



Virginia Department of Corrections

Offender Management and Programs

Operating Procedure 803.3

Inmate and CCAP Probationer/Parolee Telephone Services

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5-ACI-7D-11, 5-ACI-7D-12, 5-ACI-7D-13;
4-ACRS-5A-19, 4-ACRS-5A-19-1, 4-ACRS-6A-01;
2-CO-5D-01; §115.51 [a], §115.251 [a]

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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DEFINITIONS

Abuse of Telephone System - Misconduct or criminal behavior by an inmate or CCAP probationer/parolee using the Telephone System.

Account Representative - The individual representing the contract vendor who manages the contract account for the telephone system with the DOC Contract Administrator and the facility.

Administrative Telephone System - The business telephone system accessible to and used by DOC staff.

Attorney Call - A call placed to a telephone number of an attorney or the law firm where the attorney is employed; an inmate and CCAP probationer/parolee may request that all calls to the attorney number be blocked from call monitoring and recording.

Auto Enrollment - Inmate's and CCAP probationer's/parolee's ability to add, remove, and manage numbers on their call list through the offender telephone system.

Call List - An approved list of up to 15 telephone numbers, including attorney numbers an inmate or CCAP probationer/parolee is permitted to call.

Community Corrections Alternative Program (CCAP) - A system of residential facilities operated by the Department of Corrections to provide evidence-based programming as a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion.*

Facility - Any institution or Community Corrections Alternative Program.

Hotline - A dedicated telephone number that inmates and CCAP probationers/parolees may use to report problems they encounter with accessing the telephone system, placing calls, or other call-related complaints.

Inmate - A person who is incarcerated in a Virginia Department of Corrections facility or who is Virginia Department of Corrections responsible to serve a state sentence.

Institution - A prison facility operated by the Department of Corrections; includes major institutions, field units, and work centers.

PIN Number - A four-digit number that when combined with the inmate's or CCAP probationer's/parolee's DOC number is a unique secured access number that allows the inmate or CCAP probationer/parolee to place a call on the telephone system.

Point of Contact - A facility staff member designated to serve as the liaison between the facility and the telephone service vendor's representatives.

Probationer/Parolee - A person who is on community supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of Courts, paroling authorities, the Virginia Department of Corrections, or other release authority; this includes post release supervision and Community Corrections Alternative Programs.

Recording Block - An electronic block that prevents monitoring and recording of a call to a verified attorney telephone number; an inmate and CCAP probationer/parolee must request a recording block in advance.

Subscriber - The consumer in whose name a telephone number on an inmate's or CCAP probationer's/parolee's call list is billed by the consumer's telephone service provider.

TDD devices, Videophones, Video Relay Services - Devices and services that assist hearing impaired inmates and CCAP probationers/parolees to communicate through the inmate and CCAP probationer/parolee telephone service.

Telephone Service - Telephone system equipment, software, and services provided to inmates and CCAP probationers/parolees by a commercial vendor under contract with the DOC; this system allows inmates and CCAP probationers/parolees to place collect, pre-paid, or inmate and CCAP probationer/parolee paid calls to persons on their approved call list.

PURPOSE

This operating procedure provides guidance under which inmates and CCAP probationers/parolee are granted access to telephone services. Access to telephone services is a privilege conditional upon the inmate's and CCAP probationer's/parolee's responsible use of the telephone system.

