

YOUTH SERVICES POLICY

Title: Telephone Usage by Youth and Monitoring of Calls	Type: B. Classification, Sentencing and Service Functions Sub Type: 8. Youth Related Services Number: B.8.1
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References: U.S. DOJ PREA Standard 115.353 (b); ACA Standards 2-CO-3C-01 and 2-CO-5D-01 (Administration of Correctional Agencies), 4-JCF-3A-01 and 4-JCF-3A-16 (Performance-Based Standards for Juvenile Correctional Facilities); YS Policy Nos. B.2.3 "Secure Care Intake", B.2.7 "LAMOD Program and Youth Stage Procedures" B.5.1 "Youth Code of Conduct – Secure Care", B.8.12 "Secure Care Youth Orientation", B.9.1 "Youth Welfare Fund (YWF)" and C.1.4 "Attorney Visits"	
STATUS: Approved	
Approved By: <i>William A. Sommers, Deputy Secretary</i>	Date of Approval: 02/25/2022

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish the guidelines regarding the use of telephones by youth and the monitoring of telephone calls at all YS secure care facilities.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, Secure Facilities Director, Executive Management Advisor and Facility Directors.

It is the Facility Director's responsibility to ensure compliance with this policy and convey its contents to the youth, employees, and the public.

IV. DEFINITIONS:

Contracted Health Care Provider (CHP) - Contracted licensed practitioners responsible for the physical and mental well-being of the secure care youth population. Services include medical, dental and mental health services, nursing, pharmacy, personal hygiene, dietary services, health education and environmental conditions.

Family Liaison(s) – The regional employees that serve as a direct link between communities, advocates and families/guardians of youth and YS.

Immediate Family Members – Biological parents, legal guardians, step parents, siblings, biological children and grandparents.

Intake – The process by which youth adjudicated delinquent are assigned to a secure facility.

Juvenile Electronic Tracking System (JETS) – The centralized database used to track all youth under OJJ supervision and to record youth case record activity.

Operations Shift Supervisor (OSS) - Responsible for a range of duties that support management in maintaining a safe, secure facility. Shift Supervisors oversee administrative and operational security activities during specific shifts; manage staff during each assigned shift; ensure adequate security coverage; lead count procedures; oversee the custody, supervision and control of secure care youth; manage frontline security staff; assist in controlling youth movement; assist in directing the use and issuance of keys, locks and security equipment.

Public Safety Services, Office of Management and Finance (PSS/OMF) – A unit within Public Safety Services that oversees the administrative and operational functions of the agency.

Unit Management Team – The multi-disciplinary team responsible for determining furlough eligibility.

Unusual Occurrence Report (UOR) - A document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working in all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the pertinent information. UORs may also be submitted by email. (Refer to YS Policy No. A.1.14)

Youth Welfare Fund (YWF) - Abandoned property in the form of legal tender and interest income earned from the investment of youth money. Only the youth population shall be the beneficiary, directly or indirectly, of any youth welfare funds, except administrative expenses incidental to the operation of the YWF may be authorized with sufficient justification pursuant to YS Policy No. B.9.1.

V. POLICY:

It is the Deputy Secretary's policy that uniform telephone procedures, including the ability to monitor and/or record youth telephone calls to preserve the security and orderly management of the facility, and to protect public safety, be established and adhered to at all secure facilities.

Youth shall not be allowed access to telephones, smartphones or similar devices except as outlined in this policy and with all appropriate approvals.

Each facility shall offer youth reasonable access to telephone communication, including TDD (telephone device for deaf youth and youth with a speech disability), without overtaxing the facility's ability to properly maintain stability and to avoid abuse of this privilege on the part of any youth.

Contracts for telephone services for youth must comply with all applicable state and federal regulations, and are commensurate with rates and surcharges for the general public for like services.

VI. PROCEDURES:

A. General

1. Each youth shall be assigned a personal identification number (PIN), which must be used when placing outgoing telephone calls. The PIN shall be the youth's Client ID number. For new youth being processed, the PIN shall be entered into the telephone system upon intake to the facility.
2. The telephone procedures shall be reviewed with the youth within 48 hours of the initial intake orientation to a YS secure care facility, pursuant to YS Policy B.2.3. Each facility's orientation manual shall include the information contained in this policy as a means to notify the youth of its contents, and in addition, verbal notification shall be given during orientation.
3. Intake staff shall provide the youth the "Master Telephone List" [attachment B.8.1(a)] and inform them that by signing the "Master Telephone List" form they "consent" to their telephone calls being monitored and/or recorded pursuant to YS Policy B.8.1. If the youth refuses to consent, staff shall document the refusal on the "Master Telephone List".

