

State of Utah - Department of Corrections



Department Manual

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| <i>FH28 - Inmate Kiosks</i>   | <i>PROCEDURE</i>  |
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01.00 GENERAL PROVISIONS OF KIOSK USE

The use of an inmate kiosk system is not considered a right, rather, it is a privilege meant to enhance opportunities for inmate communication and accessibility to select Department resources.

01.01 Eligibility and Allowance of Kiosk Use

- A. Any inmate wanting to use a kiosk system shall be familiar with Department expectations of appropriate and accessible use of technology. Prior to use, the inmate must have the opportunity to:
  1. be properly and accurately taught how to use the kiosk by a Department employee;
  2. show personal conduct that would not jeopardize the safety or security of the Department, nor cause concern for Department property, by using a kiosk system; and
  3. adhere to all Department rules and regulations that might restrict the inmate from being able to access a kiosk system.
- B. Items that may affect kiosk use by an inmate may include items such as:
  1. availability of a kiosk system in a particular facility or housing unit;
  2. working functionality of the kiosk system;
  3. recreation time allowance to access a kiosk system;
  4. conduct that supports the proper use of a kiosk system; and

5. having a legitimate and purposeful reason to use a kiosk system.

## 02.00 MONITORING AND INSPECTION

For proper operations of the kiosk systems, regular and consistent attention to the kiosks, and the appropriate use of the kiosks, shall take place.

### 02.01 Monitoring a Kiosk System

The monitoring of any use of a kiosk system shall be only for the purpose of maintaining the safety and security of the Department facilities and all persons. The monitoring of an inmate's use of a kiosk system shall not include any legal privacies of the inmate, including items such as:

- A. approved legal communications or materials of the inmate;
- B. protected medical communication and information;
- C. Items not protected from monitoring may be monitored by those who are:
  1. certified staff members; and
  2. contracted or approved persons of any kiosk programs. Examples may include:
    - a. visiting system persons;
    - b. mail department persons;
    - c. video phone system persons; and
- D. any inmate who has improperly used a kiosk system is subject to inmate discipline and possible suspension or restriction of future use.

### 02.02 Inspection of a Kiosk System

- A. Kiosk systems shall be inspected on a regular and consistent basis. The purpose of kiosk inspections is to identify:
  1. damage;
  2. unauthorized alterations;
  3. vandalism;
  4. functionality; and
  5. any other safety, security, or maintenance concerns.
- B. Those authorized to conduct inspections of kiosk systems include:
  1. certified staff members; and
  2. those identified as contracted or other approved persons whose job is to maintain and/or service kiosk systems.
- C. Any inmate who has damaged, altered, or vandalized a kiosk system is subject to inmate discipline and possible suspension or restriction of future use.

## 03.00 LEGAL ACCESS

### 03.01 Legal Access General

- A. Legal materials, such as access to an inmate's legal material, or access to a digital legal library, may be available on approved kiosk systems. By using the kiosk system to obtain or search legal materials, the inmate agrees that:
  1. the kiosk system is a privilege to use, not a right, and the privilege can be revoked at any time;
  2. legal materials and information obtainable on a kiosk may differ from that of other legal libraries or in-person visits from an attorney; and

3. kiosk systems are generally available in common areas such as dayrooms and sub-dayrooms. Thus, absolute privacy while using a kiosk system cannot be guaranteed. Inmates agree to use the kiosks with this understanding in mind.
- B. Even with the loss of, or no access to a kiosk, inmates shall be allowed alternative resources to obtain legal information, materials, and counsel as provided in FD06 Legal Access.

#### 04.00 SUSPENDED AND RESTRICTED OF USE

##### 04.01 General

- A. Inmate use or access to a kiosk may be suspended or restricted by authorized members of the Division of Prison Operations. Reasons for suspension or restriction may include:
  1. any potential or perceived risk to Department operational safety and security, or to that of any person;
  2. any violations or actions directly resulting in any damage, alteration, or vandalism to a kiosk; or
  3. any misuse of any kiosk system or any of the available resources on it.
- B. Initiating, and ending, an inmate's suspension or restriction shall be determined by the OMR committee within the inmate's housing assignment. The OMR decision shall be documented in O-track with justifying reasons and the inmate shall be notified in writing of the OMR committee's decision.
- C. All suspensions and restrictions shall be fair and in accordance with the factors involved, such as:
  1. the severity of actions causing the suspension or restriction;
  2. number or pattern of offenses; and
  3. inmate's conduct.

##### 04.02 Alternative Access to Resources

In areas where kiosk systems are not available, or if any reason exists why an inmate may not have access to use a kiosk system, alternate ways shall be provided to the inmate to meet certain legitimate needs, such as:

- A. approved legal access;
- B. proper communication with Department staff members; and
- C. access to Department resources, such as:
  1. medical requests;
  2. mental health requests;
  3. grievance process access; and
  4. other services and resources are available on the kiosk system.