

 <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	Policy Number	Total Pages
	16.5	6
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	August 12, 2016	January 6, 2017
<p>Authority/References</p> <p>KRS 196.035, 197.020; <i>Bell v. Wolfish</i>, 411 U.S. 520 (1970); <i>Kentucky Dept. of Corrections v. Thompson</i>, 109 S.Ct. 1904, 104 L.Ed.2d 506(1989); 42 U.S.C. § 12102, 12103, 12131, 12132, 12134; 28 C.F.R. § 35.104, 35.160, 35.161</p> <p>ACA 4-4156, 4-4267, 4-4498, 4-4499-1, 4-4500, 4-4501, 4-4503, 2-CO-5D-01, 2-CO-5E-01</p>	<p>Subject</p> <p style="text-align: center;">VIDEO VISITATION</p>	

I. DEFINITIONS

“Video message” means a method of communication which allows inmates to send and receive brief, pre-recorded video messages through a video visitation provider.

“Scheduling visitor” means the individual registering an account and scheduling a video visitation session through a video visitation provider.

“Video remote interpreting service” means an interpreting service that allows deaf and hard-of-hearing inmates to communicate clearly in real time through electronic media.

“Video remote interpreting service provider” means the current vendor supplying video remote interpreting service.

“Video visitation” means a method of visitation which allows an inmate to visit remotely through electronic media.

“Video visitation provider” means the current vendor supplying video visitation service.

II. POLICY and PROCEDURE

The privilege of video visitation, using the designated kiosks installed and available at the institutions, is designed to increase visiting opportunities, reduce burdens on family and friends, and facilitate successful reentry of offenders through the cultivation of constructive relationships in the community.

Policy Number	Effective Date	Page
16.5	January 6, 2017	2

A. Video Visitation Kiosks

1. Video visitation kiosks shall be installed and available for use by inmates housed within general population areas of the institutions.
2. All video visitation kiosk locations shall have a sign containing the following information posted next to the kiosk: "All electronic communications are subject to monitoring and recording."
3. Video visitation kiosks shall only be used for remote visits. On-site visiting in person shall continue to be available as specified in CPP 16.1.

B. Video Visitation Times

1. An inmate may use the video visitation system while dormitory common areas are open to inmate movement. A video visit shall not count against the number of kiosk sessions allowed per day.
2. Inmate use of the video visitation system may be prohibited by the Warden during planned security events, such as count times, or unplanned security events, such as lockdowns.
3. An inmate shall ensure that use of the video visitation system does not interfere with his scheduled institutional obligations, such as work and programming activities.

C. Frequency and Number of Visitors

1. An Inmate shall have unrestricted use of the video visitation system within the times outlined in this policy.
2. Multiple visitors may be present during a video visitation session, provided the scheduling visitor, as identified in the video visitation scheduling process, is present throughout the visit.
3. A video visit shall not count against the number of regularly allowed in person visits.
4. Video visits shall not be limited as a penalty for institutional rule violations (excluding rule violations associated directly with video visitation).

D. Allowed Visitors

1. Use of the video visitation system shall be open to all visitors over the age of eighteen (18), who are not restricted from contacting a given inmate by

Policy Number	Effective Date	Page
16.5	January 6, 2017	3

statute, regulation, court order, or conditions of supervision. Minors may only use the video visitation system under supervision of the scheduling visitor, provided the minor visitor meets the above listed criteria as well.

2. Any visitor that meets the criteria specified in this policy may use the video visitation system to visit any inmate.
3. A visitor excluded or restricted from in person visitation may use the video visitation system, provided he or she meets the criteria specified in this policy.
4. Attorneys of record and clergy may use the video visitation system. Audio recording cannot be disabled. Therefore, when private communication is required, in person visiting is recommended, because all video visits are subject to being monitored.