PROCEDURE

- I. Inmate and CCAP Probationer/Parolee Telephone System
 - A. This operating procedure provides inmates and CCAP probationers/parolees with information on the Department of Corrections (DOC) inmate and CCAP probationer/parolee telephone system. (2-CO-5D-01)
 - B. The inmate and CCAP probationer/parolee telephone system is restricted to the equipment and services provided by the vendor pursuant to the service contract for the inmate and CCAP probationer/parolee telephone system. (5-ACI-7D-12; 4-ACRS-5A-19-1)
 1. The inmate and CCAP probationer/parolee telephone service contract complies with all applicable state and federal regulations.
 2. Contract rates and surcharges are commensurate with the rates and surcharges charged to the public for like services. Any deviation from ordinary consumer rates reflects actual costs associated with the provision of services in a correctional setting.
 3. The contract vendor for inmate and CCAP probationer/parolee telephone services provides the broadest range of calling options determined by the DOC to be consistent with the requirements of sound correctional management.
 - C. The Facility Unit Head or designee may have inmate and CCAP probationer/parolee telephones installed in housing unit day rooms, dormitories, and recreation yards in accordance with facility mission and need.
- II. Telephone System Enrollment
 - A. Upon their reception into the DOC, inmates and CCAP probationers/parolee are enrolled automatically in the inmate and CCAP probationer/parolee telephone system.
 - B. The inmate's and CCAP probationer's/parolee's four-digit PIN number is set automatically to the inmate's or CCAP probationer's/parolee's month and date of birth (MMDD).
 1. The inmate and CCAP probationer/parolee must use the four-digit PIN number in conjunction with their DOC ID number to access the telephone system.
 2. Any inmate or CCAP probationer/parolee misuse of a PIN number may result in a temporary or permanent removal of the inmate's or CCAP probationer's/parolee's privileges to access the telephone system.
 3. Inmates and CCAP probationers/parolees can report their PIN number problems to the contract vendor using the contract vendor hotline by dialing #21.
 4. When a PIN number is lost or replaced, the contract vendor will provide the inmate or CCAP probationer/parolee with a new secured PIN number using the *GTL Viapath Hotline Response 440_F12*.
 - C. By activating their PIN number and using the inmate and CCAP probationer/parolee telephone system, the inmate and CCAP probationer/parolee agrees to abide by the rules governing its use, and consents to the monitoring and recording of their telephone calls.
 1. To assist inmates and CCAP probationers/parolees in the proper use of the telephone system, staff should permanently post Attachment 1, *Inmate and CCAP Probationer/Parolee Dialing Instructions* (Attachment 1S, *Spanish*) and Attachment 2, *New Inmate and CCAP Probationer/Parolee Dialing*



Instructions (Attachment 2S, *Spanish*) at or near inmate and CCAP probationer/parolee telephones.

2. Upon intake into the DOC, staff will provide each newly received inmate and CCAP probationer/parolee with a copy of Attachment 2, *New Inmate and CCAP Probationer/Parolee Dialing Instructions* (Attachment 2S, *Spanish*) on the day of arrival.
 3. During reception or orientation, staff may distribute a copy of the *Inmate and CCAP Probationer/Parolee Dialing Instructions* to each inmate and CCAP probationer/parolee.
- D. The inmate and CCAP probationer/parolee must create their call list using the auto enrollment system and dialing *44.
- E. When an inmate or CCAP probationer/parolee transfers to another DOC facility, the inmate's and CCAP probationer's/parolee's account on the telephone system should automatically transfer to the new facility within three hours after the inmate's or CCAP probationer's/parolee's arrival.

III. Inmate and CCAP Probationer/Parolee Call Lists

A. Approved Call Lists

1. Every inmate and CCAP probationer/parolee using the telephone system is required to have an approved call list.
2. Call lists are limited to 15 approved numbers, including attorney numbers and investigator's hotline telephone numbers.
3. Inmate and CCAP probationer/parolee telephone calls must be placed directly to, and terminate at, the telephone number on the call list.
4. All telephone numbers on the call list remain active until the inmate or CCAP probationer/parolee removes the telephone number, or the subscriber requests a block or cancellation.

