



# Virginia Department of Corrections

## Inmate Management and Programs

### Operating Procedure 851.1

#### *Visiting Privileges*

##### **Authority:**

Directive 851, *Inmate and CCAP  
Probationer/Parolee Visitation*

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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.

### **COMPLIANCE**

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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## DEFINITIONS

**Central Visitation Unit** - A unit in DOC Headquarters under the office of the Corrections Operations Administrator that has the responsibility to receive applications for inmate visitors, review visitor criminal history and other records, and approve visitors before they may enter DOC institutions.

**Clergy** - A member of the community who is commissioned, licensed, ordained, endorsed, or otherwise accepted as a religious authority by the individual's religious organization, e.g., Minister, Priest, Rabbi, Imam, Medicine Man, etc.; this individual must not be a family member or relative of the inmate, probationer, or parolee.

**Community Corrections Alternative Program (CCAP)** - A system of residential facilities operated by the Department of Corrections to provide evidence-based programming as a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion.*

**Emancipated Minor** - A person less than 18 years of age who has received an order from a Court declaring that the minor is released from parental care through marriage, is on active duty with the armed forces of the United States, or has a willful, consensual separation from parents or guardian and is capable of self-support.

**Facility** - Any institution or Community Corrections Alternative Program.

**Former Inmate** - Any person convicted of a felony in any jurisdiction (State or Federal) who is not currently incarcerated or under any type of probation, parole, or post release supervision.

**Immediate Family (Visitation)** - An inmate's, probationer's, or parolee's parents, step parents, legally adoptive parents, grandparents, step grandparents, lawful spouse, biological, step or legally adopted children/grandchildren, and biological, half, step, or legally adopted siblings, appeals regarding an individual's status as immediate family will be decided by the Corrections Operations Administrator.

**Inmate** - A person who is incarcerated in a Virginia Department of Corrections facility or who is Virginia Department of Corrections responsible to serve a state sentence.

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

**Legal Guardian** - A person who has the powers and responsibilities of a parent concerning the child's support, care, education, health, and welfare.

**Minor** - A person less than 18 years of age.

**Non-Contact Video Visits** - Visitation conducted through facility provided devices and inmate video visiting stations when the inmate's visitor is unable to enter the institution for security reasons.

**Non-Contact Visitation** - Visitation conducted through a physical barrier when the inmate's visitor can enter the facility but either the visitor or inmate is restricted from physical contact.

**Organizational Unit** - A DOC unit, such as a correctional facility, Regional Office, Probation and Parole Office, Virginia Correctional Enterprises, Academy for Staff Development, Infrastructure and Environmental Management Unit, Agribusiness Unit, and individual Headquarters units, e.g., Human Resources, Offender Management, Internal Audit.

**Probationer/Parolee** - A person who is on community supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of Courts, paroling authorities, the Virginia Department of Corrections, or other release authority; this includes post release supervision and Community Corrections Alternative Programs.

**Re-entry Supporters** - Persons with whom the inmate, probationer, or parolee is not biologically related, but who will provide post-release support; this includes persons serving as mentors and representatives of community organizations that are supporting re-entry.

**Restorative Housing Unit** - A general term for special purpose bed assignments including restorative housing, and step-down statuses; usually a housing unit or area separated from full privilege general population.

- **Alt-GP Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population for inmates making an informed voluntary request for



placement and inmates assigned to the restorative housing unit for their own protection.

- **RHU-Restorative Housing (RHU) Status** - Special purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for inmates requesting placement with informed voluntary consent, inmates needing confinement for their own protection, when there is a need to prevent imminent threat of physical harm to the inmate or another person, or the inmate's behavior threatens the orderly operation of the facility.
- **RH Step-Down 1 (SD-1), RH Step-Down 2 (SD-2) Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population.

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

**Special Visit** - A visit that occurs when the regular visiting schedule cannot accommodate it, or a visit that is an exception to the normal visiting rules; special visits require prior authorization by the Facility Unit Head or designee. These visitors may include, but are not limited to, attorneys, clergy, former or prospective employers, sponsors, parole advisors, re-entry supporters, or business representatives.

