

## **CLIENT TELEPHONE USE**

### **Minnesota Sex Offender Program**

Issue Date: 4/5/16      Effective Date: 5/3/16      Policy Number: 420-5210

**POLICY:** Client telephone use within the Minnesota Sex Offender Program (MSOP) is permitted as outlined in the procedures below.

**AUTHORITY:**      Minn. Stat. §144.651, subd. 21  
                         Minn. Stat. §253D.19, subd. 1

**APPLICABILITY:** Minnesota Sex Offender Program (MSOP), program-wide

**PURPOSE:** To provide guidelines for client telephone use.

**DEFINITIONS:**

Blocked number – any telephone number identified as prohibited for a client.

Essential item – a basic item necessary for daily living (e.g., clothing, medical supplies) not supplied by MSOP.

Gratis call – an approved outgoing staff-facilitated telephone call placed at no expense to the client.

Personal Identification Number (PIN) – the unique and confidential number identifying an individual client for all telephone calls, account payments and account charges.

Privileged call – staff-facilitated, unmonitored and unrecorded telephone calls to verified licensed attorneys, the Common Entry Point, the Disability Law Center, the Ombudsman for Mental Health and Developmental Disabilities, the Office for Health Facility Complaints, the Minnesota Department of Human Services Licensing Division, the Minnesota Department of Health Licensing Division, the Minnesota Department of Human Rights and other individuals as approved by the facility director or designee in consultation with the facility clinical director or designee. Calls to unlicensed staff who work directly under the supervision of a licensed attorney may be facilitated as privileged calls once written confirmation of that relationship is provided by the licensed attorney.

Routine call – client-initiated telephone calls from client telephones which are recorded and may be monitored. Clients place calls as collect calls or debit calls.

Staff-facilitated telephone call – a privileged or gratis call placed at no expense to the client.

Telephone monitoring – the process of electronically tracking, recording and listening to client telephone calls, conversations and telephone messaging.

**PROCEDURES:**

A. Notice of Monitoring

All clients being admitted to MSOP receive notice of telephone monitoring procedures (MSOP Monitoring Notice, 420-5210a, attached). Notice of monitoring is posted at all client telephones.

Staff document all staff-facilitated telephone calls on a call log (Client Phone Use Log, 420-5210c, attached), which is forwarded to the Office of Special Investigations (OSI) monthly.

2. Client gratis calls are observed or monitored by staff.

B. Personal Identification Number (PIN)

1. Clients are responsible for maintaining the confidentiality and security of their PINs.
2. MSOP does not reimburse clients for any prepaid phone minutes lost as a result of a compromised PIN number.
3. Clients will not use another client's PIN to place phone calls. MSOP charges clients \$3.00 to issue a new PIN number when the client violates this policy and shares his/her PIN with another client(s).

C. Purchasing Prepaid Phone Minutes

Clients may purchase prepaid phone minutes through Financial Services.

D. Client Incoming Telephone Calls

1. Upon admission, staff offer clients the option to include or exclude their name from the directory listing of voicemail boxes by completing a "Request that Name be Included/Excluded from MSOP Treatment Facility Voice Mail Directory" form (420-5210b, attached).
2. Routine incoming telephone calls to clients are routed to an automated voicemail system. A message informs the caller he or she is contacting a client at a secure treatment facility. The caller receives direction on how to leave a voicemail message for the client. All voicemail messages are recorded and may be monitored.
3. All incoming calls must allow the telephone system to "read" their caller identification. The telephone system rejects calls from telephone numbers without caller identification, or calls placed with commercial telephone phone cards.

E. Client Access to Voicemail Messages

All residential living units have a telephone providing direct access to the voicemail system. Clients may access their voicemail messages by entering their confidential voicemail password.

F. Client Outgoing Routine Telephone Calls

1. Prior to connecting a call from a client, the individual receiving the call hears an introductory recorded message stating the call is coming from a client at a secure treatment facility, the call will be recorded, and the call may be monitored.
2. Routine outgoing telephone calls are limited to 15 minutes.
3. Clients may not call other clients at MSOP facilities or at any program on the St. Peter Regional Treatment Center campus, unless covered under section G.2.b), below (treatment-related gratis calls).
4. The telephone system does not permit outgoing toll-free calls.

