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|  | MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES | |
| | Subject INMATE COMPUTERIZED DEVICES (TABLETS) | Policy Number DK-4 <hr/> Effective Date 04-26-24 |
| Related Information <i>Informational Handbook for Inmates</i> <i>DJ-2, Inmate Disciplinary Procedures</i> <i>DJ-3, Inmate Grievance Procedures</i> <i>DJ-4, Pod Restrictions and Security Overrides</i> <i>DK-2, Inmate Telephone System</i> <i>DK-3, Inmate Visitation</i> <i>DO-1, Intake Process</i> <i>GE-3, Property Management and Evidence Control</i> | Supersedes DK-4 (11-02-21) | |

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for the use and management of inmate computerized devices (tablets). The handheld touchscreen display tablets can be used by inmates to stream music, movies, games, and communicate with members of the public and legal representatives. The tablet may also be used by inmates to communicate with Office personnel by submitting electronic inmate forms through the tablet for the purpose of requesting inmate services.

POLICY

It is the policy of the Office to provide inmates with various means to communicate with Office personnel, members of the public, and legal representatives. All detention personnel shall strive for effective communication with inmates, members of the public, and legal representatives, and all such communication shall be done in a professional manner. For the purpose of inmate management, tablets are distributed as a privilege and to provide an alternative means of communication when inmate actions and behaviors warrant it, as determined by detention personnel. Communication with legal representatives shall not be restricted and may also be conducted through inmate visitation and inmate telephones.

DEFINITIONS

Charging Unit: A portable enclosed cabinet used to store and charge numerous inmate tablets when not in use by inmates. The charging unit has an individual charging slot for each tablet. The charging unit can be locked and must be plugged into an electrical outlet to charge. There may be numerous charging units throughout a jail facility.

Direct Messaging: An application available on the inmate tablet to be used as a method of communication to and from friends and family and inmates. Friends and family of an inmate must create an account through the tablet contracted vendor's website. Messaging on tablets is not a form of privileged communication, no matter the affiliation of the sender to the inmate. This includes inmate messaging with their counsel and/or any member of their defense team.

Disciplinary Action Report (DAR): An electronic form used to document a jail rule violation which has been alleged to have been committed by an inmate. Jail rule violations are specified in the *Informational Handbook for Inmates*.

Disciplinary Appeal: A formal action by an inmate requesting the on-duty supervisor or jail facility commander or designee review a decision concerning sanctions or verdicts.

Docking Station: A wireless docking device located in the inmate’s housing unit which is required for the use of video visitation on an inmate tablet.

Flex Terminal Unit: Video terminals located at the Lower Buckeye Jail and 4th Avenue Jail visitation lobbies where members of the public and legal representatives can conduct On-Site Regular Video Visitation. These video terminals are also located in inmate housing units for the inmates to conduct an On-Site Regular Video Visitation.

Inmate Tablet: A handheld computerized electronic device used by inmates to stream music, movies, games, submit inmate forms electronically, and communicate with members of the public and legal representatives. The inmate tablet is provided and maintained by a contracted vendor. Inmate tablets are battery operated and must be returned to the charging station on a regular basis in order to be charged.

Inmate Telephone System (ITS): A computerized telephone system, administered by a contracted Office vendor, which is used to process an inmate's personal/non-legal and legal telephone calls. All inmate phone calls made on a wall phone inside an inmate housing unit or on the inmate tablet profile Phone Dialer are processed through this system and are recognized as the same.

Loss of Privileges: A temporary disciplinary sanction imposed against an inmate for a jail rule violation as part of the formal disciplinary process. Loss of privileges may include the loss of one or more of the following for up to 30 calendar days: regular visits; regular phone calls; inmate tablets; canteen; and in-person programs. An inmate imposed with a loss of privileges shall be allowed: mail; legal visits; legal telephone calls; access to religious services or material; and educational information.

