



Virginia Department of Corrections

Community, Media & Other Agency Relations

Operating Procedure 025.2

Public Access to DOC Property

Authority:

Directive 025, *Public Access to DOC*

Effective Date: May 1, 2019

Amended: 1/1/21

Supersedes:

Operating Procedure 025.2, January 1, 2016

Access: Public Restricted

Incarcerated Offender

ACA/PREA Standards: None

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		Signature	Date

REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The office of primary responsibility reviewed this operating procedure in May 2020 and determined that no changes are needed.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

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PURPOSE

This operating procedure provides guidance for representatives of state government, service personnel, emergency personnel, and other individuals who have legitimate penological business to have access to Department of Corrections property and facilities under state contract to provide correctional programs.

PROCEDURE

- I. Entering a Facility or Community Residential Program
 - A. This operating procedure, and Operating Procedure 022.1, *News Media Relations*, provide for a public information program that encourages interaction with the public and the news media.
 - B. The following persons may enter any state correctional facility or community residential program:
 1. The Governor
 2. Members of the Virginia General Assembly
 3. Secretary and Deputy Secretaries of Public Safety and those persons authorized by the Secretary
 4. Director of Corrections and those persons authorized by the Director
 - C. Any person seeking to enter the interior of any state correctional facility will be subject to search of their person and effects in accordance with Operating Procedure 445.1, *Employee, Visitor, and Offender Searches*. Search will generally be required prior to entering a correctional facility.
 1. Operating Procedure 851.1, *Visiting Privileges*, covers family, personal, clergy, and attorney visits for offenders.
 2. Operating Procedure 022.1, *News Media Relations*, and Operating Procedure 022.2, *Offender Access to the News Media*, cover news media access to offenders and correctional facilities.
 - D. Any visitor under the influence of intoxicants will be denied access to a state correctional facility.
 - E. When an individual is approved in accordance with this operating procedure to enter the facility, the approval must be communicated and written notification should be provided to designated facility staff to facilitate entry. Prior to denying entry for lack of written notification, the Facility Unit Head or Administrative Duty Officer must be contacted.
- II. Official Visitors
 - A. Official visitors wishing to access a state correctional facility should make prior arrangements to access the facility.
 1. On the authority of the Facility Unit Head or Administrative Duty Officer in the absence of the Unit Head, such officials should be allowed to access the facility without prior approval.
 2. The Regional Administrator and higher authorities, as appropriate, must be notified of the official visitor's presence at the facility
 3. Upon presentation of valid identification, official visitors should be allowed to access DOC facilities without a VCIN or other criminal records check.
 - B. Official visitors will be subject to processing and to search in accordance with Operating Procedure 445.1, *Employee, Visitor, and Offender Searches*.
 - C. Official visitors may tour the facility under escort or visit with offenders upon request.
 - D. The taking of photographs and audio or video recording within the facility is not allowed, except upon expressed approval of the Facility Unit Head.
 1. No photograph in which an offender can be identified may be taken unless the offender completes a [Media Consent Agreement](#) 022_F1.

2. Verified requests to tape or photograph an offender which are made by officials of the Parole Board, the courts, (but not private attorneys), law enforcement, or other governmental agency normally should be accommodated within security requirements and with the approval of the Regional Operations Chief.

III. General Visitors

- A. Any person wishing to visit a state correctional facility will make a request to the Facility Unit Head. It is preferred that the request be made two weeks in advance of the requested visit.
- B. The Facility Unit Head will consider the request based on the merits of the request and staff availability to supervise the visit.
- C. All visitors must show and surrender a valid picture identification card prior to admission for the visit. IDs will be returned at the end of the visit. The Facility Unit Head or designee may authorize a minor to be admitted without a picture identification card provided the minor is properly escorted and accounted for entering and exiting the facility.
- D. All visitors should be searched and processed according to Operating Procedure 445.1, *Employee, Visitor, and Offender Searches*.
- E. Correctional staff will escort all visitors at all times within the security perimeter.
- F. Requests from individuals or organizations that provide parole preparation and similar services to video or audio tape or photograph an offender for presentation to the Parole Board will not be approved.

