I.  AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Sections 1403.

II.  APPLICABILITY

Adult Facilities

III.  POLICY

It is the policy of the Department to allow approved prisoners to use Department issued computer tablets in specific adult facility housing units as authorized by the Commissioner, or designee. This policy provides the guidelines for use, management, and security of the computer tablets.

IV.  DEFINITIONS

None

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VI. PROCEDURES

Procedure A: Department Issued Computer Tablets, General

1. The Commissioner, or designee, shall determine the housing units in adult facilities where Department issued computer tablets may be used by approved prisoners as set forth in the Prisoner Computer Use, Computer Tablet Use, and/or Internet Access by Facility list (Attachment A).

2. The Department’s Manager of Correctional Information Technology (IT) Operations, or designee, is responsible for the overall management of computer use, including computer tablet use, as set out in Department Policy (AF) 24.10, Prisoner Use of Computers and/or Access to the Internet.

3. For each facility that has been approved to allow prisoners to use Department issued computer tablets, the facility Chief Administrative Officer, or designee, shall:
   a. in consultation with the Deputy Commissioner, or designee, develop and maintain facility Standard Operating Procedures (SOPs) governing facility specific practices for computer tablet use;
   b. designate a program administrator to oversee computer tablet use at the facility; and
   c. in consultation with the Deputy Commissioner, or designee, consult with Department’s Manager of Correctional Information Technology (IT) Operations, or designee, and/or the Department’s contract provider for computer tablets, as necessary.

4. A prisoner’s use of a Department issued computer tablet is considered a privilege and not a right and the privilege may be terminated at any time for any reason at the complete discretion of the Commissioner, or designee.
Procedure B: Selection of Department Issued Computer Tablets

1. The Commissioner, or designee, shall ensure that the Department computer tablets selected for prisoner use:
   a. adhere to industry-leading security standards, including visibility into system operations and security;
   b. have a secure firewall and encrypted wireless format;
   c. not have internet access capabilities, operate on a closed network, and only provide functionality when connected to a designated wireless access point within the facility;
   d. have content and software that has been vetted, screened, and edited for use in correctional settings;
   e. use alert notifications for flagged words;
   f. have real-time tracking and control of usage and content;
   g. include preloaded content at every learning level, to include academic, vocational, therapeutic, and life skills courses;
   h. provide prisoners with certificates for successful completion of coursework;
   i. include programming integration capabilities;
   j. have electronic messaging capabilities;
   k. have entertainment incentives;
   l. have durable hardware and casing; and
   m. be user-friendly to enable use with limited staff interaction and have internal troubleshooting capabilities.

Procedure C: Computer Tablet Rules

1. A prisoner shall not use a computer tablet unless approved by the Unit Management Team to do so.

2. A prisoner approved to use a Department issued computer tablet shall:
   a. not use a computer tablet to violate copyright laws;
   b. not use a computer tablet to harass or threaten anyone;
   c. not use a computer tablet for any other illegal activity;
   d. not use a computer tablet to commit a disciplinary violation;
   e. not use a computer tablet to access pornography;
   f. not use a computer tablet to engage in any business activity or profession or buy or sell any goods or services;
   g. not access any materials that would not be allowed to be received via the mail as set out in Department Policy (AF) 21.2, Prisoner Mail;
   h. not upload any program or introduce any virus into any computer tablet;
i. not impersonate any other person, falsely represent himself or herself as anyone other than a prisoner, or make any other false statement in connection with computer tablet use;

j. not intentionally or negligently destroy or damage or cause a malfunction of any computer tablet or peripheral equipment;

k. not consume food and/or beverages when using or around a computer tablet or peripheral equipment;

l. not use a computer tablet to send an electronic message to or to receive an electronic message from a prohibited correspondent; and

m. not use inappropriate language including, but not limited to profanity, references to violence or sexual acts, bullying, etc., when messaging or at any other time in connection with computer tablet use.

3. A prisoner shall only use the computer tablet during approved usage times in the approved areas of the facility.

4. A prisoner shall not create more than one user account on the computer tablet.

5. A prisoner shall not share answers to assignments or tests, shall not use a computer tablet on behalf of another prisoner (e.g., shall not complete another prisoner’s coursework, shall not send or receive electronic messages for another prisoner, etc.).