Temporary loss of privileges that have been imposed by a reporting person for a minor jail rule violation shall not exceed 24-hours and shall only include sanctions indicated in the minor jail rule violation definition, as specified in Office Policy DJ-2, *Inmate Disciplinary Procedures*. **Loss of privileges beyond 24-hours shall only be imposed by the Custody Bureau Hearing Unit.**

Major Jail Rule Violation: Rules that are identified in the *Rules and Regulations for Inmates* and are addressed through the discipline process which includes a *Disciplinary Action Report* and a Custody Bureau Hearing Unit disciplinary hearing. If the hearing sustains a rule violation, sanctions may exceed 24-hours to include temporary disciplinary restrictive housing, and/or temporary loss of privileges, and/or the alternative meal sanction. Sanctions imposed by a hearing sergeant shall be reasonable and consistent with the severity of the jail rule violation.

Minor Jail Rule Violation: Rules that are identified in the *Informational Handbook for Inmates* and are addressed through the discipline process which includes a *Disciplinary Action Report*. A minor jail rule violation may result in sanctions by the reporting person to include a temporary loss of privileges. Sanctions imposed by the reporting person shall be reasonable and consistent with the severity of the jail rule violation. Sanctions for minor rule violations **may** include one or more of the following temporary loss of privileges not to exceed 24-hours:

- A. Inmate tablets;
- B. Dayroom access;
- C. Regular visits;
- D. Regular phone calls;
- E. In-person programs; and/or
- F. Removal from a work detail without loss of worktime credit.

Custody Bureau Hearing Unit discipline hearings are not required prior to imposing sanctions for minor jail rule violations unless determined by the reporting person that the inmate has had three incidents of the same minor jail rule violation within the last six months. In this event, the reporting person shall note in the *Disciplinary Action Report (DAR)* the inmate's repetitive behavior and the DAR shall be processed the same as a major jail rule violation, as specified in this Office Policy. Sanctions imposed by a hearing sergeant may result in more than a 24-hour loss of privileges.

Reporting Person: Any employee who is responsible for the care, custody, or control of inmates, and who has completed Disciplinary Action Report training.

Tablet Command System: A program used by authorized Office personnel for managing inmate activity on an inmate tablet; to include communication and other services and actions.

Tablet Profiles: Tablet profiles are accessed by the inmate's preference and may be limited due to the inmate's housing unit location. Some profiles have a cost associated with them. All inmates with tablet access are provided with a limited free tablet profile.

1. Free Profile: A profile that inmates can use on the tablet that has no associated cost.
2. Standard Profile: A profile that inmates can use on the tablet that has an associated cost.
3. Promotional Profile: A profile that inmates can use on the tablet that has a cost associated.
4. Phone Dialer Profile: A profile that inmates can use on the tablet that has no associated cost until a call is placed. Once a call is connected there will be a fee per minute with no time limitation. All inmate phone calls placed using the Dialer application are process through the Inmate Telephone System (ITS). Non-legal calls are subject to monitoring and/or recording.
5. Video Visit Profile (Visit Now): A profile that inmates can use on the tablet for video visitation that may require a fee per minute. Inmates can receive an unlimited number of visits in 30-minute increments at a time per visit using the Visit Now system. Non-legal visits may be subject to monitoring and/or recording.
6. Disciplinary Profile: A profile that inmates may use only after being placed into Disciplinary Restrictive Housing. This profile includes Office forms and religious and educational information. This profile does not restrict inmates from their legal representatives.

PROCEDURES

1. **Inmate Tablets:** The inmate tablet will **not** have internet access. The tablet may have the ability to make phone calls; conduct video visitation; submit forms electronically to Office personnel; direct message with members of the public; and stream music, games, and movies.
 - A. The *Informational Handbook for Inmates* are available electronically on the tablets which is in addition to the copy offered during booking, as specified in Office Policy DO-1, *Intake Process*.
 - B. *Inmate Request* forms and *Inmate Grievance* forms are available electronically on the tablets in addition to the paper copies that are available upon request for inmates use.
 - C. Detention personnel may send out notifications such as, but not limited to, updates to the *Informational Handbook for Inmates*, updates regarding tablet information, and postings for Correctional Health Services (CHS).

