

## Inmate Computerized Devices (Tablets)

### 1906.1 GENERAL

The purpose of this 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 rent movies, play games, attend classes/workshops, and call or video visit with members of the public.

- (a) Members shall only access the Tablet Command Center from a Sheriff's Department device and only while on duty.
- (b) Members shall not create an account in ViaPath without Division Commander/Director approval to communicate with inmates.
- (c) The ability to review prior visits will be limited to an employee's permission level.
  - 1. Access and permission levels are administered by the Technology Division.
- (d) OCSD Department Members and volunteers shall not deposit money into any type of inmate account without Division Commander/Director approval including:
  - 1. An inmate's pin-debit account (money deposited by friend/family to make phone calls and to access fee-based services and content on the tablets).
- (e) Department members shall adhere to all policies and practices defined in OCSD Policy Manual (Lexipol) Section 303 – Department Media and OCSD Policy Manual (Lexipol) Section 215- Confidential Information regarding the release of any tablet related video or other content.

For the purpose of inmate management, the use of the tablets is distributed as a privilege, and to provide an alternative means of communication when inmate actions and behaviors warrant it, as determined by staff and policy.

### 1906.2 DEFINITIONS

- (a) **Charging Station:** A portable enclosed cabinet used to store and charge numerous inmate tablets when not in use by inmates. The charging station has an individual charging slot for each tablet. The charging station can be locked and must be plugged into an electrical outlet to charge. There may be numerous charging stations throughout a jail facility.
- (b) **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.
- (c) **Eligible inmate:** An inmate who has not been suspended from temporary use or permanently restricted from use of the tablets.
- (d) **Flex Terminal Unit (Public Flex & Private Flex):** Video terminals located in the 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

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housing units for the inmates to conduct an On-Site Regular Video Visitation. Wall mounted Flex Units that are pre-set to "public" will record the video visit session. Wall mounted Flex Units that are pre-set to "private" will not record the video visit session.

- (e) **ViaPath Command:** A program used by authorized staff for the ViaPath Network that manages the activity of the inmate tablet devices; to include communication and other services and actions.
- (f) **Inmate Tablet:** A handheld computerized electronic device which uses a touch screen interface. 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 to be charged.
- (g) **Inmate Telephone System (ITS):** A computerized telephone system, administered by a contracted vendor which is used to process an inmate's personal/non-legal and legal telephone calls. Inmate phone calls are processed through this system. 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.
- (h) **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.
    - i. This profile is set up by the contracted vendor to promote games and videos at a reduced cost to the inmate for a limited time.
  - 4. **Phone Dialer Profile:** A profile that inmates can use on the tablet that has no associated cost until a call is placed. All inmate phone calls are processed through the Inmate Telephone System (ITS). Calls to phone numbers not included in the non-monitored and non-recorded database will be recorded and may be subject to monitoring.
  - 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 using the Visit Now system. Video visits made via the handheld tablets will be recorded. The only video visits that will not be recorded are those made via the wall mounted Flex Units that are pre-set to "private."

### **1906.3 TABLETS PROCEDURES**

- (a) Tablets are distributed to eligible inmates for daily use and returned at the end of the day. The tablet will not have internet access. The inmate tablet may have the ability to

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make phone calls, conduct video visitation, attend programs, and rent music, games, and movies.

1. The Rules and Regulations for Inmates are available electronically on the tablets and will be acknowledged during each sign-on process.
  2. Administrative staff may send out notifications such as, but not limited to, updates to the Rules and Regulations for Inmates, updates regarding tablet information, and postings for Correctional Health Services (CHS).
- (b) All inmates will be considered eligible to use the inmate tablets unless there is a documented threat to facility safety and security, an inmate is serving a disciplinary sentence, or documented behavioral health concern for the inmate having the tablet.

#### **1906.4 HOUSING STAFF RESPONSIBILITIES**

- (a) Housing unit staff are responsible for distributing tablets to eligible inmates and ensuring all tablets are accounted for each day.
1. At the beginning of each shift, housing unit staff shall conduct an inventory of all tablets and inspect all docking stations assigned to the housing unit. Housing unit staff shall make an entry in the guard station log, document the number of tablets, and ensure all tablets are accounted for. Staff shall follow up on any tablet inventory discrepancies or equipment concerns for tablets in their assigned area of responsibility. Housing unit staff shall also account for any items missing from the tablet inventory before tablets are distributed or exchanged and update the guard station log, as necessary.
  2. Housing unit staff are responsible for reporting, documenting, and taking appropriate action for damaged or missing tablets and docking stations.
  3. Housing unit staff will have access to log into the [REDACTED] to monitor and view real-time tablet activity including, but not limited to, inmate video visiting and other tablet functions. Housing unit staff shall not review prior video visits unless they have been designated by their respective facility or work location.
  4. Each facility will designate specific staff members assigned and responsible for monitoring and reviewing real-time and prior video visits.
  5. All staff members will follow the guidelines listed in [CCOM Section 1906.8 – Tablet Violation and Restriction](#) for any tablet related jail rule violations, or any activity related to a criminal offense within or outside of a department facility.