G. Outgoing Staff-Facilitated Telephone Calls

1. Privileged Telephone Calls

- a) Clients wishing to make a privileged call verbally inform a staff member at the unit office of the name of the person or rights protection/advocacy entity the client wishes to call.

- b) Upon verification of the name, the staff member attempts to accommodate the call as soon as scheduling allows.
- c) Should an attorney or a rights protection/advocacy representative contact MSOP staff to arrange a telephone call with a client or to speak with a client, the staff redirects the person to use the client voice mail system unless it is an emergency.
- d) Privileged calls are limited to 30 minutes.
- e) The facility client rights coordinators maintain the MSOP Approved Privileged Call List (420-5210e, attached) on the MSOP Homepage.

## 2. Gratis Telephone Calls

### a) Business-related gratis calls

- (1) Business-related gratis calls may be approved if communication cannot be adequately conducted via the U.S. Postal Service or client telephone system:
  - (a) to order essential items;
  - (b) to verified financial institutions;
  - (c) to government agencies;
  - (d) to the Internal Revenue Service (IRS) when the client can produce documentation from the IRS requesting a telephone call to provide additional information;
  - (e) to a business if the client has documentation from the business requesting communication by phone; or
  - (f) for other issues as determined by the client rights coordinator to be appropriate for a gratis business call.
- (2) Clients who are identified as a victim of sexual assault while residing at the MSOP may request business-related gratis calls to the Program for Aid to Victims of Sexual Assault.
- (3) To request a business-related gratis call, the client must submit a written Client Request form (420-5099a, attached) to the client rights coordinator. The request must include the name of the person or business and the telephone number. The client may also include possible dates and times the client is available to make the call. The request is reviewed and may be approved by the client rights coordinator.
- (4) Clients are limited to one business-related gratis call per calendar month. Clients in Phase III may receive additional gratis calls with client rights coordinator approval.
- (5) The client rights coordinator may approve additional follow-up gratis calls on a case by case basis.

- (6) Business-related gratis calls are facilitated during normal business hours, unless prior arrangements are made by the client rights coordinator.
- (7) Business-related gratis calls are limited to 15 minutes unless the client rights coordinator grants prior authorization.
- (8) If the party called is unavailable at the time of the call, the client may leave a voicemail for the party to contact the client's personal voicemail.

b) Treatment-related gratis calls

- (1) The primary therapist or family therapist reviews proposed treatment-related gratis calls determined to be important for the client's treatment with the clinical supervisor. The clinical supervisor may approve treatment-related gratis calls. Treatment-related issues include but are not limited to completing therapeutic assignments, communication with community supervision agents, and creating and maintaining support systems.
- (2) The primary therapist or family therapist facilitates the gratis call or collaborates with a client rights coordinator to facilitate the gratis call during normal business hours. If the call will occur after normal business hours, the primary therapist or family therapist coordinates with a unit supervisor who assigns a staff to facilitate the gratis call.
- (3) Any staff facilitating a treatment-related gratis call must remain with the client for the duration of the call.
- (4) Treatment-related gratis calls are limited to 30 minutes unless the primary therapist or family therapist grants prior authorization.
- (5) Clients are limited to one treatment-related gratis call per calendar month or as determined by the primary therapist or family therapist and clinical supervisor.
- (6) If the party called is unavailable at the time of the call, the client may leave a voicemail for the party to contact the client's personal voicemail.

c) Family emergency-related gratis calls

- (1) The primary therapist, or in the absence of the primary therapist, a client rights coordinator or the officer of the day (OD)/unit director (UD) may approve gratis calls concerning family emergencies. A client rights coordinator facilitates the gratis call. If the client rights coordinator is not available, the OD/UD assigns a staff to facilitate the call. Any staff facilitating family emergency-related gratis calls must remain with the client for the duration of the call.
- (2) The client's primary therapist or a client rights coordinator may approve additional calls related to the identified family emergency.