2. **Housing Unit Officers Responsibilities:** At the beginning of each shift, housing unit officers are required to log into the tablet command system icon located in the MCSO SharePoint. The housing unit officers shall monitor inmate tablet activity for purposes such as, but not limited to, electronically submitted *Inmate Request* forms, *Inmate Grievance* forms, and inmate communication activities. Housing unit officers shall review electronic communications and respond as necessary throughout their shift.

3. **Tablet Headphones:** Inmates arriving to their assigned jail facility will be provided one set of headphones by detention personnel. The inmate shall sign the *Headphones Acknowledgement* form and the signed form shall be placed in the inmate's Jail File. An entry shall be made into SHIELD documenting the issuance of the headphones under the In Cell Property Items category.
 - A. If the headphones become damaged, inmates can purchase replacement headphones through the Inmate Canteen.
 - B. Inmates may have up to two pairs of working headphones in their possession.
 - C. Headphones that have been altered or are not in working condition shall be disposed of. This shall be documented in SHIELD.
 - D. In areas where it would be unsafe to distribute headphones, such as the Mental Health Unit, tablet speakers may be enabled.

4. **Assigning Inmate Tablets:** Upon an inmates arrival to their assigned housing unit, detention personnel shall offer each inmate an unassigned tablet. An unassigned tablet is identified by the orange background and Assign Tablet button. Assigning a tablet allows detention personnel the ability to view tablet information, including the ability to transfer or remove a tablet assignment. Inmates who initially decline the use of a tablet can request one at a later time.
 - A. Once a tablet is assigned to a specific inmate, it is the only tablet the inmate's login credentials will work on.
 1. The tablet permissions and profiles will be based on the housing unit they are assigned to.
 2. The tablet remains assigned to the inmate until such time they are released from custody or transferred to a different Office jail facility.
 3. If transferred to another Office jail facility, the inmate will be offered an unassigned inmate tablet at their new housing unit and their credentials will only work on the newly assigned tablet.
 - B. Inmates offered an unassigned tablet are permitted to assign themselves to the tablet and may keep it in their possession for the duration of their stay in their assigned housing facility, absent circumstances, as specified in this Office Policy.
 - C. Inmates using their assigned tablet must accept the terms and conditions of use which appear when the inmate signs into the tablet. Inmates shall only access the tablets through their own account; account sharing is prohibited.
 - D. Any deviations or restrictions affecting tablet distribution, use, and collection timeframes shall be determined by the respective jail facility commander or designee. Additionally, housing unit categories shall be taken into consideration.