#### **1906.5 INMATE TABLET DISTRIBUTION AND EARBUD ISSUANCE**

- (a) Each eligible inmate may be provided a tablet in their assigned jail facility housing unit. Tablets are not to be permanently assigned to inmates. Inmate workers may assist with the distribution and collection of tablets.
1. Inmates may receive and maintain the assigned tablet generally between the hours of 0700 and 2300 hours.

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- i. Tablet distribution and collection timeframes shall be determined by each jail Facility Commander or designee for their facility. Housing unit classification shall be taken into consideration.
  - ii. Tablets are generally distributed when dayroom hours begin and are generally collected before the end of dayroom access.
2. The following conditions should be met before tablets are distributed:
  - i. Daily housing unit announcements have been completed.
  - ii. Housing unit cleanliness standards are met.
  - iii. Inspections of the docking stations have been completed.
  - iv. Any other conditions that require consideration including, but not limited to,
    - A. Inmate behavior
    - B. Security of the jail facility
    - C. Other uncontrollable or unforeseen events
3. Tablets shall remain within the assigned housing unit. Tablets only work in the housing unit in which they are assigned.
  - (a) Tablets are to be used in the dayroom or in the inmate's cell.
  - (b) Tablets shall not be taken into the shower, to any inmate work assignment, inmate programs (including those attached to a housing unit), or a recreation area.
  - (c) Inmates removing a tablet from a housing unit shall result in suspension from the use of the tablet consistent with [CCOM Section 1906.8 – Tablet Violation and Restriction](#).
  - (d) If the inmate is moved to a different housing unit, the housing unit staff shall ensure the tablet is collected and remains within the assigned housing unit. Eligible inmates may be provided a tablet upon arrival at their new housing unit.
4. Inmates who initially decline the use of a tablet may request one later.
  - (b) Inmates on special security restrictions, as determined by a Facility Commander or their designee, 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.
  - (c) Newly booked inmates arriving to their initial housing unit, (where tablets are assigned), will be provided one set of earbuds by staff.
    1. If the earbuds become damaged, inmates may request a replacement pair from the housing staff in exchange of the damaged pair.
    2. Replacement earbuds will be furnished to the guard stations by the Inmate Services Division.
    3. Inmates may have one (1) pair of earbuds in their possession.

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4. In areas where it would be unsafe to distribute earbuds, such as the Mental Health Unit, tablet speakers may be enabled.

#### **1906.6 COLLECTION OF TABLETS AND PLACEMENT INTO CHARGING STATIONS**

- (a) Housing unit staff shall collect the inmate tablets prior to 2300 hours. Tablets are to be collected daily and placed into a charging station for charging and updates. Tablets are not permitted to be in an inmate cell overnight. Housing unit staff shall be responsible for the following:
  1. Inspecting of each tablet for damages upon collection. If damaged tablets are discovered, housing staff shall follow the documenting and reporting procedures, as specified in [CCOM Section 1906.7 – Damage to Tablets](#).
  2. Ensuring tablets are exchanged or collected anytime during open dayroom hours if they need to be charged.
  3. Ensuring tablets are placed in the charging station correctly. The earbud jacks must face outward when placing the tablet into the charging station. If the earbud jack is not facing outward, the tablet will not charge.
  4. After accounting for all tablets and/or checking for proper charging connections, securing, and locking the charging station, staff will make an entry in the Guard Station Log indicating the collection has been completed and log the number of tablets that were collected.

#### **1906.7 DAMAGE TO TABLETS**

- (a)  Staff shall include the MAC # which is located on the back of the tablet, the facility and location of the tablet.
  1. Damage: Any damage to a tablet or docking station shall be entered into the Guard Station Log.
    - i. Accidental Damage:
      - A. If it is determined that the tablet was accidentally damaged, the inmate may exchange the damaged tablet for a spare tablet assigned to that housing unit, if available.
      - B. If it is determined that the docking station was accidentally damaged, the inmate may continue to use the tablet.
      - C. Staff should include a JI number and/or DR number on the Inmate Tablet Service Form if a specific incident results in damage of multiple tablet devices i.e., damage due to flooding, damage due to power outage/surge, cyberattack, etc.
    - ii. Intentional or Negligent Damage
      - A. Destruction, or alteration to a tablet hardware or software, docking station, protective case, or ID tag for any reason or due to lack of

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care shall result in either a Major/Minor Jail Incident Report (JI), and/or a crime report (DR). Sanctions may result in loss of tablet privileges, disciplinary action, and/or criminal charges per [CCOM Section 1906.8 – Tablet Violation and Restriction](#).

