

UTAH DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES		
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POLICY NAME		
RATIONALE: The Division is committed to engaging families in the rehabilitative process and promoting family involvement through ongoing communication. It is essential for each minor to maintain support from and connection to family/legal guardian, legal counsel, clergy and professional workers. Telephone and virtual communication contact will help maintain that support and connection.		
Original Effective: 10/15/2004	Revision: 7/10/2022	Next Review Due: 7/10/2025

I. DESCRIPTION

Minors in the custody of Division facilities/programs shall have access to telephone and virtual communication and be allowed to make and receive personal calls subject to facility/program operations manuals. The Division shall provide for and encourage communication between minors and their families, legal counsel, clergy and professional workers. The number of phone calls and virtual communication a minor may make and receive may only be limited by the facility schedule or when there is a reasonable basis to justify such limitations.

II. DEFINITIONS

- A. **Virtual Communication:** Communication between approved individuals via computer, tablet or cellphone utilizing video conferencing to, or from a minor within a JJYS facility/program.
- B. **Virtual Communication Device:** A designated computer workstation, tablet or facility cell phone that has appropriate software and connectivity to allow for secure video conferencing.
- C. **Telephone communication:** Communication between approved individuals via a direct landline telephone or cellphone to, or from a minor within a JJYS facility/program.

II. POLICY

- A. Upon a minor's arrival at a facility/program, staff shall allow the minor to call their parent(s) or legal guardian(s), and legal representative as soon as possible, but no later than two (2) hours after arrival. When a minor is unable to contact their parent(s) or legal guardian(s) within the allotted time frame, staff shall document the reason that the parent or guardian was unable to be contacted and allow the minor another chance to attempt to make contact as soon as possible.
- B. Staff shall review communication procedures with each minor during the orientation process when a minor is admitted to a facility/program.
- C. Except for privileged calls between a minor and their clergy, a victim advocate, CPS Hotline or legal counsel, staff:
 - 1. Shall monitor all telephone calls and virtual communication by remaining within visual and hearing distance; and
 - 2. Have the right to observe virtual calls, and to record or listen to all communications.
- D. Staff shall accept calls and virtual communication from case managers, social workers, clergy, probation officers, victim advocates and legal representatives during designated calling schedules. Staff shall also make reasonable attempts to accommodate calls that come in outside of designated calling schedules.
- E. A minor may call their legal representative at any reasonable time, and as often as the legal representative agrees is necessary. Either the legal representative or the minor may request such telephone calls.

III. PROCEDURE

- A. Facilities/programs shall establish guidelines that allow a minor to make and receive phone calls to or from their parent(s), legal guardian(s), families, legal counsel, clergy and professional workers. Guidelines shall provide for established hours in accordance with operations manuals.
 - 1. A minor shall be encouraged and allowed to communicate with their parent(s) or legal guardian(s), at no cost to the minor.
 - 2. Procedures shall be established at each facility/program that provide for special or emergency calls or virtual communication.

3. Staff may deny telephone and electronic communication access upon specific conditions outlined in the facility/program operations manual and the caller shall be informed of those conditions. When a minor is unable to receive an incoming telephone call, the caller shall be notified of the reason. If the conditions for approving the call are met, staff shall make arrangements for the call at an approved time.
 4. Staff shall not deny virtual communication or phone calls to parent(s)/guardian(s) solely for the purpose of providing a punishment or a consequence for a minor.
- B. All telephone calls or virtual communication to or from minors shall be screened for authenticity. Staff shall confirm the identity of all persons before allowing a minor to talk and communicate with anyone by telephone or virtual communication.
1. To confirm the identity of the caller, staff may take the caller's name, email and telephone number and review the youth's contact list, prior to allowing minor communication with the caller.
 2. Staff shall dial all out-going telephone calls for the minor and make contact with the approved recipient before the minor is allowed to converse with the individual called.
 3. Staff shall initiate all virtual communication as a facilitator and verify the identity of the individual visiting prior to allowing the youth to use the communication device.
 4. Staff shall not initiate virtual communication through their personal email accounts or personal communication device.
 5. Staff may terminate telephone or virtual communication to maintain the safety and security of the facility.
 6. Staff shall ensure that the communication device remains on and within their visual field of view throughout the entirety of the visit.
 7. Whenever possible, staff shall speak to the caller after the conversation with the youth and ask if they have any questions or safety concerns.

VI. CONTINUOUS RENEWAL

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team, and is approved upon the signature of the Director.



Brett Peterson, Director
Division of Juvenile Justice and Youth Services

7/10/2022

Signature Date