**VACORIS** - The computer-based Virginia Department of Corrections inmate and probationer/parolee information management system.

**Visitor Suspension** - A prohibition of an individual's contact, non-contact, and video visiting privileges for a set time of no more than three years.



## PURPOSE

This operating procedure provides guidelines for the provision and management of inmate and CCAP probationer/parolee visiting privileges at Department of Corrections (DOC) facilities.

## PROCEDURE

- I. Visitation Program
  - A. Inmate and CCAP probationer/parolee visitation are a privilege. The Facility Unit Head may restrict an individual's visiting privileges, when necessary, to ensure the security and good order of the facility. (2-CO-5D-01)
  - B. Visitation programs must not allow for the discrimination of an inmate, CCAP probationer/parolee, or their visitors, based on their disability, in the provision of facility services, programs, and activities administered through the visitation program. (5-ACI-5E-02)
    1. Staff must provide reasonable accommodations that allow disabled visitors to participate in a facility's visitation program.
    2. Staff must provide reasonable accommodations that allow inmates and CCAP probationers/with communication disabilities to communicate effectively with their visitor.
    3. Facility search areas should be equipped with Americans with Disabilities Act (ADA) compliant pull up bars to assist in the transfer of a visitor into and out of a DOC-owned wheelchair. DOC staff may assist in the transfer but must not lift the visitor.
    4. With prior approval of the Facility Unit Head, staff will allow visitors to use their service or guide dog during visitation.
  - C. Visitation at an Institution
    1. Visitation provides inmates with opportunities for involvement with their immediate family as well as other individuals through the special visit process and allows for inmate participation in community activities before their release. (4-ACRS-5A-16[I])
    2. Inmates with a disability will not be denied visitation by placing them in distant institutions where they would not otherwise be housed; this does not preclude gathering groups of inmates with similar special needs, e.g., dialysis, geriatric, deaf and hard of hearing into one or more locations where special resources can be provided to meet those needs.
    3. Each institution has an area for contact visiting and, if necessary, a visiting area for non-contact visiting: (5-ACI-2E-03, 5-ACI-7D-16)
      - a. Contact visiting areas permit informal communication and provides the opportunity for physical contact.
      - b. Non-contact visitation areas do not permit physical contact and are for use in instances of a substantiated security risk only.
    4. Each institution has a visitor and an inmate processing area that provides adequate space for screening and searching inmates and their visitors. (5-ACI-2E-03)
    5. Each institution provides a space for the proper storage of visitors' coats, handbags, and other personal items not allowed into the visiting area. (5-ACI-2E-03)
    6. Staff will provide inmates and their visitor(s) with written information on the institution's visitation program; see Attachment 1, *Inmate Visitor Information Brochure Guidelines*.
    7. Within twenty-four hours of arrival to any institution for reception or transfer, staff must provide each inmate with a copy of the institution specific *Inmate Visitor Information Brochure*; see Attachment 2, *Inmate Visitor Information Brochure*. Additional copies of the *Brochure* must be made available, upon request, for an inmate to send to their visitors by mail. (5-ACI-7D-15)



8. Staff must make copies of the institution specific *Inmate Visitor Information Brochure* available to visitors in the visitor entry area and upon visitor request.