- B. Staff shall include the JI number and DR number on the Inmate Tablet Service Form for any intentional or negligent damage.

#### **1906.8 TABLET VIOLATION AND RESTRICTION**

- (a) OCSD reserves the right to accept, terminate or suspend video visits between inmates and visitors.
  - 1. Visits will be accepted when an inmate has permitted access to their own tablet account.
  - 2. On-site video visitation (only at JAMF) will be accepted during visitation hours per [CCOM 1902.1- Visiting Hours](#) and remote video visits, (not on-site) will be accepted during tablet operating hours.
- (b) Staff shall determine if a video utilizing a Near Field Communication (NFC) Docking Station or Public Flex Video Visitation Unit is to be cancelled if the visitor does not check in on time or after five (5) minutes.
  - 1. Inmates will not forfeit their allotted JAMF on-site visitation due to the visitor not signing in for the visit.
- (c) OCSD may cancel video visits for inmate or visitor misconduct.
  - 1. Examples of misconduct may include but are not limited to:
    - i. Nudity/sexual conduct
    - ii. Gang activity
    - iii. Illegal activity
    - iv. Unauthorized visitors
    - v. Violation of video visiting rules
- (d) The following rules of conduct shall be adhered to by all inmates and visitors during video visits:
  - 1. Inmates and visitors are required to always keep their faces within camera view during a video visit. Inmates and visitors who do not keep their faces within camera view will be subject to their visit being immediately terminated and/or suspended.
  - 2. Inmates and visitors consuming alcohol or drugs or appearing to be under the influence of alcohol or drugs, will result in the immediate termination and/or suspension of the video visit.
  - 3. Inmates and visitors displaying items that may be considered contraband such as drugs, drug paraphernalia, or weapons, will result in the immediate termination and/or suspension of the video visit.

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4. Inmates and visitors displaying gang signs, symbols, colors, indicia, etc., will result in the immediate termination and/or suspension of the video visit.
  5. Inmates and visitors engaging in disruptive behavior, as listed in [CCOM 1600.4 - Orange County Jail Rules](#), will result in the immediate termination and/or suspension of the video visit.
- (e) Inmate and Visitor Dress Code: All visitors must adhere to the dress code. Failure to comply with the dress code will result in the immediate termination and/or suspension of the video visit.
1. No nudity is permitted.
  2. No gang attire and no revealing clothing is allowed to be worn during the video visit. Examples of revealing clothing/dress styles that are not allowed include but are not limited to the following:
    - i. No sheer fabrics or exposed undergarments.
  3. Any visitor engaging in illegal conduct, inappropriate conduct, sexual behavior, or any type of indecent exposure may have their video visit immediately terminated and may be prohibited from participating in video visits for 14, 30, 60, 90 days or permanently. Staff shall follow the following suspension schedule for visitor violations:
    - i. 1<sup>st</sup> violation – 14 days
    - ii. 2<sup>nd</sup> violation – 30 days
    - iii. 3<sup>rd</sup> violation – 60 days
    - iv. 4<sup>th</sup> violation – 90 days
    - v. Permanent Ban – A "Permanent Ban" may be authorized for visitors engaged in illegal conduct/activity. Division Commander notification and approval is required for each Permanent Ban restriction.
4. Inmate Related Tablet Suspension
- i. Staff may immediately terminate a real time video visit for any prohibited tablet use or activity and log the reason for the termination in the Guard Station Log.
  - ii. For any inmate tablet suspension beyond an immediate termination of a real time video visit, staff shall follow the below listed procedures to properly document any suspension:
    - A. Staff will follow [CCOM Section 1602.5\(b\) - Minor Violations](#) for the suspension of a video visit for a minor jail rule violation for any prohibited tablet use,
    - B. Staff will follow [CCOM Section 1602.5\(c\) - Major Violations](#) for any major jail rule violation related to any prohibited tablet use.