6. A prisoner shall not allow another prisoner to share answers to assignments or tests with him or her, shall not allow another prisoner to use a computer tablet on his or her behalf (e.g., shall not allow another prisoner to complete his or her coursework, shall not allow another prisoner to send or receive electronic messages on his or her behalf, etc.).

7. A prisoner shall not allow another prisoner access to his or her user account, password or other login information and shall not use another prisoner’s user account, password or other login information.

8. If a prisoner inadvertently accesses any site or any material that is not authorized, the prisoner shall immediately report that access to staff.

9. A prisoner shall not leave the tablet unattended and, in the event of an emergency, the prisoner shall follow the unit protocol for returning the computer tablet.

10. A prisoner shall log off the computer tablet when finished using it.

11. A prisoner is responsible for the care and condition of the issued computer tablet and shall be responsible for compensating the Department for any damages to or loss of a Department issued computer tablet or peripheral equipment due to his or her intentional act or negligence.
12. A prisoner who violates any of these rules may be subject to suspension or restriction of computer tablet use and/or electronic messaging privileges, disciplinary or other administrative action, and/or criminal prosecution.

13. Any illegal activity shall result in the permanent termination of computer tablet privileges.

**Procedure D: Unit Manager Responsibilities**

1. The Unit Manager of a housing unit that allows computer tablet use shall be responsible for, but not limited to, the following:
   a. having an approval process to review and approve prisoners for computer tablet use;
   b. posting of the Computer Tablet Use Hours of Operation Schedule (Attachment B) for computer tablet use and electronic messaging for each unit;
   c. having a process for reserving, wait listing, signing out and signing in tablets documenting the time signed out and time signed in, inspection of computer tablets, reporting damage, loss, or other problems, etc.;
   d. having a process on returning computer tablets during an emergency;
   e. having a process to review prisoner violations of rules for computer tablet use, including electronic messaging; and
   f. having a process to take away earned incentive points for failure to pass a course, misuse of the tablet, etc.

**Procedure E: Staff Responsibilities**

1. Designated staff assigned to a housing unit that allows computer tablet use shall be responsible for, but not limited to, the following:
   a. overseeing the issuance of the tablets in accordance with facility Standard Operating Procedures (SOPs) governing facility specific practices for computer tablet use;
   b. providing limited assistance to prisoners on matters relating to content, connectivity, or accessibility to the platform;
   c. conducting a tablet inventory check at the beginning and end of his or her shift to ensure all tablets are accounted for at any given time using the Computer Tablet Inventory form (Attachment C);
   d. monitoring prisoner tablet use to ensure proper use and accountability; and
   e. ensuring the inspection of the computer tablet upon return by a prisoner and noting any damage or problems in the unit logbook and reporting any damaged or missing tablet or other problem with a tablet as soon as possible to the Unit Manager, or designee, who shall notify the Department’s Director of Strategic Initiatives, or designee, and the Department’s Manager of Correctional Information Technology (IT) Operations, or designee.
2. Designated facility staff may terminate a prisoner’s computer tablet use at any time for reasons of safety, security, or orderly management of the facility. The staff shall complete appropriate documentation and submit it to the Chief Administrative Officer, or designee.

Procedure F: Issuance and Use

1. The Unit Management Team shall determine which prisoners are allowed to use tablets, based upon, but not limited to, privilege level, individualized case planning needs, facility and unit security considerations, and any other relevant factors.

2. The Unit Management Team shall specify the purpose(s) for which a prisoner is allowed to use the tablet.

3. A prisoner who is approved to use a Department issued computer tablet shall sign and submit the Prisoner Computer Tablet Use Agreement form (Attachment D) to his or her Unit Manager prior to any tablet use.

4. Once a prisoner has been approved for tablet use, the prisoner may reserve a time for computer tablet use up to one (1) day in advance on the Computer Tablet Sign-Up Sheet (Attachment E) for programming or electronic messaging, which shall be on a first come, first served basis. The prisoner may only sign up to use electronic messaging once during the period set aside for messaging.

5. Prisoners are not permanently issued a specific computer tablet, but may sign out Department issued tablets based on availability and as set out in facility Standard Operating Procedures (SOPs) governing facility specific practices for computer tablet use.

6. When a prisoner signs the Computer Tablet Sign Out/Sign In Sheet (Attachment F) in order to sign out a tablet, he or she shall acknowledge whether or not the tablet has any visible damage prior to using the tablet.