#### D. Visitation at a Community Corrections Alternative Program (CCAP)

1. CCAP staff will provide probationers and parolees with information on the CCAP's visitation program during orientation; see 940.4, *Community Corrections Alternative Program*.
  2. Each CCAP's visitation program provides probationers and parolees with opportunities for involvement with family as well as other individuals through a special visit process and allows for participation in community activities before final release. (4-ACRS-5A-16[CC])
  3. CCAP probationers/parolees can only visit with immediate family members that are approved to visit.
    - a. Within three days of arrival, each CCAP probationer/parolee is required to submit a list of immediate family members they want approved for visitation to their assigned Counselor, P&P Officer, or other designated staff member for review and approval.
    - b. CCAP Facility Unit Heads may place additional limits on authorized visitors based on the facility mission and visiting space limitations.
    - c. CCAPs do not use the visitor application process or VACORIS Visitation-Volunteer Module.
  4. Each Facility Unit Head will maintain written information that addresses at a minimum the following requirements and provides for the effective management of probationer and parolee visitation:
    - a. Visitation Schedule - Visitation will occur on Saturdays or Sundays and state holidays.
    - b. Visitation Hours - Visiting hours should be held a minimum of four hours and a maximum of eight hours per month, each CCAP probationer/parolee who receives a visit will be provided a minimum of three hours of visiting per scheduled visiting day.
    - c. Special Visits - The request and approval process for special visits for clergy, former or prospective employers, sponsors, confidential contact with attorneys and their authorized representatives. (4-ACRS-5A-18[CC], 4-ACRS 6A-01[CC])
      - i. The Facility Unit Head or designee must approve all special visits.
      - ii. Staff will schedule a day and time for the visit at the same time they approve the request.
- E. Adult crime victims/survivors who do not wish to participate in regular on-going visitation may request a one-time facilitated meeting; see Operating Procedure 021.2, *Victim Offender Dialogue*.
1. Adult crime victim/survivor requests for visitation must be reviewed and processed in accordance with this procedure.
  2. Additional processing time may be required to ensure Central Visitation Unit staff complete a thorough review.

## II. Visitor Approval Process - Institutions

### A. Visitor Online Application Process

1. All visitors, adult and minor, must submit an *Adult Visitor Application and Background Investigation Authorization* 851\_F1 or a *Minor Visitor Application and Background Investigation Authorization* 851\_F6 online through the DOC public website for Central Visitation Unit approval before staff will permit them to visit with an inmate.
2. The Central Visitation Unit receives and reviews all visitor, adult and minor, applications for compliance with this operating procedure. Central Visitation Unit review will include but is not limited to the following:
  - a. VCIN background checks on visitors 15 and over
  - b. Check of suspended visitors
  - c. Check of VACORIS database



- d. Check of gang/security threat group databases
  - e. Check of staff databases
  - f. Facility Unit Head or designee where the inmate is currently housed review at the discretion of the Central Visitation Unit Manager.
3. Visitors who wish to visit multiple inmates must list each inmate and the family relationship on their online *Visitor Application and Background Investigation Authorization*.
- a. Central Visitation Unit staff will only approve an individual to visit one inmate who is not an immediate family member; non-immediate family member visits can only be changed once every twelve months.
  - b. Central Visitation Unit staff will not approve an individual to visit more than one inmate at the same institution unless, with approval of the Facility Unit Head only, each inmate is an immediate family member of the visitor, and the visitor(s) are on both inmate's *Visiting Lists*.

#### B. Inmates on "Administrative Location"

1. Visitors cannot utilize the online visitor application process through the DOC public website to apply for visitation with an inmate on "Administrative Location" status.
  - a. The inmate must submit a list of immediate family members they want approved for visitation to their assigned Counselor.
  - b. The Counselor will provide the inmate an *Adult Visitor Application and Background Investigation Authorization 851\_F1*, for each of the adult visitors, and a *Minor Visitor Application and Background Investigation Authorization 851\_F6* for each of the minor visitors for the inmate to mail to their visitors.
2. The adult visitor must complete the *Adult Visitor Application and Background Investigation Authorization 851\_F1* and the minor's parent or legal guardian must complete the *Minor Visitor Application and Background Investigation Authorization 851\_F6*, attach the documents to support the visitor's immediate family relationship, and return to documents by postal service mail to the Interstate Compact Unit, 6900 Atmore Drive, Richmond, Virginia 23225 for processing.

#### C. Central Visitation Unit staff upon completion of their review will send the visitor an email notifying them of their approval or disapproval and providing the reason(s) for any disapproval.

1. Once Central Visitation Unit staff approve the applications, the adult visitor must register in the Visitation Scheduler at <https://vadoc.gtlvisitme.com>, to associate the inmate to their account.
2. The Central Visitation Unit will review the registration request and confirm the visitor is approved to visit the inmate selected. The visitor will receive an auto-generated email through Visitation Scheduler that the visitor may login to schedule a contact visit with that inmate.
3. For any visitor with an existing account in the Visitation Scheduler where the visitor has an approved application on file, Central Visitation Unit staff will approve the visitor in the Visitation Scheduler.