B. Additions to and Removals from the Call List

1. Inmates and CCAP probationers/parolees will create their call list of up to 15 telephone numbers using the auto enrollment system and dialing *44.
 2. The inmate and CCAP probationer/parolee may add and remove telephone numbers on their call list at any time using the auto enrollment system.
 - a. The inmate or CCAP probationer/parolee using the auto enrollment system must remove a telephone number prior to adding a new telephone number when the new number would exceed the maximum 15 telephone numbers allowed on their call list.
 - b. Telephone numbers in a pending approval status are temporarily included in the maximum 15 telephone numbers allowed.
 - c. A telephone number will not become active on an inmate's or CCAP probationer's/parolee's call list until consent to receive inmate and CCAP probationer/parolee calls is granted by the telephone subscriber. This process may take several days.
 3. To grant consent to receive inmate and CCAP probationer/parolee calls, the telephone subscriber must respond to the following questions asked through an automated consent process:
 - a. Are you the person authorized to make decisions for this telephone number?
 - b. Please state your name.
 - c. Do you understand that all calls are monitored and recorded? Except attorney calls with previously approved recording blocks.
- C. The inmate or CCAP probationer/parolee may add cellular or other wireless telephone numbers to the call list to be managed the same as landline telephones.



IV. Inmate and CCAP Probationer/Parolee Access to Telephone Services

A. Scheduled telephone service hours vary by the facility security level. Staff should provide this information in the facility's inmate or CCAP probationer/parolee orientation materials or post it in designated facility locations accessible to inmates and CCAP probationers/parolees. (5-ACI-7D-11)

1. Inmate and CCAP probationer/parolee access to telephone services are as follows:

- a. *General Population* - Generally, during scheduled service hours and when inmates can access the area(s) where telephones are located. (4-ACRS-5A-19 [I])
- b. *Reception Centers* - During scheduled service hours and when inmates can access the area(s) where telephones are located. Hours of access may be limited, when necessary, so as to not interfere with the classification process.
- c. *General Detention and Restorative Housing (RHU)* - Limited to two telephone calls per month. (5-ACI-4A-25, 5-ACI-4B-25))
- d. *Restorative Housing Step-down 1 (SD-1)* - Limited to four telephone calls per month. (5-ACI-4A-25, 5-ACI-4B-25)
- e. *Restorative Housing Step-down 2 (SD-2)* - Limited to six telephone calls per month. (5-ACI-4A-25, 5-ACI-4B-25)
- f. *Protective Custody* - Inmates on protective custody located in the protective custody unit, have the same access as general population inmates. Protective custody inmates located in restorative housing units have the same access as restorative housing/SD-1 inmates based on their status. (5-ACI-4A-25)
- g. *Medical Isolation* - Generally permitted during scheduled service hours, unless otherwise restricted for medical reasons.
- h. *County Jails in Institutions* - Institutions housing county jail prisoners should provide jail prisoners the same access as general population inmates.
- i. *Community Corrections Alternative Programs* - Generally comply with the requirements for institutions. These facilities may restrict access to telephones, including frequency of use and reduced time limits, to meet programmatic goals. (4-ACRS-5A-19 [CC])

2. Unless specifically authorized by the Director, the time limit for telephone calls on the inmate and CCAP probationer/parolee telephone system must not exceed 20 minutes.

3. Staff will suspend inmate and CCAP probationer/parolee telephone access during facility counts, and may suspend access at any time for emergency or security reasons.

B. Access to the Administrative Telephone System

1. Except as permitted below, inmates and CCAP probationers/parolees cannot place calls on the facility's administrative telephone system.

- a. At the discretion of the Facility Unit Head or Administrative Duty Officer, an inmate or CCAP probationer/parolee can receive or place a call in the event of a death in their immediate family if access through the inmate and CCAP probationer/parolee telephone system is not feasible.
- b. As approved by the Facility Unit Head on the *Inmate Marriage Request* 801_F1, staff will allow an inmate to place a call to their intended spouse at the telephone number documented on the *Request* in order to participate in the approved marriage ceremony; see Operating Procedure 801.5, *Inmate Marriage Ceremonies*.
- c. Inmates and CCAP probationers/parolees can use the administrative telephone system to receive and/or place a call to their attorney in accordance with Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*. (5-ACI-3D-02; 4-ACRS-6A-01)
- d. Calls between Family Members Housed in DOC Facilities
 - i. Married inmates and CCAP probationers/parolees assigned to facilities under the DOC's jurisdiction can speak on the telephone with each other three times per year.