1. Inmates in restrictive housing will only have access to the free profile or disciplinary profile. Once assigned to a restrictive housing unit, the profile will automatically change to a free profile or a disciplinary profile.
 2. Inmates on special security restrictions, as determined by a jail facility commander, will not be provided a tablet when it could pose a threat to the safety and security of the inmate or others, and the jail facility.
5. **Collecting Assigned Inmate Tablets:** Detention personnel shall collect assigned tablets when the following occurs:
- A. When an Inmate is Processed for Release from Custody: Prior to an inmate departing their assigned housing unit, the housing unit officer shall check the tablet for damage.
 1. If no damage is noted, the housing unit officer will unassign the tablet and return it to the charging unit.
 2. If damage is noted, the officer will unassign the tablet and fill out the *Inmate Tablet Service Form* and turn the tablet in to the facility tablet vendor technician.
 - B. When an Inmate is Transferred to a Different Office Jail Facility: Prior to an inmate departing their assigned housing unit, the housing unit officer shall check the tablet for damage.
 1. If no damage is noted, the officer will unassign the tablet and return the tablet to the charging unit.
 2. If damage is noted, the officer shall **NOT** unassign the tablet and shall fill out the *Inmate Tablet Service Form* and any applicable accidental or intentional damage documentation requirements such as a *Disciplinary Action Report (DAR)*, and/or *Incident Report (IR)*, as specified in this Office Policy and return the tablet to the facility tablet vendor technician. A SHIELD entry shall be entered documenting the damaged inmate tablet taken out of service.
6. **Damage to Tablets:** The *Inmate Tablet Service Form* shall be used to document the removal of tablets from service to ensure proper accountability and documentation. The form can be accessed through the Office's shared drive in the Inmate Tablet Program folder. Detention personnel shall complete the *Inmate Tablet Service Form* and submit the form electronically to the tablet vendor by clicking on the "Submit" located on the bottom of the form. Detention personnel must ensure each section of the form is completed fully to include the tablet Media Access Control (MAC) address which is located on the back of the tablet. The tablet shall be returned to the facility tablet vendor technician. In addition to the *Inmate Tablet Service Form*, an entry in SHIELD documenting the incident shall be completed, along with the following notification and documentation:
- A. **Accidental Damage to a Tablet or Docking Unit:** When the inmate tablet is damaged or no longer working, the housing unit officer will NOT unassign the tablet. When a docking unit is damaged, the housing unit officer shall document the damage in SHIELD and notify the shift supervisor.
 1. If the facility tablet vendor technician determines that the tablet failed due to reasons other than intentional or negligent damage, the technician will unassign the tablet and the inmate can be assigned and begin using another tablet; or
 2. If the facility tablet vendor technician determines that the tablet was damaged intentionally or due to negligence, the technician will inform the on-duty jail facility supervisor and will wait

for direction prior to unassigning the tablet. Supervisors shall assign the reporting officer to complete the applicable intentional damage documentation, as specified in this Office Policy. The inmate will not be able to use a tablet until the matter is resolved and they are unassigned from the damaged tablet.

3. If it is determined that the docking unit was accidentally damaged, the inmate may continue to use the tablet. If determined to be intentional, the issuance of a DAR shall be completed, as specified in this Office Policy.
- B. Intentional Damage: Any intentional damage, destruction, or alteration to a tablet, docking unit, protective case, or ID tag for any reason or due to lack of care shall result in the issuance of a DAR and the shift supervisor shall be notified. Sanctions may result in loss of tablet privileges, or further disciplinary action, and criminal charges as determined by detention personnel.
1. Incidents regarding damage and/or abuse of a tablet will be evaluated by the Custody Bureau Hearing Unit (CBHU), on a case by case basis. The removal or reinstatement of tablet privileges will be determined by the CBHU or the jail facility commander or designee.
 2. Incidents regarding intentional criminal damage, destruction, or alteration to a tablet will require the on-duty supervisor to follow the notification and documentation procedures, as specified in Office Policy DJ-2, *Inmate Disciplinary Procedures* and this Office Policy.
 - a. The following documentation shall be completed when criminal damage has occurred:
 - (1) Ensure an IR and DAR are completed;
 - (2) Take photos of the damaged equipment;
 - (3) Notify the Jail Crimes Unit, as necessary; and
 - (4) Attach a copy of the IR and photos of the damaged equipment to the DAR and forward to the CBHU and the Jail Crimes Unit. The IR number shall not be written on the DAR.
 - b. An *Inmate Tablet Service Form* shall be completed, and the tablet secured for the tablet vendor as identified on the form. The IR number and DAR number generated by SHIELD shall be documented on *the Inmate Tablet Service Form*.
- C. Damage to the Tablet's Lithium Battery: If damage to a tablet's lithium battery has occurred, ensure the following safety and handling precautions are followed to help ensure no fire or explosion occurs:
1. Ensure all exposed wires are taped in a manner that prevents them from touching together or any other metal surfaces before placing the tablet in a secured locker.
 2. In the event a tablet battery catches fire or explodes due to damage, detention personnel are responsible for the following:
 - a. Assessing the scene to determine if emergency response assistance is required and notifying the jail facility security control of the appropriate personnel needed;
 - b. Securing the affected area and if applicable, removing the inmates from the immediate location as quickly and safely as possible;