A copy of the "Master Telephone List" form shall be placed in the youth's Master Record under Clip VIII.

The youth may provide up to 10 (ten) telephone numbers inclusive of immediate family members and legal calls. Immediate family members (as defined above) shall prove their relation to the youth through birth certificates, marriage licenses, custody orders, adoption papers, etc.

Upon verification of the relationship, the Case Manager shall submit the approved "Master Telephone List" form to the appropriate trained facility staff to be entered in the telephone system.

At the discretion and signed approval of the Facility Director or Secure Facilities Director, and in conjunction with the youth's Probation and Parole Officer/Juvenile (PPO/J) and Regional Manager, other significant adults in the youth's life may be allowed to be added to the list. Approval signatures shall be obtained on the "Master Telephone List" form prior to entry into the telephone system.

4. Each youth's outgoing telephone calls shall be limited to those telephone numbers the youth has placed on the master list and have been approved by the Case Manager.

Telephone numbers may be added or removed from the master list once each quarter. These changes shall be documented on the "Master Telephone List" form and approved by the Case Manager prior to being entered by the contractor or appropriately trained facility staff. Approval of the Facility Director is required for changes outside of this timeframe.

Changes needed on the master list which involves phone numbers of parents or attorneys representing a youth are to be expedited. All attempts shall be made to institute such changes within 6 (six) working days. The 6 (six) working days shall begin upon receipt by the appropriate facility staff of the youth's written request that the change be made.

5. At each secure facility, youth must be provided access to the Investigative Services (IS) Hotline, Family Liaison, and agency authorized youth advocacy organizations. Youth shall be provided direct access to this phone, meaning they do not have to get permission to use the hotline; it is available for them to use at will.

Youth shall be provided with a certain degree of privacy when they use the hotline, meaning that staff may not station themselves near a youth using the hotline such that they could be accused of eavesdropping, or trying to intimidate the youth during the hotline call. However, this does not prevent staff from stationing themselves in a position to have the youth under visual observation.

6. Upon receipt of a request by a telephone subscriber that they not receive calls, the assigned facility telephone system administrator shall document the request on an "Unusual Occurrence Report" (UOR), and with the approval of the Facility Director, may contact the contractor to request that a universal block be put into place.

B. Telephone Access for Incoming and Outgoing Calls:

1. Personal or Family Calls (routine)

Incoming calls and messages may be relayed to the youth at the Facility Director's discretion.

Youth shall be provided an opportunity to make telephone calls to their home at the State's expense when the youth's Case Manager or the CHP determines during a formal counseling or medical/mental health contact that the call will promote the goals of the youth's individual intervention plan or medical/mental health well-being or progress.

The Case Manager or the CHP shall dial the telephone number and shall remain present during the call. The number dialed must be on the youth's "Master Telephone List" form and have been approved. Any deviation from the master list must be authorized by the Facility Director/designee and documented in writing. All calls shall be documented (time, date, purpose, telephone number, and person contacted) on a Weekly Contact Progress Notes in JETS.

Telephone calls for youth on the Orientation LAMOD Stage shall be placed on speakerphone. Youth may earn weekly telephone calls as an incentive based on their LAMOD Stage level and meeting expectations (refer to YS Policy B.2.7).

2. Telephone access in the youth housing units shall be made available when not in conflict with school, work or other programming. Specific times for telephone usage in the various housing units shall be established by the Facility Director, who shall communicate the telephone schedule to all youth, specifying hours during which the telephone is available, maximum length of calls and any limitation on calls, as outlined in Section VI.B.4 of this policy.

All calls other than those facilitated by the youth's Case Manager shall be collect calls.

The telephone service provider shall provide a commission from each collect call. The commission shall be deposited into the respective facility's Youth Welfare Fund (YWF) by Public Safety Services, Office of Management and Finance (PSS/OMF), pursuant to YS Policy No.B.9.1.