E. Video Visitation Registration and Scheduling

1. All scheduling visitors shall follow the registration process directed by the video visitation provider to establish an account for video visitation. A valid driver's license or photo identification shall be required to establish an account.
2. All scheduling visitors shall comply with the relative terms and conditions of use, as stated in their account agreement with the video visitation provider, when participating in video visitation.
3. The cost of video visitation shall be paid by the scheduling visitor.
4. All scheduling visitors shall schedule video visits as directed by the video visitation provider. All video visits shall be scheduled at least twenty-four (24) hours in advance. The cost of video visits cancelled less than 12 hours in advance shall not be refunded to the scheduling visitor. Video visits are subject to availability of kiosks and previously scheduled video visits. Video visits shall be scheduled on a first come, first served basis.
5. Inmates that are placed in Special Management shall have any scheduled visits cancelled automatically. Inmates that leave the institution on a transportation trip shall have any scheduled video visits temporarily postponed. Inmates transferred to another facility shall have any scheduled video visits temporarily postponed. Any request for reimbursement by a scheduling visitor shall be referred directly to, and processed by, the video visitation provider.

Policy Number	Effective Date	Page
16.5	January 6, 2017	4

F. The Video Visit

1. All visits shall be recorded and subject to monitoring. Visits may be terminated for any violation of the procedures or rules listed in this policy or listed in the terms and conditions of use, as stated in the account agreement with the video visitation provider. In addition, restrictions or suspensions may be issued which affect not only video visitation privileges, but in person visits as well.
2. The scheduling visitor shall ensure all other visitors present during a video visitation session adhere to the rules and criteria listed in this policy and listed in the terms and conditions of use, as stated in the account agreement with the video visitation provider.
3. All visitors shall wear clothing in good taste. Overly revealing clothing, form-fitting clothing, and clothing displaying offensive, illegal, or gang-related messages shall be prohibited.
4. There shall be no displays of nudity, pornography, sexual acts, sexual poses, violence, alcohol use, drug use, gang signs, weapons, general gang activity (including clothing), or any other illegal or disruptive activity during a video visit.
5. Any inmate that receives a video visit from an individual that is an unsupervised minor or an individual restricted from contacting him or her by statute, regulation, court order, or conditions of supervision shall immediately terminate the video visit. Failure to do so may result in disciplinary action and restriction of video visitation privileges against the inmate.

G. Violation of Video Visitation Procedures

1. A violation of the video visitation procedures or rules listed in this policy or listed in the terms and conditions of use, as stated in the account agreement with the video visitation provider, may result in disciplinary action and restriction of video visitation privileges against the inmate.
2. Criminal prosecution may be initiated against the visitor, the inmate, or both in case of a criminal violation.
 - a. Possible criminal violations shall be referred to Internal Affairs staff for investigation and possible prosecution.
 - b. Any visitor victim, in case of a criminal violation, shall be referred to the Office of Victim Services.

Policy Number	Effective Date	Page
16.5	January 6, 2017	5

3. A visitor may be restricted from video visitation for a specific period of time or permanently for a violation of the video visitation procedures or rules listed in this policy or listed in the terms and conditions of use, as stated in the account agreement with the video visitation provider.

H. Video Remote Interpreting Service for Deaf and Hard-of-Hearing Inmates

1. The institutions are dedicated and committed to providing parity of communication opportunities, through auxiliary aids and service, for disabled inmates established as deaf or hard-of-hearing.
2. Communication opportunities for inmates established as deaf or hard-of-hearing shall be provided at each institution through a video remote interpreting service supplied by a video remote interpreting service provider.
3. An inmate established as deaf or hard-of-hearing shall have reasonable and adequate opportunity to use the video remote interpreting service.
4. Use of the video remote interpreting service shall be subject to all the video visitation procedures and rules listed in this policy and those listed in the terms and conditions of use, as provided by the video remote interpreting service provider.
5. A violation of the video visitation procedures or rules listed in this policy or listed in the terms and conditions of use, as provided by the video remote interpreting service provider, for video remote interpreting service may result in the violation of video visiting consequences described in this policy.
6. Video remote interpretation services shall be provided free of charge to an inmate established as deaf or hard-of-hearing.

I. Video Message Communication

1. Video message communication opportunities shall be provided for use by inmates housed within general population areas of an institution.
2. Video message communication shall be provided through a video visitation provider, using a kiosk system. Use of the kiosk system for Video message communication shall not require an appointment.
3. Use of the video message communication service shall be subject to all the video visitation procedures and rules listed in this policy and those listed in the terms and conditions of use, as provided by the video visitation provider.

Policy Number	Effective Date	Page
16.5	January 6, 2017	6

4. A violation of the video visitation procedures or rules listed in this policy or listed in the terms and conditions of use, as provided by the video remote interpreting service provider, for video message communication may result in the violation of video visiting consequences described in this policy.