- c. Managing the fire with an available ABC type fire extinguisher to prevent the fire from spreading. If the tablet battery is still hot it can be placed in a shower or sink area using the appropriate Personal Protection Equipment (PPE) and doused with water;
- d. Notifying the jail facility security control when the scene is safe;
- e. When necessary, contacting the Facility Maintenance Officer (FMO) or the Facility Maintenance Department (FMD) to have the evacuation fans activated due to smoke;
- f. Notifying Correctional Health Services (CHS) to assess inmates for any reactions to smoke if needed; and
- g. Documenting the event in SHIELD and completing any other requirements regarding criminal damage as specified in this Office Policy.

D. Impounding Tablets as Evidence:

- 1. A tablet shall not be impounded as evidence to the Property Management Division unless otherwise determined by the Jail Crimes Unit.
- 2. If determined by the Jail Crimes Unit to impound the tablet, the safety and handling precautions shall be followed as specified in this Office Policy, in addition to procedures for impounding evidence, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- 3. An inmate tablet with a damaged lithium battery shall not be placed in an evidence locker until made safe as specified in this Office Policy.
- 4. The tablet vendor shall be notified when a tablet has been impounded as evidence and an entry shall be completed in SHIELD documenting the IR event.

7. **Tablet Violation and Restriction:** Detention personnel may only restrict privileges for the use of the tablets, as specified in Office Policy DJ-2, *Inmate Disciplinary Procedures*.

- A. Violations of the *Rules and Regulations for Inmates* may include Loss of Privileges (LOP) sanctions for the use of the tablet. An entry shall be made into SHIELD and the tablet command system documenting the minor rule violation.
 - 1. LOP sanctions imposed by a reporting person for a minor rule violation shall not exceed 24-hours. No further disciplinary action shall be taken as a result of the DAR.
 - a. A DAR for a minor rule violation in which a reporting person has imposed an immediate LOP sanction shall be provided to the reporting person's on-duty supervisor prior to the end of shift for review. The supervisor shall ensure the DAR indicates the minor LOP sanctions imposed by the reporting person and justification for the LOP sanction.
 - b. The inmate may only appeal LOP sanctions issued by the reporting person for minor rule violations to the reporting person's supervisor through a *Disciplinary Appeal* form for final review and determination. The inmate is required to submit the appeal within two hours of being issued the DAR with the imposed LOP sanction.

- c. The *Disciplinary Appeal* form shall be promptly provided to an on-duty supervisor for review and determination. The supervisor shall provide their written appeal response back to the inmate prior to the end of the shift. There is no further appeal process.
 - d. Upon completion, the on-duty supervisor shall forward the DAR, the *Disciplinary Appeal* form, and any related DAR documentation to the CBHU who will update the SHIELD record.
 - 2. LOP sanctions beyond 24-hours shall only be imposed by a CBHU sergeant.
 - a. The reporting person shall **not** take action to impose immediate sanctions following completion of a DAR for a **major** rule violation. The reporting person shall forward the DAR to the on-duty supervisor for their review.
 - b. The on-duty supervisor shall then forward the DAR with their recommendation to the CBHU for a subsequent hearing. If found guilty of the rule violation, the inmate may be imposed with CBHU LOP sanctions of up to 30 calendar days.
 - B. A pod restriction request shall be submitted, as specified in Office Policy DJ-4, *Pod Restrictions and Security Overrides*.
 - C. Inmates found to have altered the tablet security settings or changed any settings and/or accessed unauthorized content may permanently lose tablet privileges and are subject to disciplinary action.
 - D. An inmate that is found to have caused intentional damage or used the tablet in a fashion which is considered inappropriate, can be placed on tablet protocol. Tablet protocol permanently restricts an inmate's privilege to use a tablet, as determined by the CBHU Commander.
- 8. **Electronic Forms Applications:** *Inmate Request* forms and *Inmate Grievance* forms are located on the free profile and the disciplinary profile of the inmate tablet. *Inmate Request* forms and *Inmate Grievance* forms are separated into different types of requests, identified by the type of need. When tablets are restricted, not available, or inoperable due to technical issues, paper copies of inmates Office forms shall be available upon request for inmate use.
 - A. Inmate Request Forms:
 - 1. Inmates can select the designated area of the jail the *Inmate Request* form is for, and once the request is completed, it will be sent to that designated area. The assigned personnel for that area will be required to respond to the *Inmate Request* form through the tablet command system.
 - 2. Detention personnel assigned to a housing unit will be responsible for responding to *Inmate Request* forms submitted to the housing unit electronically through the tablet command system. Detention officers are to review and respond to the *Inmate Request* form during their shift, as time allows.
 - 3. Detention personnel and those personnel in designated areas who respond to *Inmate Request* forms should change the status of the *Inmate Request* form in the tablet command system to "Closed" once addressed. This will prevent inmates from responding to the request again.