### III. Visitor Eligibility

#### A. Applicants with any of the following considerations will not be approved to visit at an institution or a CCAP facility:

1. Conviction of COV §18.2-431.1, *Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty*; or equivalent offenses in other jurisdictions.
2. Conviction of COV §18.2-473, *Persons aiding escape of prisoner or child* or equivalent offenses in other jurisdictions.
3. Conviction of COV §18.2-474.1, *Delivery of drugs, firearms, explosives, etc., to prisoners or committed persons* or equivalent offenses in other jurisdictions.





4. An existing protective order, CPS/APS ruling, or other no contact order prohibiting contact with the inmate or CCAP probationer/parolee.
- B. Any applicant currently under any pending indictment or any active pending charge will be disapproved for visitation pending resolution of the charges.
- C. The Corrections Operations Administrator or designee in consultation with the Facility Unit Head and Chief P&P Officer, when necessary, must approve for a former inmate, probationer, or parolee to visit with a current inmate or CCAP probationer/parolee.
1. Central Visitation Unit staff will review each visitor application and check VACORIS to determine if an applicant is a former inmate, probationer, or parolee or if the applicant is currently on probation, parole, or post release supervision and, when necessary, will forward the application to the Corrections Operations Administrator or designee.
  2. The Corrections Operations Administrator or designee will review the *Adult Visitor Application and Background Investigation Authorization 851\_F1* and on a case-by-case basis will approve or disapprove the application for a valid security reason.
    - a. If there are no pending charges, non-violent former inmates may be considered for approval to visit after completion of parole, probation, or post release supervision.
    - b. If there are no pending charges, former inmates with a violent history may be considered for approval to visit five years after completion of parole, probation, or post release supervision.
  3. Non-violent and violent former inmates who are immediate family members of an inmate currently housed in an institution may be considered for approval to visit after successful completion of six months on supervision. The Corrections Operations Administrator or designee will consult with both the Facility Unit Head and the Chief P&P Officer for applicants on active probation, parole, or post release, supervision.
- D. The Corrections Operations Administrator or designee, in consultation with the Facility Unit Head, must approve in writing for former staff, contract staff, volunteers, and interns of any organizational unit to visit with an inmate, probationer and parolee.
1. Former staff, contractors, volunteers, and interns who were terminated, resigned in lieu of termination, or were barred for fraternization or suspected of fraternization with an inmate, probationer, or parolee will not be allowed to visit for a minimum period of two years after their employment or service with the DOC has ended.
  2. Former staff, contractors, volunteers, and interns, once eligible, may request to visit with an inmate by submitting an online *Adult Visitor Application and Background Investigation Authorization 851\_F1*. Requests to visit a CCAP probationer/parolee must be submitted to the Facility Unit Head.
  3. Visitor applications and requests for visiting privileges at CCAPs for immediate family members, formerly employed by the DOC, will be reviewed, and approved or disapproved on a case-by-case basis.
- E. Staff, contract staff, volunteers, and interns prior to applying or submitting a request to the CCAP Facility Unit must request permission in writing from their Organizational Unit Head or supervisor if the staff member is the Organizational Unit Head to visit.
1. The Organizational Unit Head will contact the Facility Unit Head where the inmate or CCAP probationer/ parolee is located for their input when they recommend approval of the request.
  2. When a contract staff member requests permission for visitation, the contract employee's employer must also provide prior written approval.
  3. If the Facility Unit Head approves, the Organizational Unit Head initiating the request will forward the request to the Regional Operations Chief of the region(s) involved for approval; see Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Inmates and*



*Probationers/Parolees.*

4. The Regional Operations Chief, in consultation with the Central Visitation Unit, will ensure there is no additional relevant information, issue final written approval or disapproval, and provide a copy of the written approval to the requesting Organizational Unit Head, the Facility Unit Head, and the Central Visitation Unit Manager.
5. The Chief of Corrections Operations or Deputy Director, as appropriate, must approve staff, contract staff, volunteers, and interns not under the supervision of a Regional Operations Chief.

