



Office of Children and Family Services

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Commissioner

Memo

To: Facility Managers; Facility Directors and Assistant Directors; CMSO Supervisors

From: Felicia A. B. Reid, Esq, Acting Deputy Commissioner /fr/
Division of Juvenile Justice and Opportunities for Youth

Date: June 29, 2020

Re: Video Visitation with Youth at OCFS Facilities

As the State continues to navigate COVID-19, DJJOY must take account of the lessons learned in these past few months and take advantage of new opportunities in service of our youth and families. For the safety of staff and youth, DJJOY continues to limit in-person contact at facilities and CMSOs, making the use of videoconferencing technology necessary for service delivery. DJJOY currently uses this technology to facilitate telehealth (psychiatry), remote court visits and interactions with law enforcement, and Justice Center interviews.

As we move forward, facilities should expand the use of video cameras for direct visits with families, youth attorneys, outside service providers, and OCFS programs—including CMSO staff and the Office of the Ombudsman (OOTO).

Videoconferencing platforms will permit visitors to “visit” from their own location, rather than traveling to an OCFS site. For visits with youth, facilities and OCFS programs must use desktop-based, secure (end-to-end encrypted) video conferencing platforms such as: WebEx, Skype for Business, or Microsoft Teams, all of which can be HIPAA-compliant. If seeking to use any alternate platform, contact OCFS’ Information Technology Unit.

In using videoconferencing platforms, the general strictures of [PPM 3455.00, Visits to Youth in OCFS Facilities](#) and [PPM 3247.03, Supervision of Youth](#) remain in place as adaptable for video visitation. Considerations include:

Generally:

- A youth is not permitted to operate the computer, camera, or audio equipment at any time.
- The facility is responsible for scheduling visits, considering staffing for observation of the video visit, the number youth requiring or requesting a visit on a given day, and reasonable time limitations on visits relative to program.
- The facility is responsible for determining video visit logistics, including identifying the platform to be used, providing login or access information/links to visitors, etc.
- Under the parameters as identified above, CMSOs are responsible for communicating to families that video visits are available. The facility is responsible for communicating to outside service providers that video visits are available.

- Facilities should attempt to ensure that video visits between youth attorneys or OOTO retain confidentiality (eyes-on). If this is not practicable or feasible given the location of the video visit equipment, facilities should disclose this to the youth attorney or OOTO before the video visit.
- By priority, the use of video conferencing equipment for court proceedings; telehealth; interactions with law enforcement; Justice Center interviews; and visits from families, CMSO workers, OOTO, and other service providers take precedence over use for employee arbitration hearings.

Family Video Visits:

- A video visit with family should never be part of any incentive.
- Visitation protocol must be reviewed with the youth and family prior to a visit.
- Staff scheduling and supervising a family video visit must know who can and cannot visit with a youth.
 - Only approved visitors can participate in a family visit and the facility must take measures to verify that any person conferencing into the facility is who they state they are.
 - Orders of protection between the youth and any other individual must be upheld.
 - Staff must be positioned in the room in a manner that allows them to see the screen the youth sees during the visit.
 - All video visits must be conducted in a room equipped with a CCTV recording system. The screen on which the video visit take place must be visible to CCU. This is in addition to, not in place of, in-room staff supervision.

Visit Termination Due to Violation or Inappropriate Conduct:

Any staff supervising a video visit where there is conduct that violates these parameters, PPM 3455.00, *Visits to Youth in OCFs*, or is otherwise inappropriate (e.g. sexual; violent, gang-related; or use of alcohol or drugs), will immediately end the visit and notify the Facility Director or Assistant Director of this as well as the reasons.

Please communicate these guidelines to staff at your site.

cc: C. Hernandez
F. Mallick
J. Tomassone
T. Barr
D. Forgett
N. Steinbock-Pratt
N. Aledort (on behalf of Office of the Ombudsman)