

**KERN COUNTY SHERIFF'S OFFICE**  
**SUBSTATION HOLDING FACILITY**  
**POLICIES AND PROCEDURES**

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**TITLE: INMATE TELEPHONE CALLS**

**NO: F-100**

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EFFECTIVE DATE: 03/22/2004

REVISED: 01/15/2021

APPROVED BY: Commander Cindy Cisneros

REVIEWED: 01/15/2021

REFERENCE: Title 15, Section 1067, C.C.R.; Penal Code Section 851.5;  
DBPPM I-100

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**POLICY:**

Reasonable inmate access to telephones can be effective in reducing tension and anxiety in detentions facilities by allowing inmates to maintain contact with family and the community. Additionally, Penal Code Section 851.5 gives arrestees the right to at least three completed telephone calls, “...**immediately upon being booked, and, except where physically impossible, no later than three hours after arrest.**” Therefore, staff will allow inmates reasonable access to telephones and will ensure that new arrestees are not denied their right to make telephone calls as provided in Penal Code Section 851.5.

**Procedure A: Telephone Calls for New Arrestees**

Staff will ensure that each arrestee is allowed to make at least three completed telephone calls at no charge within the local dialing area, or outside the local dialing area at the arrestee's expense:

- Immediately upon being booked, and;
- Except where physically impossible, no later than three hours after arrest.
- These telephone calls shall be granted immediately upon request, or as soon as practicable.

During the booking process, staff shall inquire if the arrestee is a custodial parent with responsibility for a minor child. **If the arrestee states that he or she is a custodial parent with responsibility for a minor child, the arrestee shall be entitled to, and may request to, make two additional calls at no expense** if the calls are completed to telephone numbers within the local calling area, or at

his or her own expense if outside the local calling area, to a relative or other person for the purpose of arranging for the care of the minor child or children in their absence.

**Staff will not deny these telephone calls unless directed to do so by a court order.**

### **DIRECTIVE 1:**

Each facility that detains arrestees will have conspicuously posted signs in English and Spanish that inform arrestees of their telephone access rights. The sign shall include the following information in bold black type:

- ❖ Arrestees are entitled to make three free completed telephone calls within the local dialing area, or at his or her own expense if outside the local area to three of the following:
  - An attorney of his or her choice or, if he or she has no funds, the Public Defender;
  - A bail bondsman;
  - A relative or other person.

Arrestees who are custodial parents with responsibility for a minor child have the right to two additional telephone calls within the local dialing area, or at the expense of the arrestee if outside the local area, for the purpose of arranging for the care of the minor child or children in the arrestee's absence. Additionally, the sign shall include the telephone number of the Public Defender.

### **Procedure B: Inmate Telephone Calls**

Once housed, inmates will be allowed reasonable access to inmate telephones to make calls. Staff may prevent inmates from using the telephones under the following circumstances, including, but not limited to:

- As the result of informal disciplinary action or disciplinary isolation as detailed in Section I-100 of the Detention's Bureau Manual
- During emergency incidents or as necessary to maintain the security of the facility;
- During designated hours of the day (e.g., feeding periods, counts, night time, etc.).

Each facility will implement procedures that designate during what times and activities inmates' access to telephones will be suspended.