



U.S. Department of Justice
Federal Bureau of Prisons

CHANGE NOTICE

OPI: OGC/OGC
NUMBER: 1351.05, CN-1
DATE: April 2, 2015

Release of Information

/s/

Approved: Charles E. Samuels, Jr.
Director, Federal Bureau of Prisons

This Change Notice (CN) implements the following change to Program Statement 1351.05, **Release of Information**, dated September 19, 2002. This text is inserted into the Program Statement (p.8) and marked with a highlight.

Law Enforcement requests for telephone monitoring information:

For telephone monitoring information concerning inmate telephone calls, ordinarily only transactional data (e.g., date, time, duration of the call) may be disclosed to Federal and state authorities for use in criminal investigations or prosecutions, upon a written request via BP-A0655, Request for Inmate Transactional Data.

Access to inmate telephone conversations that were previously recorded, or copies of the recorded telephone conversations (even when those conversations are yet to be recorded as long as the monitoring and recording is in the ordinary course of BOP duties), or written transcripts, shall only be disclosed to a requesting law enforcement authority when:

- (5) requested in an emergency situation;
- (6) criminal activity is discovered as part of the routine monitoring for prison administration purposes; or
- (7) requested through proper process (e.g., written endorsement by a U.S. Attorney or DOJ Criminal Section Chief, in connection with a criminal investigation, grand jury subpoena, or administrative subpoena).

Refer to BOP

Note: U.S. Attorney authorization may only be delegated to an Acting U.S. Attorney when the U.S. Attorney is out of the jurisdiction or otherwise incapacitated. Authorization cannot be delegated to a First Assistant U.S. Attorney or Criminal Chief, or any other position within the U.S. Attorney's Office.