

Confidentiality for a Videoconference

1. In an effort to maintain confidentiality between an inmate and all parties contacting him/her via video teleconferencing, a specially constructed room will be available for the sole purpose of video teleconferences. This room will be sound dampened and secured.
2. Each inmate will have access to documents that are transmitted to him/her via facsimile without interruption by NJDOC personnel in the transmission of such documents. Transmitted documents will be treated as confidential documents. Advanced notice of incoming fax will need to be noted on request form when requesting videoconference date and time.
3. Correctional Facilities or participating agencies cannot waive the rights of the inmate with regard to any of his/her applicable privileges or rights of confidentiality or due process as guaranteed by the United States Constitution, the New Jersey Constitution, or any applicable statute, rule, or court decision without the consent of the inmate.
4. All communications between the inmate and outside agency personnel, or any person acting on behalf of the outside agency, made through the video link shall be deemed privileged and confidential and remain private.
5. All parties agree that no third (or additional) person, including any correctional officer, may be present during the inmate communication made over the video link, or within hearing distance of the communication, unless both the inmate and the inmate's attorney or the court officer have acknowledged and authorized in writing such person to be present.
6. All parties agree that whenever there has been any breach of the confidentiality provisions of this paragraph whether accidental or planned, without regard to duration of time, the participating agency shall be notified of the breach, in writing, within 48 hours of the event. In addition, the NJDOC shall also be notified within 48 hours of any breach of confidentiality.
7. The Correctional institution reserves the right to terminate any videoconference in progress at the discretion of the post officer whenever an inmate's behavior is deemed inappropriate, or for just cause.
8. The Correctional Institution reserves the right to terminate or cancel all videoconferencing at the discretion of the institutional administrator or his/her designee whenever security, staffing or other situations require such action.
9. A visual view panel or monitor that permits the videoconferencing post officer to visually supervise the inmate shall be present in all videoconferencing booths/rooms.
10. Any violation of the confidentiality provisions could be grounds for the termination of the Video Teleconferencing Program by any of the parties.