

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Youth Rights and Remedies Rule: Use of Telephone Statutes: HR Code §203.014	Effective Date: 5/20/19 Page: 1 of 2 Replaces: GAP.380.9313, 10/1/15
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RULE

(a) **Purpose.**

This rule provides Texas Juvenile Justice Department (TJJD) youth with reasonable access and equal opportunity within a facility to use the telephone for purposes of contacting:

- (1) their families;
- (2) the Incident Reporting Center maintained by the TJJD Office of Inspector General for purposes of reporting information concerning abuse, neglect, and exploitation; and
- (3) the Office of the Independent Ombudsman for TJJD.

(b) **Applicability.**

This rule does not apply to calls to attorneys. For additional information on telephone calls to attorneys and courts, see [§380.9311](#) of this title.

(c) **General Provisions.**

Use of the phone is a basic right of youth in the TJJD system. For additional information on basic rights of youth in the TJJD system, see [§380.9301](#) of this title.

(d) **Non-Emergency Calls.**

TJJD provides a specific number of prepaid minutes for youth to make a reasonable number of calls each month. Calls are restricted to the youth's parents, guardian, immediate family members as defined in [§380.9312](#) of this title, and approved volunteers. Times are scheduled throughout each week and weekend to provide youth with access to telephones for this purpose. Additional prepaid minutes can be purchased.

(e) **Emergency Calls.**

(1) **Family Emergencies.**

TJJD is responsible for the cost of calls by or on behalf of the youth in cases of family emergencies as approved by the case manager. Family emergency calls are not made using prepaid minutes. All family emergency calls are to be placed on a TJJD staff member's telephone.

(2) **Calls to the Incident Reporting Center or the Office of the Independent Ombudsman.**

- (A) Calls placed to the Incident Reporting Center or the Office of the Independent Ombudsman do not count against a youth's prepaid minutes.
- (B) For calls to the Incident Reporting Center or the Office of the Independent Ombudsman, TJJD allows access to the telephone whenever possible, limited only by consideration for facility order and the safety of youth and staff. TJJD staff may require youth to wait until the end of the currently scheduled activity before placing a telephone call.

(f) **Recorded Phone Calls.**

All calls made on the youth phone system under this rule are subject to being recorded unless made confidential or privileged by a TJJD rule or statute. During the initial orientation to TJJD and during all subsequent placement orientations, youth are informed that all calls on the youth phone system are

subject to being recorded. Recorded phone calls may be accessed only by the appropriately designated staff members.
