person visit may be arranged as an alternative.

3. Process
   a) Attorney calls are limited to current active cases, including conviction appeals and post-conviction proceedings.

   b) Attorneys must contact the designated facility staff to schedule a call at a mutually agreeable date and time.

   c) Telephones for approved attorney calls are not subject to monitoring.

   d) Attorney calls are limited to 30 minutes in length.

4. Calls to or from incarcerated people with active cases or claims pending before a court who wish to retain an attorney are considered attorney calls and follow the attorney call process. The attorney is responsible for contacting the incarcerated person's case

manager to arrange for a call. The incarcerated person can participate in up to 2 of these calls for every active case or claim per month until representation is determined.

5. Calls to or from the clerk of court or law enforcement are not considered legal calls and must be made on recorded/monitored telephone lines, subject to 15-minute length requirements.

6. Calls from incarcerated people to solicit attorney advice or representation for a case that is not yet active are not considered legal calls and must be made on recorded or monitored telephone lines subject to 15-minute length requirements.

7. The department may develop a process for calls to be made under attorney call procedures between an investigator for a government entity and an incarcerated person who the investigator believes has information relevant to an investigation. These may include investigators from the Minnesota Department of Human Rights, the United States Department of Justice, or other government agencies identified by the commissioner.

8. Department staff may arrange unmonitored calls or use virtual court procedures upon request from government attorneys or their support staff working on post-conviction legal process. These may include county attorneys working on prosecutor-initiated sentence adjustments, attorneys from the Minnesota Attorney General's Conviction Review Unit, attorneys from the Hennepin County Attorney's Office Conviction Integrity Unit, or attorneys with similar government programs.

D. Telephone conduct

1. Telephones must not be used for harassment, threats, obscene calls, criminal activity, or conduct in violation of facility rules or DOC policy.

2. Abuse of telephone privileges may result in informal sanctions, formal discipline, and/or suspension of telephone use.

3. Incarcerated people are prohibited from contacting any staff, volunteers, interns, or vendors under contract with the department by phone, except as outlined below.

4. An incarcerated person may contact a volunteer who has been identified to assist with their transition into the community. The warden or designee must authorize this communication.

5. Incarcerated people are prohibited from making third party calls, conference calls, or forwarded calls through any technology or medium.
   a) The only exception to call forwarding is when an incarcerated person contacts the law library services to prisoners and requests that a librarian forward the call to the proper court entity, if that entity cannot be reached directly through the facility's phone system.

b) The telephone system detects for three-way calls when there is a similar electronic condition to a three-way call on the line.

c) The office of special investigations (OSI) may block a number if, during an investigation, OSI determines the number was contacted to make a third party or forwarded call.

6. Incarcerated people may not place phone calls that are in violation of an order issued from any court or directive issued by the DOC.
   a) Examples of court orders includes a no-contact order, terms in a dissolution of marriage, an order for protection, or a harassment restraining order.

   b) Examples of directives issued by the DOC include a no-contact directive or minor contact restriction, which may limit or prohibit communication with minors.

   c) Staff must follow documentation and enforcement procedures outlined in Policy 302.110, "Prohibited Contact," when implementing these directives and restrictions.

E. Telephone violations
   1. Staff must document telephone use violations utilizing the facility's informal sanction or formal discipline procedures.

First violation	Verbal warning to cease violations.
Second violation	Suspension of phone privileges for up to seven days, if occurrence was within 90 days of first violation.
Third violation	Suspension of phone privileges for up to 30 days, if occurrence was within 90 days of second violation.
Fourth violation or behavior resulting in formal discipline	Formal discipline and suspension of telephone privileges for 90 days (minimum), up-to 365 (maximum) depending on the violation type.
Fifth violation or behavior resulting in formal discipline	Formal discipline and suspension of telephone privileges for 365 days (minimum), up-to five years (maximum) depending on the violation type.

2. Staff may use their discretion to deviate from the violation progression system when deemed appropriate. They must document their rational for deviation on the telephone use suspension form. When appropriate and feasible, phone restrictions should be limited to only the individuals and numbers involved in the misconduct or who took part in the underlying violation.

3. When staff determine that a suspension of an incarcerated person's telephone privileges is warranted, they must complete the telephone use suspension form (attached) and share it with the incarcerated person.

4. If privileges are to be suspended for more than 45 days, staff must submit the telephone use suspension form to the associate warden of operations or designee, along with any supporting documentation for approval. Upon associate warden of operations or designee approval of a suspension longer than 45 days, the form and supporting documentation must be forwarded to the incarcerated person and retained in the electronic file.

5. OSI may block a phone number upon the first violation involving third-party or forwarded calls. OSI staff must give written notification of the number being blocked to the incarcerated person via the telephone use blocked number form (attached). OSI also informs the facility warden/designee of the block. Telephone violations for three-way calling and call forwarding do not expire. A copy of the blocked number form must be retained in the incarcerated person's electronic file.

F. Appeals of phone suspensions and blocked numbers

1. Suspension
   a) Incarcerated people wishing to appeal phone suspensions must contact the associate warden of operations or designee in writing for a determination.

   b) The associate warden of operations or designee reviews appeals and staff recommendations regarding phone suspensions to determine if the incarcerated person's phone privileges may be reinstated. The AWO or designee's decision is final.

2. Blocked number
   a) An incarcerated person wishing to appeal their blocked number(s) must contact OSI in writing. The OSI investigator must forward the appeal, along with documentation explaining the reason for the block, to the associate warden of operations for determination.

3. Appeals of formal discipline must follow the discipline appeal process outlined in Policy 303.010, "Offender Discipline."

INTERNAL CONTROLS

A. Direct orders to cease communication are documented in COMS.

B. Suspension forms and blocked number forms are retained in the incarcerated person's electronic file.

STATE CORRECTIONAL FACILITIES SECURITY AUDIT STANDARDS: 6.02.07, 6.03.01,6.03.02, 6.03.03,6.03.04

REFERENCES:
Minn. Stat. § 241.252
Policy 301.096, "Medical Transportation"
Policy 303.040, "Use of Electronic Equipment and Network by Incarcerated People/Residents"
Policy 303.010, "Incarcerated Individual Discipline"

REPLACES:
Policy 302.120, "Offender Telephone Use," 7/21/20.
Interim Guidance Memo 302.210.01, "Telephone Use," 5/7/25.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS:
Telephone Use Suspension Form (302.210A) (Also available in Spanish, Hmong, and Somali)
Telephone Use Blocked Number Form (302.210B) (Also available in Spanish, Hmong, and Somali)

APPROVED BY:
Commissioner of Corrections