- ii. With approval of both Facility Unit Heads, staff can consider telephone calls between other immediate family members on a case-by-case basis.
 - iii. Inmates and CCAP probationers/parolees will place approved telephone calls through the administrative telephone system by prior arrangement, at state expense, and at times mutually convenient to both facilities.
 - e. An inmate and CCAP probationer/parolee with immediate family in the military or otherwise located overseas may place an international call through the administrative telephone system. International calls may not be possible to some countries or family members.
 - i. Staff at each facility with inmates and CCAP probationers/parolees that qualify for international calls, should designate an administrative telephone to be set up to allow for international calling.
 - (a) Staff will submit a request to the *DOC Voice* mailbox identifying the specific telephone number for international access.
 - (b) The staff member will copy the Facility Unit Head on the request to verify they are aware that the staff member submitted the request.
 - (c) There is a nominal one-time fee added to the monthly bill when international access is set up.
 - (d) International access will remain active on that telephone until staff submit a request for removal.
 - ii. Staff will allow the inmate or CCAP probationer/parolee a maximum of three such calls per year.
 - iii. Staff will dial directly to the international number provided by the inmate or CCAP probationer/parolee and will confirm that the person answering is the approved call recipient.
 - iv. Staff should allow the inmate or CCAP probationer/parolee to speak for up to 20 minutes before ending the call.
 - v. Staff must constantly observe, but not necessarily listen, to the inmate or CCAP probationer/parolee for the duration of the call to prevent misuse of the administrative telephone system.
 - vi. Staff placing the call must document the number and person called, the time and date the call is placed, and the inmate's or CCAP probationer's/parolee's name and number.
 - vii. When the facility receives a bill for the international call, the Facility Unit Head or designee will pay the bill and make no effort to recover the funds from the inmate or CCAP probationer/parolee.
 - f. Staff will allow inmates and CCAP probationers/parolees issued a debit card instead of a government, corporate or other business check to use the administrative phone system to call the debit card company and request that they issue a check for the funds, and that they mail the check to the institution for deposit into the inmate's trust account.
 2. In all cases, a staff member will dial the call and observe the inmate or CCAP probationer/parolee during all calls on the administrative telephone system.
 - a. With the exception of verified attorney calls, staff dialed calls for an inmate or CCAP probationer/parolee may be monitored and recorded.
 - b. Verified attorney calls will not be recorded and will be monitored by sight only.
 - c. The time limit for telephone calls on the administrative telephone system will not exceed 20 minutes except for calls made to debit card companies where the length of the call is subject to customer wait times.
 - C. Staff must forward all requests received from representatives of the media for telephone interviews with inmates and CCAP probationers/parolees to the Director of Communications or designee in the Communications Unit ;see Operating Procedure 022.2, *Inmate and CCAP Probationer/Parolee Access to the News Media*.
 - D. Handicap Access (5-ACI-7D-13; 4-ACRS-5A-19)
 1. The contract vendor will provide an adequate number of telephones at wheelchair height and, where



needed based on facility mission and population and by request of the Point of Contact, special equipment suitable for the hearing impaired, including videophones.

2. Inmates and CCAP probationers/parolees with hearing and/or communication disabilities and inmates and CCAP probationers/parolees who wish to communicate with persons, who have such disabilities, are afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
3. Hearing impaired inmates and CCAP probationers/parolees who need TDD to call a person who requires TDD will utilize a *Call List Consent Form 803_F3* to add telephone numbers to their call lists.
4. Public telephones with volume control are also available to inmates and CCAP probationers/parolees with a hearing impairment.

