

Florida Department of Corrections
CELL PHONE RULES AND REGULATIONS
(For Use by Community Release Centers Only)

The use of cell phones by inmates in community release centers must be appropriately regulated to protect inmates, staff, and the correctional environment. This document sets forth the Department's policy with respect to inmate cell phones.

1. Possession of a cell phone by an inmate is a privilege that may be forfeited by any inmate who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.
2. Inmates are responsible for notifying staff upon the purchase of a cell phone. Staff will add the cell phone's make, model, serial number, and associated phone number to the inmate's property list.
3. An inmate's cell phone use within the community release center may be limited to designated hours by the Warden or designee to ensure the overall efficiency and operation of the center.
4. In order not to create a distraction, disruption, or otherwise interfere with the security, order, or effective management of the institution, an inmate's cell phone must be used in "vibrate" or "silent mode" with the ringer turned off while inside the community release center.
5. Cell phone usage by inmates in common areas will be minimized.
6. Inmates are prohibited from using cell phones to capture, record, or transmit the words (i.e., audio) and/or images (i.e., pictures/video) of any inmate, staff member, or other person in the community release center or while attending an approved activity, without express prior notice and explicit, written consent for the capture, recording, or transmission of such words or images. An inmate's use of a cell phone to take or transmit audio and/or pictures/video of an individual without his or her consent is considered an invasion of privacy and is not permitted unless authorized by the Warden or designee.
7. Cell phones, including those with cameras, may not be possessed, activated, or utilized by an inmate at any time in any situation where a reasonable expectation of others' personal privacy exists. These locations and circumstances include counseling/therapy groups and/or sessions, locker rooms, shower facilities, restrooms, classrooms, and any other areas where inmates or others are changing clothes or in any stage or degree of disrobing or changing clothes. The Warden or designee has authority to make determinations as to other specific locations and situations where possession of a cell phone by an inmate is absolutely prohibited.
8. No expectation of privacy exists with regard to an inmate's possession or use of cell phones on the property of community release centers.
9. Inmates are prohibited from using a cell phone in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. In particular, inmates are prohibited from using their cell phones to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit, or that can be construed as harassment or disparagement of others based upon their race, national origin, sex, sexual orientation, age, disability, religion, or political beliefs; and (2) send, share, view, or possess pictures, text messages, e-mails, or other materials of a sexual nature in electronic or any other form.
10. Inmates are prohibited from using a cell phone to capture and/or transmit information in a manner constituting fraud or theft. Likewise, inmates are prohibited from using their cell phones to receive any information related to such activities.

11. Any violation of this policy by an inmate shall subject him or her to disciplinary action pursuant to Rules 33-601.301 through 33-601.314, F.A.C., up to and including confiscation of his or her cell phone. All searches will be conducted in accordance with Searches of Inmates, Rule 33-602.204, F.A.C. The Warden or designee may also refer any matter to law enforcement if the violation involves an illegal activity (e.g., child pornography). In particularly egregious offenses, including the invasion of another person's privacy or the commission of a crime, the Department reserves the right to confiscate an inmate's cell phone.
12. All cell phones on the property of the community release center or in an inmate's possession are subject to search at any time for any reason per Searches of Inmates, Rule 33-602.204, F.A.C. and Control of Contraband, Rule 33-602.203, F.A.C.
13. An inmate who discovers another inmate in possession of or using a cell phone in violation of this policy shall be required to report the violation to the Warden or designee, or other staff member.
14. Inmates are personally and solely responsible for the care and security of their cell phones. The Department and/or contract provider assumes no responsibility for theft, loss, damage, or vandalism to inmate cell phones or the unauthorized use of such devices. In the event that a cell phone is damaged or destroyed by Department and/or contract facility staff during a routine search, emergency search, or while impounded, the Warden or his designee shall cause an investigation to be made and action taken in accordance with Rule 33-602.203(9)(b)3. and 4., F.A.C.
15. An inmate shall not contact by telephone any Central Office or other departmental staff, except those staff assigned to the community release center in which the inmate is assigned.
16. An inmate shall not contact by telephone any person who has advised the warden's office, the correctional officer major, or the facility director of a contract facility that he or she does not wish to receive telephone calls from the inmate.
17. When an inmate is terminated from the community release program, his or her cell phone will be mailed to a predetermined family member or individual in a pre-addressed, pre-postage paid, bubble-wrapped envelope that meets all U.S. Postal Service Requirements that is purchased at the time of the cell phone purchase. The envelope will be inventoried and listed on the inmate's property list and used by staff to mail the phone, if necessary.
18. An inmate's use of a cell phone in any manner contrary to local, state, or federal laws, telephone company regulations, or Department or institution rules constitutes misuse, and will result in disciplinary action in accordance with Rules of Prohibited Conduct and Penalties for Infractions, 33-601.314, F.A.C.

This document is not to be amended, revised, or altered without approval of the Office of Institutions, Bureau of Security Operations.

INMATE SIGNATURE	DATE	STAFF SIGNATURE	DATE
CORRECTIONAL OFFICER MAJOR/FACILITY DIRECTOR SIGNATURE	DATE		