

**POLICY**

It is the policy of the Michigan Department of Human Services (DHS) Bureau of Juvenile Justice (BJJ) that legal consent must be obtained for non-security related videotaping or photographing of youths.

**PURPOSE**

This policy protects the confidentiality rights of youth in facilities.

**DEFINITIONS**

See JRG, JJ Residential Glossary.

**RESPONSIBLE  
STAFF**

Designated in the facility standard operating procedure.

**PROCEDURE**

Each facility is required to develop and implement standard operating procedures (SOPs) relative to the non-security related videotaping or photographing of youth. At a minimum, these SOPs must contain the following requirements:

**Purpose**

Facilities will define the internal purpose and circumstances for videotaping and/or photographing youth.

**Use of  
Videotape or  
Photograph*****Treatment Purposes***

Youths and family members may be videotaped or photographed as part of the treatment process if valid legal consent is obtained from all parties.

***Non-treatment Purposes***

All parties must sign a valid legal consent form.

**Media**

Non-DHS media (newspaper, television, etc.) requests for photographing and/or videotaping must be approved in advance by the DHS director through the office of communications.

**Storage and  
Destruction**

All videotapes must be erased or otherwise destroyed when the affected youth is released from the facility.

**Consent**

All parties that have reached the age of majority must sign a copy of the "Consent for Publication" form (DHS-0199) prior to being videotaped and/or photographed.

For youth under 18 years of age, the following parties (based on the youth's legal status) must make the determination that videotaping/photographing is in the best interest of the youth and sign the consent form:

**Legal Status/Type of Care/Authorizing Party**

Delinquent State Ward (1974 PA 150).	DHS director or designee.
Temporary court ward.	Court/judge and parent or legal guardian.
Permanent court ward.	Court/judge.
Dual wards – MCI and Act 150 & 296 or 220.	DHS director or designee and the MCI Superintendent.
Michigan child placed out of state.	Michigan authority supervising child at time of placement.
OTI/Interstate Compact youth.	Sending state authority/court.

**Copyrighted  
Materials**

No copyrighted material, including music, may be used in any videotape.

**Miscellaneous**

- DHS employees videotaped as a part of their job or volunteer duties do not need to sign a consent form.
- Non-DHS employees, including volunteers, must sign the “Consent for Publication” form before the videotape may be used for any purpose.
- Contracts for presentations to be videotaped must state the uses for which the videotape will be used.
- Any videotape that may be shown to any member of the general public must be closed captioned.

**AUTHORITY**

Social Welfare Act, MCL 400.115a (1)(l)