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POLICY NUMBER: (AF) 21.04.1 AND (JF) 16.03.1		
CHAPTER 21: RESIDENT COMMUNICATION CHAPTER 16: COMMUNICATION, MAIL AND VISITING		
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VIII
	EFFECTIVE DATE: January 10, 2019	LATEST REVISION: January 4, 2022

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 visitors to participate in video visits with 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 web-based visit using technology that allows a person at an offsite location to participate in a face-to-face call with a 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 residents may participate in video visits.
2. A resident may participate in a video visit in a designated area in the facility (e.g., a housing unit, facility visit room, or other facility location).
3. Video visits shall be scheduled as required by the facility specific procedures.
4. Applicable provisions in Department Policies (AF) 21.4, Resident 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 written practices related to video visits based on operational and security considerations, 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. 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.
8. An approved visitor currently suspended from participation in contact visits with a resident but who is not prohibited from receiving phone calls from the resident may participate in a video visit with the approval of the facility Chief Administrative Officer, or designee.
9. A 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.

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Procedure B: Scheduling

1. For prescheduled video visits, a visitor shall schedule a video visit at least two (2) business days in advance as set forth in Department Policies (AF) 21.4, Resident Visitation or (JF) 16.3, Visitation, as applicable.
2. Prescheduled video visits shall:
 - a. be scheduled on a first-come, first-served basis;
 - b. only occur during time periods set out in the applicable video visit schedule; and
 - c. begin and end at the scheduled times and be no more than twenty (20) minutes in length for video visits.
3. Unless approved by a Unit Manager, or designee, a resident shall not be excused from work or programming to participate in video visits. The resident is responsible to provide information to their video visitors to ensure that a visitor does not attempt to schedule a video visit at a time when a resident is in a job or program.

Procedure C: Participation in a Video Visit

1. A video visit may be conducted through:
 - a. the Department’s contractor for video visits; or
 - b. other video visit accommodations as provided by the facility.
2. The Department is not responsible for any costs incurred by the visitor in connection with the video visit.
3. If the video visit is conducted through the Department’s contractor for video visits, the visitor must:
 - a. establish a customer account with the Department’s contractor for video visits to purchase video visit services at the established rate; and
 - b. report issues or problems, if any, with the video visit service directly to the contract provider.
4. The Department of Corrections is not responsible for the setup or operation of the visitor’s computer, web camera, or other hardware or internet connection.
5. A video visitor is required to dress as set forth in Department Policies (AF) 21.4, Resident Visitation or (JF) 16.3, Visitation.
6. Visitors shall be visually identifiable, and their faces 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. Designated facility staff may terminate a 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.

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8. A 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.
9. 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. Residents and visitors shall be informed of the possibility of video visits being monitored before the video visit begins. 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 resident handbook.
2. Each Chief Administrative Officer, or designee, shall post signage approved by the Department's Director of Operations, or designee, adjacent to all resident video visit computers stating that video visits are subject to being listened to, viewed, and/or recorded.
3. In addition to applicable provisions in Department Policies (AF) 21.3, Resident 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 their discretion for compliance with departmental policies.

VIII. PROFESSIONAL STANDARDS

None

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