



POLICY TITLE: VIDEO VISITS		PAGE 1 OF 5
POLICY NUMBER: 21.04.1 (AF) AND 16.03.1 (JF)		
CHAPTER 21: PRISONER COMMUNICATION CHAPTER 16: COMMUNICATION, MAIL AND VISITING		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner (Acting): 	PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: January 10, 2019	LATEST REVISION:	CHECK ONLY IF APA []

I. AUTHORITY

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

II. APPLICABILITY

All Adult and Juvenile Facilities

III. POLICY

In an effort to make visits convenient for family and friends, it is the policy of the Department to allow approved visitors to participate in video visits with prisoners or residents housed in specific adult and juvenile facility housing units as authorized by the Commissioner, or designee. This policy provides the guidelines for video visits.

IV. DEFINITIONS

1. Video Visit: a pre-scheduled web-based visit using technology that allows a person at an offsite location to participate in a face-to-face call with a prisoner or resident.

V. CONTENTS

- Procedure A: Video Visits, General
- Procedure B: Scheduling
- Procedure C: Participation in a Video Visit
- Procedure D: Monitoring

VI. ATTACHMENTS

None

VII. PROCEDURES

Procedure A: Video Visits, General

1. The Commissioner, or designee, shall determine the housing units in adult and juvenile facilities whose prisoners or residents may participate in video visits.
2. Video visits may occur in the housing units, facility visit room, or other location in the facility.
3. In addition to the requirements of this policy, applicable provisions in Department Policies (AF) 21.4, Prisoner Visitation or (JF) 16.3, Visitation, as applicable, shall be adhered to with respect to video visits including, but not limited to, provisions governing:
 - a. visitor application and approval process;
 - b. visit scheduling;
 - c. visit rules; and
 - d. termination of visits.
4. Furthermore, applicable provisions in Department Policies (AF) 21.4, Prisoner Telephone System or (JF) 16.2, Access to Telephones, as applicable, and Department Policy 6.3, Contact with Victims shall be adhered to with respect to video visits including, but not limited to, provisions governing:
 - a. prohibited contacts;
 - b. telephone rules;
 - c. suspension and restriction of privileges;
 - d. monitoring; and
 - e. blocking and termination of calls.
5. For facility housing units that have been approved to allow video visits, the facility Chief Administrative Officer, or designee, shall develop and maintain practices related to video visits based on operational and security considerations, prisoner or resident activity schedules, and staffing levels.
6. In addition to the above, the facility Chief Administrative Officer, or designee, shall:
 - a. provide schedule(s) for video visits; and
 - b. determine location(s) for video visits.
7. Prisoners or residents and video visitors have no reasonable expectation of privacy with any type of communication occurring during video visits. All video visits may be recorded, viewed and listened to, and retained.

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8. An approved visitor currently suspended from participation in contact visits with a prisoner or resident but who is not prohibited from receiving phone calls from the prisoner or resident may participate in a video visit with the approval of the facility Chief Administrative Officer, or designee.
9. A prisoner's or resident's participation in video visits 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: Scheduling

1. A person must be on the prisoner's or resident's approved visitor list as set forth in Department Polices (AF) 21.4, Prisoner Visitation or (JF) 16.3, Visitation to participate in a video visit.
2. A visitor shall schedule a video visit at least two (2) business days in advance as set forth in in Department Polices (AF) 21.4, Prisoner Visitation or (JF) 16.3, Visitation, as applicable.
3. Video visits shall be scheduled on a first come, first served basis.
4. Video visits shall only occur during time periods set out in the applicable video visit schedule.
5. The video visit shall begin and end at the scheduled times and be no more than thirty (30) minutes in length.
6. A prisoner or resident shall not be excused from work or programming to participate in video visits. The prisoner or resident is responsible to provide information to his or her approved visitors to ensure that a visitor does not attempt to schedule a video visit at a time when a prisoner or resident is in a job or program.

Procedure C: Participation in a Video Visit

1. An approved visitor who wishes to participate in a video visit shall provide his or her own equipment and the necessary internet connections to participate in a video visit.
2. The visitor must establish a customer account with the Department's contractor for video visits to purchase video visits services at the established rate.
3. The Department of Corrections is not responsible for the set up or operation of the visitor's computer, web camera, or other hardware or internet connection. The Department is also not responsible for any costs incurred by the visitor in connection with the video visit, including if the prisoner, resident, or visitor loses video visit privileges, or a video visit is terminated because of technical difficulties or for reason of safety, security, or orderly management of the facility.

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4. A visitor with an account with the Department's contract provider video visit services should report issues or problems with the video visit service directly to the contract provider.
5. A video visitor is required to dress as set forth in Department Polices (AF) 21.4, Prisoner Visitation or (JF) 16.3, Visitation.
6. The visitor shall be visually identifiable and his or her face shall not be covered or otherwise obscured. A religious head covering is allowed provided it does not interfere with the verification of the visitor's identity.
7. A minor visitor must be an approved visitor and, if applicable, shall be supervised by an approved adult visitor as set forth in Department Polices (AF) 21.4, Prisoner Visitation or (JF) 16.3, Visitation during the entire duration of the video visit.
8. If the video visit occurs in a facility visit room, visit staff shall process the visitor and supervise the visit as set forth in Department Polices (AF) 21.4, Prisoner Visitation or (JF) 16.3, Visitation.
9. Designated facility staff may terminate a prisoner's or resident's video visit 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.
10. A prisoner or resident who violates this policy or other applicable Departmental policies may be subject to suspension or restriction of video visit privileges, disciplinary or other administrative action, and/or criminal prosecution.
11. A video visitor who violates this policy or other applicable Departmental policies may be subject to suspension or restriction of video visit privileges.

Procedure D: Monitoring

1. During orientation to video visits, prisoners or residents shall be informed of the possibility of video visits being monitored. The video visit rules and a notice stating that video visits are subject to being listened to, viewed, and/or recorded shall also be included in the prisoner or resident handbook.
2. The Chief Administrative Officer, or designee, of each facility shall post signage approved by the Department's Director of Operations, or designee, adjacent to all prisoner or resident video visit computers stating that video visits are subject to being listened to, viewed, and/or recorded.
3. The video visit system shall include a warning of the possibility of video visits being monitored before the video visit begins.

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4. In addition to applicable provisions in Department Policies (AF) 21.3, Prisoner Telephone System and (JF)16.2, Access to Telephones, as applicable, and Department Policy 6.3, Contact with Victims regarding monitoring of phone calls, a facility law enforcement officer may monitor video visits at any time in his or her discretion for compliance with departmental policies.

VIII. PROFESSIONAL STANDARDS

None

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