IV. Facility Tours

- A. Any group wishing to tour will make a request to the Facility Unit Head, who will review and forward the request to the Regional Operations Chief for approval.
 1. Requests should be made at least two weeks in advance of the requested visit.
 2. Requests for tours from persons related to offenders, on the visiting list of offenders, or known to visit offenders will not be approved.
 3. Request approvals must be copied to the Chief of Corrections Operations and the Director of Communications for their information.
- B. Children under the age of 18 will generally not be allowed to tour correctional institutions. Exceptions must be approved on a case by case basis by the Facility Unit Head, Regional Administrator, and Regional Operations Chief.
 1. Children under the age of 16 will not be permitted to tour inside the secure perimeter of a correctional institution.
 2. Minors 16 and older may enter the security perimeter for supervised tours of the facility only with parental consent to visit a state correctional facility.
 3. It is the responsibility of the sponsoring group (i.e. school, civic group, etc.) to secure parental consent for all minors under age 18.
 4. Schools will secure such consent in accordance with established school policy and procedure.
 5. Other groups must utilize the [Parental Consent to Tour Correctional Facility](#) 025_F1. Copies of the *Consent* should be presented to the facility prior to the tour.
- C. Tours of a state correctional facility will normally be conducted between 9:00 a.m. and 3:00 p.m. on normal business days.
- D. An appropriate staff member as determined by the Facility Unit Head or Administrative Duty Officer will conduct tours.
- E. The normal tour itinerary will include representative areas of the facility except maximum security

areas, restrictive housing areas, and medical or mental health treatment and programming areas. The Facility Unit Head, upon special request, may grant access to restricted areas only if a legitimate need is established.

F. A person entering a facility for a tour should have only the clothing actually being worn, vehicle or locker keys (if applicable), and a picture identification card.

1. Hand-carried items of personal property, including pagers, cell phones, money, and pocketbooks, must be left in the visitor's locked vehicle or a locker in a secure area if provided by the facility.
2. The visitor will be informed that the facility will not take responsibility for these personal items.
3. DOC facilities are tobacco free; tobacco products and related items are prohibited.

G. No items may be passed between visitors and offenders.

H. In the event of a disturbance or disruption of normal activities within the facility, the Facility Unit Head or Administrative Duty Officer may discontinue any tour in progress or suspend further tours.

V. Service Personnel

A. Service personnel having the need to gain access to a state correctional facility may do so upon approval of the Facility Unit Head or Administrative Duty Officer.

B. Service personnel may be searched and processed according to Operating Procedure 445.1, *Employee, Visitor, and Offender Searches*.

C. Service personnel will be escorted within the security perimeter by correctional staff at all times. Care will be taken to safeguard all tools or equipment necessary for the task and such tools will be inventoried prior to entry and when service personnel exits. Tools and equipment not necessary for the task at hand will be left outside of the security perimeter

D. Service personnel will generally be escorted directly to and from the portion of the facility involved with their task.

VI. Emergency Personnel

A. Emergency personnel will be allowed access to a state correctional facility as needed per request of facility staff.

B. During a facility declared emergency, every effort will be made to provide emergency personnel immediate access to the correctional facility.

C. Correctional staff will escort emergency personnel at all times.

D. Emergency vehicles will remain under direct supervision of a Corrections Officer at all times. All tools and equipment need to be safeguarded.

E. The identities of emergency personnel entering a state correctional facility will be noted for recording purposes, by correctional staff at the point of entry.

F. When no ID cards are collected at the time of entry due to the nature of the emergency, extra care is to be taken to properly identify all emergency personnel prior to them exiting the facility. Generally, the facility should be locked down and an emergency count taken and cleared prior to allowing emergency personnel to exit. Only the Facility Unit Head or Administrative Duty Officer should make exceptions.

VII. Access to DOC Property for Purposes of Political Activity

A. The following political activities are prohibited on DOC property:

1. Posting of political material or position statements
2. Distributing political campaign material or circulating any petition, including a nominating petition

3. Transporting political material in a DOC vehicle or using a government vehicle for any campaign activity
4. Soliciting or receiving political contributions or services
5. Using DOC time, facilities, equipment, or supplies in support of a political activity or in promoting the candidacy of someone for partisan political office
6. Wearing political buttons, badges, or T-shirts on or with official DOC uniforms on or off DOC property
7. Using DOC resources or equipment to provide personal DOC employee information to any person knowing that such a list will be used for the purpose of soliciting contributions, mailing political material to, or calling such employees, unless specifically requested and allowed under the *Virginia Freedom of Information Act* (COV §2.2-3700 et seq.)