3. Personal or Family Calls (emergency)

Upon receiving information of a family emergency, the Facility Director/designee shall notify the youth as soon as possible, and provide the youth an opportunity to call the family as deemed appropriate to the circumstances.

The Facility Director shall establish a procedure for youth notification of legitimate personal or family emergencies communicated to the facility.

4. Legal Calls

Youth shall be given notice that their attorney has requested contact. Complete verification of the Attorney of Record is required prior to processing, pursuant to YS Policy No. C.1.4.

Youth shall be given meaningful access to telephones for privileged communications with their attorneys, including being advised that their attorney has requested contact.

Each facility shall advise the youth on the proper way to place a legal call and assist youth, if needed, in making attorney contact.

5. Prohibited Calls:

- a. Remote Call Forwarding (RCF) is a mechanism by which youth may employ a local telephone number that automatically forwards the telephone call to a pre-selected number generally located out of the local calling area code or long distance. RCF, in essence, is an automated 3-way call. RCF is also known as an automated call forwarding or PBX call forwarding. RCF usage creates an opportunity to conduct criminal or illegal or unauthorized activities since the end call location is not readily being identified, verified, or its actual location known. This affords untold opportunity for youth to engage in potential scams, to call victims, to facilitate escape attempts, and to engage in other conduct representing significant risks to the facility.

- b. The youth population must be put on notice that all third-party telephone calls, including RCF calls, are strictly prohibited and such activity shall result in appropriate disciplinary action pursuant to YS Policy No. B.5.1.

C. Phone System Features and Call Monitoring:

- 1. Youth shall be put on notice of the following:
 - a. Telephone calls in living areas are subject to being monitored and/or recorded and that "use" constitutes "consent."
 - b. A properly placed telephone call to an attorney shall not be monitored and/or recorded unless reasonable suspicion of illicit activity has resulted in a formal investigation and such action has been authorized by the Deputy Secretary/designee.
- 2. The telephone system will normally terminate a call at the end of the authorized period, (normally 15 minutes); however, the Facility Director/designee may authorize calls of a longer duration as circumstances warrant.
- 3. The system shall automatically broadcast recorded messages indicating that the telephone call is originating from a secure care facility.
- 4. Only personnel authorized by IS shall monitor youth telephone calls. Information gained from monitoring calls that affect the stability of the facility or threatens the protection of the public shall be communicated to other staff members or other law enforcement agencies.

Telephone calls to attorneys may not be routinely monitored (see Section VI.D.1.b.); staff shall immediately disconnect from any telephone call if it appears that is the case. All other information shall be held in strict confidence.

5. Youth who have already been assigned to the facility shall be put on notice by a sign posted at each telephone which shall reflect the following information:

ATTENTION:

This telephone has been electronically programmed to monitor and/or record telephone calls. By using this telephone, you consent to the monitoring and/or recording of your conversation, except for properly placed legal calls.

Previous Regulation/Policy Number: B.8.1

Previous Effective Date: 02/10/2020

Attachments/References: B.8.1(a) Master Telephone List February 2022

Youth Master Telephone List

Facility _____

Date _____

Youth's Name _____

JETS # _____

- Instructions:
1. Print clearly
 2. One phone number per line. Area Code must be included with the phone number
 3. Provide up to 10 (ten) telephone numbers including immediate family and attorneys

Name	Relationship	Verified (Y/N)	Telephone Number	Add or Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove
			()	Add Remove

I UNDERSTAND THE TELEPHONES IN THE HOUSING AREA HAVE BEEN PROGRAMMED TO MONITOR AND/OR RECORD TELEPHONE CALLS. I CONSENT TO THE MONITORING AND/OR RECORDING OF MY CONVERSATION, WITH THE EXECPTION OF PROPERLY PLACED LEGAL CALLS TO AN IDENTIFIABLE ATTORNEY.

Youth Signature _____

Date _____

By signing below, I confirm the relationship listed above meets the definition of Immediate Family as stated in policy B.8.1.

Case Manager _____

Date _____

Complete this section only when requesting Non-Immediate Family Members be added to the list.

By signing below, I approve the placement of the adult non-immediate family member(s) listed above on the youth's telephone list.

Probation Officer/Regional Manager _____

Date _____

Facility Director/Secure Facilities Director _____

Date _____

Note: Changes to the Master Telephone are permitted once per quarter. Any deviation from this list must be authorized by the Facility Director/Designee in writing.