7. Each prisoner shall log into his or her computer tablet account using his or her ID, which is the same ID as his or her telephone account ID, and shall protect his or her computer tablet account by establishing strong passwords and safeguarding his or her login information, e.g., login ID, username, password, pin, etc.

8. Use of the tablets shall be limited to common areas, e.g., program rooms, classrooms, the library, day rooms, computer labs, etc.

9. A prisoner shall never take a computer tablet back to his or her cell.

10. When a prisoner signs the Computer Tablet Sign Out/Sign In Sheet (Attachment F) in order to return a tablet, he or she shall acknowledge whether or not the tablet is in good working order.

11. A prisoner who discovers a tablet is damaged or malfunctioning shall notify designated housing unit staff, who shall take the tablet out of commission.
Procedure G: Programming

1. Content on the tablet shall include, but not be limited to, educational programs, such as college courses, Hi-Set preparation, vocational training, health education, literacy courses, and language resources. In addition, content may also include motivational content, library services, cognitive behavioral therapy, recreational content, counseling, and religious guidance.

2. Program staff may be given access to prisoner accounts to monitor progress as part of a specific program or assignment. This includes, but is not limited to, education staff, mental health staff, substance abuse staff, case managers, etc.

3. Staff may make suggestions for additional content to the tablet platform to the Department’s Manager of Correctional Education, who, shall in consultation with the Chief Administrative Officers, or designees, make a determination on whether or not to add the proposed content.

4. A prisoner may earn incentive points, dependent on the amount of time the prisoner spends in educational modules, to gain access to entertainment content.

5. Each prisoner shall be able to track and review his or her progress on courses and certificates earned, and shall be able to access where he or she previously paused coursework or entertainment.

Procedure H: Electronic Messaging

1. Electronic messaging services that do not have internet connection capabilities shall be available for approved prisoners to send and receive electronic messages to and from family and/or friends.

2. A person who wishes to participate in electronic messaging with an approved prisoner must establish a customer account with the Department’s contract provider for electronic messaging to purchase electronic messaging services at the rate established by the contract provider.

3. The Department of Corrections is not responsible for the setup or operation of the person’s electronic messaging service. The Department is also not responsible for any costs incurred by the person in connection with the electronic messaging service, including if the prisoner or the person loses electronic messaging privileges, or computer tablet use or electronic messaging is terminated because of technical difficulties or for reasons of safety, security, or orderly management of the facility.

4. A person with an account with the Department’s contract provider for electronic messaging services should report issues or problems with the messaging service directly to the contract provider.

5. Electronic messaging is considered to be the equivalent of correspondence for purposes of this and other Department policies, and, therefore, applicable provisions in Department Policy (AF) 21.2, Prisoner Mail and Department Policy
6.3, Contact with Victims shall be adhered to with respect to electronic messaging including, but not limited to, provisions governing:

a. prohibited correspondents;
b. prohibited content of correspondence;
c. suspension and restriction of a correspondent’s privileges; and
d. monitoring of correspondence.

6. In addition to the above, restrictions and limitations may apply to accessing electronic messaging services based on a prisoner’s privilege level and/or safety, security and orderly management of the facility.

7. An approved visitor who is currently suspended from participation in contact visits with a prisoner but who is not a prohibited correspondent of the prisoner may participate in electronic messaging with the prisoner if approved by the facility Chief Administrative Officer, or designee.

8. A prisoner or resident shall not be excused from work or other programming to participate in electronic messaging.

Procedure I: Monitoring

1. During orientation to the use of the tablets, prisoners shall be informed of the possibility of staff monitoring tablet usage, including the viewing and retention of electronic messages. The computer tablet rules and a notice stating that electronic messages are subject to being viewed and retained shall also be included in the Prisoner Computer Tablet Use Agreement.

2. The facility Chief Administrative Officer, or designee, shall post signage approved by the Department’s Director of Operations, or designee, in the areas where computer tablets are used, stating that tablet usage may be monitored and electronic messages are subject to being viewed and retained.

3. In addition to applicable provisions in Department Policy (AF) 21.2, Prisoner Mail and Department Policy 6.3, Contact with Victims regarding monitoring of correspondence, a facility law enforcement officer may monitor tablet use, including electronic messages, at any time in his or her discretion for compliance with departmental policies and the computer tablet rules.