#### H. Additional Telephone Restrictions

1. A primary therapist may place additional restrictions on an individual client as part of an Individualized Program Plan to maintain safety, security, and a positive therapeutic environment. (See MSOP Division Policy 215-5015, "Individualized Program Plan.")
2. MSOP may permanently or temporarily block calls to or from a specific phone number when approved by the facility director or designee. Approved reasons for blocking a number include but are not limited to:
  - a) court order;
  - b) request of the recipient or client;
  - c) violations of the telephone policy related to that number;
  - d) evidence of criminal activity;
  - e) violations of other MSOP policy related to that number; and/or
  - f) MSOP staff who have separated from employment.
3. Upon receipt of a court order or request of the recipient or client, the facility director or designee:
  - a) reviews the information and may authorize the Office of Special Investigations (OSI) to block the phone number(s) specific to these reasons; and
  - b) notifies the client of the telephone number(s) being blocked, the reason for the block, and the effective dates of the block (see the Notification of Client Telephone Block, 420-5210d, attached).
4. Upon determination by OSI a client's behavior relating to the use of the telephone violated MSOP policy or is evidence of criminal activity:
  - a) OSI staff submit a Level 1 incident report to the facility director or designee detailing the actions of the client and the violation noted; and
  - b) the facility director or designee forwards the incident report to the unit director of the unit on which the client resides for appropriate follow up.

#### I. Unauthorized Telephone Use

1. Clients may not participate in any calls other than single-party to single-party calls. Prohibited calls include but are not limited to: call forwarding, Voice Over Internet Protocol (VOIP) phone providers, conference calling, texting, and faxing. Call forwarding within the same business while conducting a business-related telephone call is permitted.
2. Clients may not take any action to circumvent or disable elements of the telephone system.
3. Clients may not make routine calls to MSOP staff and/or request gratis calls be made to any MSOP staff. Clients communicate with staff in person or via Client Request Forms (420-5099a, attached).

#### J. Teletype/Telecommunications Device for the Deaf (TTY/TDD) Calls

1. Clients requesting to utilize the TTY machine to make telephone calls must have a current Determination of Client Request and Reasonable Modification Plan (215-5250b-3101), attached; see MSOP Division Policy 215-5250, "Clients with Disabilities") approving the need for this service. The Determination of Client Request and Reasonable Modification Plan describes the process for the client requesting the call.
2. Any MSOP staff may facilitate TTY telephone calls by following instructions included with the TTY machine.
3. MSOP staff facilitating a TTY telephone call forward the printed transcript of non-privileged calls to OSI at the completion of the call.

K. (Community Preparation Services Only): Outgoing Staff-Facilitated Gratis and Toll-Free Telephone Calls

1. Clients must submit call requests to the Community Preparation Services (CPS) Unit Director on a Client Request form (420-5099a), attached).
2. The CPS Unit Director/designee review all client phone call requests during regular business hours Monday through Friday excluding observed state holidays.
3. The CPS Unit Director may confer with the primary therapist or reintegration specialist if unfamiliar with or uncertain about the person or business being called.
4. Clients are limited to one gratis call per week, unless the client's primary therapist, reintegration specialist, and reintegration program manager determine additional calls are essential to the client's treatment and/or reintegration.
5. Clients are limited to two toll-free calls per month unless prior authorization is granted by the CPS Unit Director.
6. Each gratis and toll-free call is limited to 15 minutes in length, unless prior authorization is granted by the client's primary therapist or reintegration specialist.
7. Unit staff place the call and remain with the client for the entirety of the call.
8. If the party is unavailable at the time of the call, the client may leave a message for the party to contact the client's personal voicemail.
9. Unit staff maintain documentation (attached) in the staff office of the
  - a) number called,
  - b) name of the recipient, business or organization,
  - c) date, time and duration of the call, and
  - d) name of the facilitating staff.
10. Staff facilitated calls may be limited by facility resource availability.

**REVIEW:** Annually

**REFERENCES:** DCT Policy 215-1020, "Client Grievance and Complaint Process"  
MSOP Division Policy 215-5250, "Clients with Disabilities"

MSOP Division Policy 215-5015, "Individualized Program Plan"

**ATTACHMENTS:** MSOP Monitoring Notice (420-5210a)  
Request that Name be Included/Excluded from MSOP Treatment Facility Voice Mail Directory (420-5210b)  
Client Phone Use Log (420-5210c)  
Notification of Client Telephone Block (420-5210d)  
MSOP Approved Privileged Call List (420-5210e)  
Client Request form (420-5099a)  
Determination of Client Request and Reasonable Modification Plan (215-5250b-3101)

**SUPERSESSION:** MSOP Division Policy 420-5210, "Client Telephone Use," 8/4/15.  
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/  
Shelby R. Richardson, Executive Director  
Minnesota Sex Offender Program