V. Authorized Services (5-ACI-7D-12; 4-ACRS-5A-19-1; 2-CO-5D-01)

- A. Inmates and CCAP probationers/parolees must place all telephone calls on the inmate and CCAP probationer/parolee telephone system to include calls to attorneys unless approved to use the administrative phone system.
- B. Inmates and CCAP probationers/parolees may place their telephone calls to any area code within the continental United States, Hawaii, Alaska, and area codes serving Puerto Rico and the U.S. Virgin Islands (St. John, St. Thomas, and St. Croix).
- C. Without exception, every telephone call on the inmate and CCAP probationer/parolee telephone system must be a collect, inmate or CCAP probationer/parolee debit call, or a pre-paid call.
 1. Collect calls are limited to \$5.00, once the one-time limit has been met, a Global Tel*Link Viapath AdvancePay account must be established or the inmate or CCAP probationer/parolee must set up a debit account.
 2. Inmate and CCAP Probationer/Parolee Debit Calls
 - a. Inmates and CCAP probationers/parolees can set up a debit account through the Trust System to pay for their own calls to numbers on their call list; see Operating Procedure 802.2, *Inmate and CCAP Probationer/Parolee Finances*.
 - b. Inmates and CCAP probationers/parolees pay the same rate for debit calls as they pay for AdvancePay calls.
 - c. If there is a minimum of a one-minute balance in the debit account, the call will be announced as a debit call, otherwise the call will not go through and the inmate or CCAP probationer/parolee will be told there are insufficient funds to place the call and to try again later.
 - d. If the inmate or CCAP probationer/parolee uses the funds in the debit account before the maximum call time allowed has expired, the call will be disconnected.
 - e. Family and friends can make deposits to an inmate's and CCAP probationer's/parolee's debit account at any time (24/7) online through www.ConnectNetwork.com using MasterCard or Visa credit or debit cards.
 3. AdvancePay Collect Services
 - a. Persons wishing to receive inmate and CCAP probationer/parolee calls may join and add funds to the Global Tel*Link Viapath AdvancePay Collect Service by:
 - i. Telephone (payment by credit or debit card) to 1-877-650-4249 Monday through Friday between 8:00 AM and Midnight EST; Saturday and Sunday 9:00 AM to 8:00 PM EST
 - ii. Mail (payment by check or money order):
AdvancePay Service Dept.
PO Box 911722
Denver, Colorado 80291-1722
 - b. If there are less funds in the AdvancePay account than the maximum call time allowed, the call will be disconnected once the AdvancePay funds are used.



VI. Restricted Services

- A. The following are examples of services not permitted on the inmate and CCAP probationer/parolee telephone system.
1. Incoming calls
 2. International calls
 3. 700, 800, 888, 900, and similar calls to toll free numbers
 4. Calls charged to credit cards, third parties, or any billing other than collect, AdvancePay to the called party, or inmate and CCAP probationer/parolee debit account
 5. Calls transferred to a third party
 6. Call forwarding, call forwarding services, answering services
 7. Calls to pay telephones
 8. Calls to DOC staff; an exception may be made with prior approval of the respective Regional Operations Chief for family members of inmates and CCAP probationers/parolees only.
- B. The inmate or CCAP probationer/parolee with the PIN number used to place the call is the only person allowed to talk.
- C. Staff may post Attachment 3, *Telephone System Restricted Services*, to remind inmates and CCAP probationers/parolees of the restrictions.

VII. Security and Monitoring

- A. Any abuse of the inmate and CCAP probationer/parolee telephone system may result in criminal prosecution, administrative disciplinary action, or a temporary or permanent withdrawal of the privilege to use the telephone system.
1. Abuse includes but is not limited to the following:
 - a. Circumventing or attempting to circumvent security features and functions
 - b. Misusing PIN numbers
 - c. Harassing or threatening victims, law enforcement officials, judicial officials, or public officials
 - d. Harassing other persons through unsolicited calls, repeat calls, or any other form of harassment
 - e. Using the telephone system to engage in fraud of any kind
 - f. Accessing or attempting to access restricted telephone services such as PBX's, 800 numbers, or 900 numbers
 - g. Using any modem device, computer, or tone dialing device
 - h. Placing or attempting to place a call using call forwarding, third party calling, or in any manner other than a properly placed collect, prepay, or debit call that is correctly identified as a collect, prepay, or debit call from an inmate or CCAP probationer/parolee
 2. These prohibited activities apply to all inmate and CCAP probationer/parolee telephone calls including calls through TDD devices, videophones, and video relay services. (5-ACI-7D-13)
- B. Monitoring and Recording
1. Staff will post Attachment 4, *Monitoring and Recording Notice*, at all telephone locations as notification that all telephone calls originating from a DOC facility may be monitored and recorded; see Operating Procedure 440.3, *Administration and Monitoring of Inmate and CCAP Probationer/Parolee Telephones* (Restricted).
 2. Blocking Attorney Calls from Monitoring and Recording (5-ACI-3D-02; 4-ACRS-6A-01)
 - a. It is the inmate's and CCAP probationer's/parolee's responsibility to request a recording block to