- a. If the inmate has a follow-up question or requests additional information, they must submit a new request.
 - b. If an inmate submits a request using the wrong form, the request should be “Closed” with the notation the wrong form was selected.
 - B. Inmate Grievance Forms: Procedures for processing inmate grievances, are specified in Office Policy DJ-3, *Inmate Grievance Procedures*. Inmates must select a grievance category that fits the incident being grieved. Once complete, it must be sent to that designated area. If there is not a category for the incident being grieved, inmates can use the General Inmate Grievance Category.
9. **Tablet Telephone Calls and Video Visitation:** Inmates can make phone calls or video visits to family, friends, attorneys, and other legal representatives through the Phone Dialer Profile or the Video Visit Profile (Visit Now) application on the inmate tablet. Procedures for inmate phone calls shall be followed, as specified in Office Policy DK-2, *Inmate Telephone System* and procedures for video visitation shall be followed, as specified in Office Policy DK-3, *Inmate Visitation*.
- A. Phone Dialer Profile: When inmates’ login to the tablet and are verified through their profile, the Phone Dialer Profile application is activated. Inmates are required to establish an Inmate Telephone System (ITS) Identification, as specified in DK-2, *Inmate Telephone System* prior to accessing the Phone Dialer application.
 1. Personal/Non-Legal Calls: These are collect and non-collect outgoing calls to family and all other persons not identified as legal representatives. All personal/non-legal calls are monitored and/or recorded by Office personnel. All personal/non-legal calls are subject to a fee per minute. There are no set time limitations to these calls.
 2. Legal Calls: These are calls to telephone numbers registered on the Legal Representative Published Telephone Number Database and shall **not** be monitored and/or recorded. These calls do not require a fee per minute and are not subject to set time limitations.
 - B. Video Visit Profile (Visit Now):
 1. Visit Now: Inmates can receive video visits. These visits are paid for by the inmate, or the person contacted by the inmate, upon confirmation by the paying party. These types of visits are monitored and/or recorded by Office personnel.
 2. Privileged Visit Now: Privileged visitors must verify their accounts through an authorized Office jail visitation facility in order to register their privileged visitor profile. These types of visits shall **not** be recorded and/or monitored.
 3. Special Visits Now: A visit designated for community clergy, law enforcement officers, and may also include community partners. Procedures for special visits are specified in Office Policy DK-3, *Inmate Visitation*.
 - C. Direct Messaging: Inmate direct messages have no right to privacy and will be monitored by Office personnel. Inmates are not authorized to directly communicate with other inmates through the direct messaging application.
10. **Non-Tablet Video Visitation:** Procedures for video visitation **not** conducted on the tablet such as On-Site Video Visitation and Remote Video Visitation, are specified in Office Policy DK-3, *Inmate Visitation*.