Procedure J: Termination, Suspension, and Restriction of Tablet Use and/or Electronic Messaging

1. The Director of Strategic Initiatives shall designate Department staff who may remotely shutdown computer tablet use for a facility or a housing unit due to security or other concerns. Staff shall consult and receive the approval of the Director of Strategic Initiatives, or designee, before disabling tablet use. The Director of Strategic Initiatives, or designee, shall determine when and under what conditions the tablet use shall be reactivated. The Director of Strategic
Initiatives, or designee, shall document every remote shut down, the reason(s) for the shutdown, and the reactivation and the reason(s) for the reactivation.

2. The Director of Strategic Initiatives shall designate Department staff who may remotely shutdown tablet use for a facility or a housing unit due to security or other concerns. Staff shall consult the Director of Strategic Initiatives, or designee, before disabling tablet use. The Director of Strategic Initiatives, or designee, shall document every remote shut down and the reason(s) for the shutdown.

3. The Chief Administrative Officer, or designee, shall immediately terminate a prisoner’s computer tablet use privileges for illegal activity involving the use of a computer tablet, regardless of whether a criminal conviction or disciplinary action results from the activity. This termination is permanent, unless, after at least one year has elapsed, the Chief Administrative Officer, or designee, recommends reinstatement of the privileges and reinstatement is approved by the Commissioner, or designee.

4. If a prisoner’s computer tablet use is terminated by facility staff due to the behavior of the prisoner, the Chief Administrative Officer, or designee, shall determine whether to impose a suspension or restriction of computer tablet use and/or electronic messaging privileges.

5. The Chief Administrative Officer, or designee, may impose a suspension or restriction of computer tablet use and/or electronic messaging privileges for any other reason of safety, security, or orderly management.

6. The prisoner shall be notified in writing of a suspension or restriction of his or her computer tablet use and/or electronic messaging privileges.

7. A suspension or restriction may be imposed for either a definite or indefinite period of time.

8. The prisoner shall be responsible for notifying people that he or she sends electronic messages to or receives electronic messages from of a suspension or restriction of his or her privileges.

9. In the case of a suspension or restriction of a prisoner’s computer tablet use and/or electronic messaging privileges for a definite period of time, once the specified time has elapsed, the prisoner may apply for reinstatement of full computer tablet use and/or electronic messaging privileges by writing to the Chief Administrative Officer, or designee. The Chief Administrative Officer, or designee, may decide to grant reinstatement, extend the suspension or restriction for a definite period of time, or change a suspension to a restriction for a definite period of time.

10. In the case of a suspension or a restriction of a prisoner’s computer tablet use and/or electronic messaging privileges for an indefinite period of time, after a year has elapsed, the prisoner may apply for reinstatement of full computer tablet use.
and/or electronic messaging privileges by writing to the Chief Administrative Officer, or designee. The Chief Administrative Officer, or designee, may decide to grant reinstatement, extend the suspension or restriction for a definite or indefinite period of time, or change a suspension to a restriction for a definite or indefinite period of time.

11. If a prisoner’s computer tablet use and/or electronic messaging privileges have been suspended, the prisoner shall be informed in writing that he or she may reapply for reinstatement once the specified definite period of time has elapsed or, if the suspension is for an indefinite period of time, that he or she may reapply after one year has elapsed.

12. Nothing in this computer tablet policy applies to a prisoner who receives a disciplinary disposition of loss of privileges for a disciplinary violation related to computer tablet use and/or electronic messaging privileges in accordance with the Department’s disciplinary policy.

Procedure K: Storage

1. In each housing, computer tablets shall be secured in the approved charging station(s), which shall be in close proximity to the officer’s desk. The charging station(s) shall not be removed without authorization from the Unit Manager.

2. Each tablet shall remain plugged into a charging station when not in use and the charging station shall remain locked when tablets are being charged.

3. The tablets shall be updated nightly via a connection to a wireless access point. The charging station(s) must remain secured at the designated location to allow for connectivity to the wireless access point.

Procedure L: No Reasonable Expectation of Privacy

1. The Department retains control, custody, and supervision of all computers, computer tablets, networks, and internet services owned or leased by the Department. Prisoners have no reasonable expectation of privacy in their use of Department computers or computer tablets, including stored files.

2. Prisoners and persons who participate in electronic messaging have no reasonable expectation of privacy with any type of communication occurring during electronic messaging. All electronic messages may be viewed and retained.

VII. PROFESSIONAL STANDARDS

None