- prevent the monitoring and recording of an attorney call using the *Request to Block Attorney Numbers* 803_F4.
- b. Staff will email the completed *Request to Block Attorney Numbers* to GTL Viapath at vadoc_admin_team@viapath.com.
3. GTL Viapath staff should process the *Request* within two days.
 - a. When GTL Viapath staff cannot process the *Request* within two days for any reason, they must notify the Facility Unit Head and the Operations Support Manager.
 - b. The Facility Unit Head will ensure that the inmate or CCAP probationer/parolee has the opportunity to speak to their attorney using the administrative phone system.
 - c. Numbers are subject to verification, including the existence of a bona fide attorney-client relationship.
 - d. The DOC does not permit the use of attorney home numbers unless the attorney's office of record and their residence are the same.
 - e. The DOC does not consider paralegals and investigators as attorneys for the purpose of blocking call monitoring and recording.
 - f. The contract vendor will place a recording block once they verify the telephone number is for an attorney or law firm.
 - g. The inmate or CCAP probationer/parolee will not receive confirmation that the recording block is in effect. Once a recording block is in effect, the message at the beginning of the call will not state that the call is being monitored and recorded.
 - h. If an area code split affects a number with a recording block, it is the inmate's or CCAP probationer's/parolee's responsibility to resubmit the changes to continue to have the number blocked from monitoring and recording.

VIII. GTL Viapath Hotline

- A. Inmates and CCAP probationers/parolees who have complaints or questions about the telephone service should be referred to the contract vendor's hotline.
- B. Inmates and CCAP probationers/parolees can access the GTL Viapath hotline by dialing 1 for English or 2 for Spanish, then dialing 0 for collect call, then entering their identification code (DOC ID + 4 digit GTL assigned PIN), and dialing #21 on the inmate and CCAP probationer/parolee telephone system.
 1. The GTL Viapath hotline is available from 7:00 A.M. to 9:00 P.M., Monday through Thursday, and 7:00 A.M. to 3:00 P.M. on Friday.
 2. The GTL Viapath hotline is closed on weekends and holidays.
- C. The contract vendor is not required to respond to messages left on the GTL Viapath hotline outside of business hours.

IX. PREA/Sexual Abuse Hotline

The PREA/Sexual Abuse Hotline is available by dialing #55 at any time the inmate and CCAP probationer/parolee telephones are available. (§115.51[a], §115.251[a])

REFERENCES

COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*

Operating Procedure 022.2, *Inmate and CCAP Probationer/Parolee Access to the News Media*

Operating Procedure 440.3, *Administration and Monitoring of Inmate and CCAP Probationer/Parolee Telephones* (Restricted)

Operating Procedure 801.5, *Inmate Marriage Ceremonies*



Operating Procedure 802.2, *Inmate and CCAP Probationer/Parolee Finances*

Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*

ATTACHMENTS

Attachment 1, *Inmate and CCAP Probationer/Parolee Dialing Instructions*

Attachment 1S, *Inmate and CCAP Probationer/Parolee Dialing Instructions - Spanish*

Attachment 2, *New Inmate and CCAP Probationer/Parolee Dialing Instructions*

Attachment 2S, *New Inmate and CCAP Probationer/Parolee Dialing Instructions - Spanish*

Attachment 3, *Phone System Restricted Services*

Attachment 4, *Monitoring and Recording Notice*

FORM CITATIONS

GTL Viapath Hotline Response 440_F12

Inmate Marriage Request 801_F1

Call List Consent Form 803_F3

Request to Block Attorney Numbers 803_F4

