



Virginia Department of Corrections

Offender Management and Programs

Operating Procedure 801.4

Privileges by Security Level

Authority:

Directive 801, *Facility Administration*

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Access: Public Restricted

Incarcerated Offender

ACA/PREA Standards: None

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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 August 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 to promote consistency in the privileges afforded to offenders based on the security level of the Department of Corrections institution. Provision is made for institutions to request variances based on institution specific program and mission requirements.

PROCEDURE

- I. Security Level Assignment
 - A. Offenders incarcerated in DOC institutions, once classified, are assigned to a security level based on their risk to others and to the secure and orderly operations of an institution in accordance with Operating Procedure 830.2, *Security Level Classification*.
 - B. Each institution is designated to house one or multiple security level offenders.
 1. The minimum and maximum privileges authorized for general population offenders varies based on each institutions' designated security level. As the security level of the institution decreases, the privileges offered increases.
 2. For institutions that are designated for multiple security levels, offender privileges provided should be in accordance with Attachment 3, *Privilege Level Designation of Multi-Level Institutions*.
 - C. Each institution is expected to provide offender privileges in accordance with the institution's security level designation unless the institution has an approved [Privilege Variance Request](#) 801_F8.
 - D. Restorative Housing Unit privileges will be in accordance with Operating Procedure 841.4, *Restorative Housing Units*.
 - E. Privileges for Security Level 6 and S institutions will be in accordance with the *Restorative Housing Reduction Step Down Program*, approved by the Chief of Corrections Operations and consistent with applicable ACA Standards.
 - F. Reception Centers and Residential Programs may restrict or enhance the privileges available in accordance with their institutional mission and/or program model.
 - G. Privileges for Cadre offenders will be as specified for Security Level 1 institutions unless otherwise indicated.
- II. Privileges by Security Level
 - A. The privileges afforded to offenders housed in Security Level W-5 institutions are as follows:
 1. Commissary
 - a. Weekly spend limit for consumable items (except nicotine replacement products)
 - i. Security Level W-2 - \$125 weekly
 - ii. Security Level 3 - \$110 weekly
 - iii. Security Level 4 - \$85 weekly
 - iv. Security Level 5 - \$50 weekly
 2. Offender Property
 - a. Security Level W-5 - Personal Property as authorized on the appropriate *Institutional Property Matrix* attachment to Operating Procedure 802.1, *Offender Property*.
 - b. Security Level W-5 - Personal arts, crafts, and hobby items as authorized on *Approved Arts and Crafts Items* attachment to Operating Procedure 841.6, *Recreation Programs*.
 - c. Security Level W-5 - Personal religious items as authorized on the *Approved Religious Items* attachment to Operating Procedure 841.3, *Offender Religious Programs*.
 - d. Items must be purchased through the institution commissary; purchase from an alternate vendor is prohibited.

3. Out of Bed Area Activities
 - a. Minimum hours out of bed area to include movement and meals
 - i. Security Level W & 1 - 14 hours
 - ii. Security Level 2 & 3 (female institutions) - 12 hours
 - iii. Security Level 3 - 10 hours
 - iv. Security Level 4 - 8 hours
 - v. Security Level 5 - 7 hours
 - b. Access to Day Room (area in the housing unit itself such as the TV area, not a separate basement recreation area, etc.)
 - i. Security Level W-3 & female institutions - Until 11:30 p.m. Sunday - Thursday; and until 1:00 a.m. Friday and Saturday nights and nights before a holiday
 - ii. Security Level 4 & 5 - Until 9:00 p.m. Sunday - Saturday
 - c. Yard Activity
 - i. None during periods of darkness or low visibility without observed/escorted movement.
 - ii. Security Level W-3 & Security Level W-2 female institutions - Ends at sundown.
 - iii. Security Level 4 & Security Level 3 female institutions - Ends at 8:00 p.m. or sundown whichever is first, except for feeding.
 - iv. Security Level 5 - Ends at 6:00 p.m. or sundown whichever is first, except for feeding.
 4. Programs
 - a. Security Level W-3 & female institutions - Observed/escorted movement for programs may occur until 9:00 pm out of housing area.
 - b. Security Level 4 - Movement for programs may occur until dark, no later than 8:00 p.m. out of housing area
 - c. Security Level 5 - No programming out of housing area after 6:00 p.m. or sundown whichever is first.
 5. Telephone
 - a. On during scheduled service hours
 - b. Available when offenders are allowed access to area(s) where phones are located
 - c. Calls limited to 20 minutes
 6. Television
 - a. Security Level W-5 - Cable TV (no premium channels)
 - b. Security Level W-5 - Movies/ Motion Pictures (Facility Unit Head Approval)
 7. Visitation
 - a. Security Level W-5 - Minimum of 1 hour and maximum 4 hours per visiting day; as space is available
 - b. Security Level W-5 - Video visitation available
- B. Additional privileges as listed on Attachment 1, *Privileges by Security Level-Male Institutions*, and Attachment 2, *Privileges by Security Level-Female Institutions*, are available based on the security level of the institution and offender behavior.
1. Offender Pictures (i.e. visitation, offender picture projects, etc.)
 - a. Each participating institution will establish the rules, procedures, and process to access offender picture services
 - b. Picture tickets must be marked with the name and number of the offender who purchased the ticket.
 - c. Picture tickets are transferrable between facilities.
 - i. Offenders who purchased a picture ticket and are transferred prior to use will be permitted to