B. Private vehicles parked in a DOC parking lot or garage may display political bumper stickers

VIII. Access to DOC Property for Purposes of Protest and Demonstration

- A. DOC facilities are not open to the public nor are they public forums and protesters are not authorized to demonstrate on facility property.
 1. When a protestor(s) are demonstrating on facility property, the Facility Unit Head or their designee should ask the protestors to move to a traditional public forum such as a street, sidewalk, park etc.
 2. The Facility Unit Head or designee will notify the state police and local law enforcement of the situation and request their assistance in allowing staff safe access to and from the facility; upon their arrival, the responding law enforcement officers will manage the situation.
 3. Facility staff should not engage with the protestors unless specifically instructed to do so by the Facility Unit Head.
- B. When recording equipment is available, facility staff should record the demonstration and all staff interactions with the protestors and will upload the recording to the facilities digital storage folder; see Operating Procedure 030.1, *Evidence Collection and Preservation*.
- C. When a protestor attempts to breach the secure perimeter, facility staff, with approval of the Facility Unit Head or designee, may respond with force as authorized in Operating Procedure 420.1, *Use of Force*.

DEFINITIONS OF TERMS USED IN THIS OPERATING PROCEDURE

Community Residential Program - Any group home, halfway house, or other physically unrestricting facility used for the housing, treatment, or care of adult offenders established or operated with funds appropriated to the Department of Corrections from the state treasury and maintained or operated by any political subdivision, combination of political subdivisions, or privately operated agency within the Commonwealth

DOC Property - Any land, state correctional facility, building, room, furnishings, machines, vehicles, apparatus, or equipment purchased or leased by the DOC and occupied for the use to which it is lawfully dedicated

Emergency Personnel - Emergency medical staff, firefighters, and law enforcement personnel responding to an emergency at a DOC facility

News Media - A media organization whose primary objective is to collect and report a wide range of news-related content for a newspaper, magazine, news website, news service, or radio and television news; to be considered a news organization, the publication's primary purpose and content must not be about a specific offender.

Official Visitors - Public officials, law enforcement personnel, and others with official business at a facility including but not limited to:

- Elected State officials

- Members of the Governor's Cabinet and Staff
- Board of Corrections Members
- Employees of the Department of Corrections
- Attorneys (Court appointed attorneys, public defenders, private attorneys, and members of the Attorney General's Staff)
- Parole Board Members and staff
- Doctors, Health Care Professionals, Clinical Personnel
- Judges
- Law Enforcement Personnel
- Local Government Officials

Political Activity - An activity involving or relating to individual views about social relationships involving authority or power (political opinions); involving or relating to the profession of governing (political office); having or influenced by partisan interests (political party).

Political Material - Literature, electronic communication, posters, signs, etc. that elicit support for one political candidate or opposition for the other candidate

Political Office - An office for which a candidate is nominated or elected based on votes received under the electoral process; this does not include any position held within a political party or affiliated organization.

Service Personnel - Vendors, maintenance, delivery, and repair personnel who need to gain access to a State correctional facility for business purposes

State Correctional Facility - Any facility used for the incarceration of adult offenders established and operated by the Department of Corrections or operated under contract pursuant to COV §53.1-262.

REFERENCES

COV §2.2-3700 et seq., *Virginia Freedom of Information Act*

COV §53.1-262, *State correctional facilities; private contracts*

Operating Procedure 022.1, *News Media Relations*

Operating Procedure 022.2, *Offender Access to the News Media*

Operating Procedure 030.1, *Evidence Collection and Preservation*

Operating Procedure 420.1, *Use of Force*

Operating Procedure 445.1, *Employee, Visitor, and Offender Searches*

Operating Procedure 851.1, *Visiting Privileges*

ATTACHMENTS

None

FORM CITATIONS

[Media Consent Agreement](#) 022_F1

[Parental Consent to Tour Correctional Facility](#) 025_F1