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5. Visitors under the age of 18 must have a parent or guardian present during the video visit.
  6. A visitor on formal probation or parole may be required to provide written permission to visit from their probation or parole officer.
  7. For further Information regarding visitor rules refer to [CCOM Section 1902.2 - Communication Mail and Visiting - Rules for Visitors](#).
- (f) Inmates found to have altered the tablet security settings or changed any settings and/or accessed unauthorized content may lose tablet privileges and are subject to disciplinary action.
1. Discipline for this offense will be consistent with the discipline bail schedule for destruction of jail property.
    - i. At no time shall an inmate possess another inmate's assigned tablet.
    - ii. At no time shall an inmate corrupt or attempt to corrupt any files on the tablet.
    - iii. An inmate shall not attempt to install or use any equipment, lines, cable, or software on the tablet.
    - iv. An inmate will not give their username and password to another inmate.
    - v. An inmate will not use another inmate's username and password to access a tablet.
    - vi. Inmates will be responsible for any unauthorized content found on their tablet profile.
    - vii. Inmates will abide by all Orange County Jail rules and policies pertaining to the ViaPath Inmate Tablet Program.
    - viii. It is the responsibility of the inmate to immediately report any damage or theft of their assigned tablet to their respective housing Deputies.
    - ix. Tablets are to be used only in the dayroom or inmate's cell.
    - x. Tablets shall not be taken into the shower, to any inmate work assignment, inmate programs (including those attached to a housing unit), or a recreation area.
    - xi. No recording (audio or visual) or photography is allowed in any jail visiting area without prior approval of the Division Commander. Any person(s) found in violation shall have his or her visit terminated. At the discretion of the Division Commander(s), violator(s) may be prohibited from future visits at Orange County Jail Facilities.
- (g) An inmate that is found to have caused intentional damage or used the tablet in a fashion which violates the law and/or jail policy, they may be placed on tablet protocol. Tablet protocol permanently restricts an inmate's privilege to use a tablet, as determined by the Facility Commander.



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1. Offenses which may result in permanent tablet restrictions are as follows but not limited to:
  - i. Deliberate severe physical destruction.
  - ii. Habitual Video Visitation violations.
  - iii. Egregious account manipulation.
  - iv. Extortion or forcing another inmate to allow the use of the inmate's tablet time.
2. The inmate will be provided with written notice when the inmate is placed on tablet protocol and may grieve such placement in accordance with the grievance process.

#### **1906.9 TABLET TELEPHONE CALLS AND VIDEO VISITS**

- (a) The Inmate Tablet system shall display and/or play a recorded admonishment that both the inmate and the recipient of the Video Visit (Visit Now) and Phone Dialer call, will hear prior to the call being accepted by the called party. The pre-recorded prompt will notify the inmate and the recipient of the call that the call they are making/receiving is being recorded and may be subject to monitoring. The admonishment will be played/displayed to both inmate and recipient of inmate calls and will be available to them in English, Spanish, and Vietnamese. The inmate and the recipient are required to "acknowledge" the recording of the calls/visits before the call will proceed. If either the inmate or the call recipient fails to acknowledge the call will be terminated.
- (b) Inmates may make phone calls to family, friends, attorneys, and other legal representatives through the Phone Dialer Profile application on the inmate tablet.
  1. Phone Dialer Profile (on telephones and tablets)
    - i. Personal/Non-Privileged Calls: These are collect and non-collect outgoing calls to family and all other persons not identified as attorneys, religious advisors or licensed physicians and whose phone numbers are included in the non-monitored and non-recorded database. All personal/non-privileged calls are recorded and may be monitored.
    - ii. Privileged Calls: These are calls to telephone numbers included in the non-recorded and non-monitored database and shall not be monitored and/or recorded.
    - iii. In the unlikely event a privileged communication has been recorded, the viewer shall immediately cease viewing and listening and follow the steps defined under [CCOM Section 1904.6\(a\)\(8\)\(iii\) – Recorded Privileged Communication Phone Calls](#).
  2. Video Visit Profile (Visit Now):
    - (a) Visit Now: Inmates may have video visits. These visits are outgoing (placed by the inmate), paid for by the inmate, and the person contacted by the inmate, upon confirmation by the paying party. These types of visits are recorded and may be monitored.

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- A. Remote Video Visitation (Vistit Now) will be permitted during tablet operating hours.
- B. Video Visitation (on-site, only at JAMF) will be permitted consistent with facility On-Site visiting hours, (Friday through Monday, 0800 hrs. to 1700 hrs.).

#### **1906.10 VIAPATH DEBIT ACCOUNT REFUND REQUEST POSTCARDS**

- (a) At time of release (in custody release or street release), the Release Deputy shall provide the inmate with a ViaPath Phone Debit Account Refund Postcard.
  - 1. This postcard will be used by the inmates to seek reimbursement of any remaining funds left on their account(s) at time of release.
    - i. The postcard is available in English/Spanish and English/Vietnamese.
    - ii. Overstock for cards will be held in the facility warehouse.
  - 2. Warehouse staff will be responsible for ordering overstock supplies of the postcard through Inmate Services Division Commissary Manager or via [commissary@ocsheriff.gov](mailto:commissary@ocsheriff.gov).

#### **1906.11 OUTSIDE AGENCY REQUEST FOR RECORDS**

All outside agency requests for any contracted vendor activity will be processed in the same manner as outlined in [CCOM Section 1904.6\(a\)\(7\) – Telephone System Outside Agency Request for Records](#).