- use their picture tickets at any institution that offers picture taking services.
 - ii. When an offender transfers to an institution that does not provide picture taking services, the offender will be permitted to keep their picture tickets.
 - iii. Institutions are not required to refund offenders for unused picture tickets.
 - d. The Facility Unit Head should designate one employee to be responsible for oversight of the offender picture taking process for the institution; the designated employee must ensure that all offender pictures are reviewed and embedded with the offender's identifying information (institution, offender's name, date and time picture was taken) prior to printing the photograph for offender possession.
 - i. All offender pictures must be taken with a digital camera.
 - ii. The individual responsible for taking offender pictures must maintain a log of all the pictures taken with each offender's name, date, and time of picture documented on the log.
 - iii. The completed log should be forwarded to the employee responsible for embedding the offender's information into the picture.
 - iv. The picture with identifying information must be saved to a folder created for this purpose in "My Pictures" or "Shared Folders".
 - e. All offender pictures should be reviewed for compliance with the institution's rules regarding picture content to include the prohibition of gang signs and symbols prior to distribution to the offender
 - f. Offender pictures on the DOC network are subject to the requirements for storage and removal provided in Operating Procedure 310.2, *Information Technology Security*.
2. Movies (Motion Pictures)
- a. The DOC contract vendor provides a public performance license that allows the unlimited showing of movies to the offender population at participating facilities.
 - b. A listing of all titles under contract that may be publicly shown to the offender population is available on the contractor's website at <http://institutions.swankmp.com/>.
 - c. The showing of "R" rated movies is prohibited.
 - d. The Facility Unit Head will determine the method by which movies are obtained, such as Netflix, Library, purchase, etc., and must ensure all movies shown at the institution are covered under contract and are appropriate for offender viewing for that institution.
 - e. Each participating institution will establish the availability, procedures (location, time, number of movies etc.), and process to attend offender movie services.
3. Sale of Ice Cream
- a. The Facility Unit Head will determine if ice cream is to be made available for sale to the offender population through the institution's commissary.
 - b. The contract vendor will order the ice cream and deliver it to a vendor provided freezer located in the commissary or other designated location.
 - c. Institutions that have their commissary orders shipped from another institution will receive ice cream directly from the vendor. Once the delivery is received, institution staff will fax the receiving document to the institution responsible for providing commissary services.
 - d. Offenders must purchase a color-coded ticket that represents a specific type of ice cream from the institution commissary. The ticket must be marked with the name and number of the offender, who purchased the ticket, and must be turned in to institution staff in order to receive the selected ice cream.
 - e. The process for ice cream distribution (location, number of days offered, etc.) and inventory control will be determined by the Facility Unit Head.
 - f. All proceeds from the sale of ice cream must be deposited into the Commissary Fund.
4. Restaurant Food Orders

- a. At the discretion of the Facility Unit Head and with approval of the Chief of Corrections Operations, offenders housed in Security Level W through 2 institutions are permitted to order food from an outside restaurant.
 - b. A written request listing the scheduled ordering dates for the following year must be submitted to the Chief of Corrections Operations for approval.
 - c. The Facility Unit Head or designee will establish the criteria, rules, and any other operational requirements necessary for offenders to participate.
- C. Institution specific information concerning offender privileges should be addressed in offender orientation and/or Implementation Memorandum to this operating procedure
- D. Any of the listed privileges may be temporarily suspended or restricted by the Facility Unit Head or Administrative Duty Officer due to institutional emergencies or the need to search for contraband. (See Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*, Operating Procedure 410.3, *Offender Movement Control (Restricted)*, and Operating Procedure 445.2, *Facility Searches (Restricted)*, for reporting requirements.)

DEFINITIONS OF TERMS USED IN THIS OPERATING PROCEDURE

Institution - A prison facility operated by the Department of Corrections; includes major institutions, field units, and work centers.

Security Level - A measure of the degree of physical restraint and supervision that is required to maintain adequate control over an offender to prevent escapes, to minimize risk of staff and offender injury, and to maintain orderly facility operations while providing for the safety of the general public.

REFERENCES

Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*
Operating Procedure 310.2, *Information Technology Security*
Operating Procedure 410.3, *Offender Movement Control (Restricted)*
Operating Procedure 445.2, *Facility Searches (Restricted)*
Operating Procedure 802.1, *Offender Property*
Operating Procedure 830.2, *Security Level Classification*
Operating Procedure 841.3, *Offender Religious Programs*
Operating Procedure 841.4, *Restorative Housing Units*
Operating Procedure 841.6, *Recreation Programs*
Restorative Housing Reduction Step Down Program

ATTACHMENTS

Attachment 1, *Privileges by Security Level-Male Institutions*
Attachment 2, *Privileges by Security Level-Female Institutions*
Attachment 3, *Privilege Level Designation of Multi-Level Institutions*

FORM CITATIONS

[Privilege Variance Request](#) 801_F8