## IV. Visiting Schedule - Institutions

## A. General Population

1. The total number of hours an inmate may visit per month will be in accordance with Operating Procedure 801.4, *Privileges by Security Level*.
2. Generally, visitation for general population inmates is held for a minimum of six hours each visiting day.
3. On a case-by-case basis and as approved by the Facility Unit Head or designee, inmates may request approval in advance for an extended visit based on special circumstance or need, such as infrequent visits and extreme travel distance. (5-ACI-7D-19)

## B. Restorative Housing

1. Staff should provide inmates housed in a Restorative Housing Unit with a maximum of one visit per week for one hour with no more than five visitors; see Operating Procedure 841.4, *Restorative Housing Units*.
2. The Facility Unit Head may set a lower limit on the number of visitors due to space limitations.
3. Inmates are limited to non-contact visits unless the Facility Unit Head approves otherwise; does not include visits with their attorney.
  - a. If the attorney has a current attorney-client relationship with an inmate, the Facility Unit Head or designee should approve a contact legal visit.
  - b. The Facility Unit Head or designee will only approve a contact visit at the request of the attorney.

## C. Special Medical and Mental Health Status

1. The Facility Unit Head or designee will determine if an inmate housed in an institution's infirmary, an observation beds or in a mental health residential or acute care unit can receive visits.
  - a. The Facility Unit Head or designee will consult with the Health Authority or Mental Health Unit Director, as appropriate.
  - b. The location, length, and circumstances of the visit will be decided on a case-by-case basis.
2. Staff will not permit an inmate to receive a visit unless the visit was approved by the Facility Unit Head or the Administrative Duty Officer in the Facility Unit Head's absence; see Operating Procedure 425.2, *Hospital Security* (Restricted).
  - a. The Facility Unit Head or ADO, in consultation with the attending physician, must approve all inmate visits for inmates in off-site hospital beds.
  - b. The location, length, and circumstances of the visit will be decided on a case-by-case basis.
3. The Facility Unit Head or designee of the parent institution will manage inmate visitation in a DOC operated hospital security ward.

## D. Specialized Populations

1. Each Facility Unit Head has the authority to restrict and grant visiting privileges as incentives for appropriate inmate behaviors at designated facilities and/or for specialized populations.



2. Visitation for inmates assigned to a specialized population setting e.g., Security Level S, Secure Diversionary Treatment Program (SDTP), Steps to Achieve Reintegration (STAR) Program, etc. is institution specific subject to the following requirements.
  - a. Newly received inmates are not allowed visits for the first 60 days of their assignment to a reception center.
  - b. Security Level S inmates are limited to non-contact visits, except for contact visits with their attorney provided the attorney has a current attorney-client relationship with the inmate. Contact visits will be approved at the request of the attorney only.
  - c. Visitors must submit an *Adult Visitor Application and Background Investigation Authorization* 851\_F1 or a *Minor Visitor Application and Background Investigation Authorization* 851\_F6 online and be approved by the Central Visitation Unit in VACORIS prior to being allowed to visit.
  - d. All visitors and inmates must follow all rules in the institution specific *Inmate Visitor Information Brochure* and this operating procedure.
3. Visitors can find essential information on visiting an inmate assigned to a specialized population in the institution's *Inmate Visitor Information Brochure*.

#### V. Admission Requirements

A. All approved adult visitors must schedule contact visits in the Visitation Scheduler before entry into the facility. Upon arrival all visitors, adult and minor, are subject to a search of their person, belongings, and vehicles by electronic scanning and detection devices, pat-down frisk searches, and contraband detection canines. (5-ACI-7D-21)

#### B. Identification Requirements

1. All approved adult visitors and emancipated minors must submit a valid government issued picture identification card (ID) that will be maintained in a secure location until the visitor leaves the facility.
2. Staff must scan the inmate visitor's government issued identification card into VACORIS.
  - a. The name and number on the ID must match the visitor's profile information in VACORIS.
  - b. If VACORIS does not show an ID associated with the approved visitor, the address on the ID submitted at the time of visitation must match the address recorded in their visitor profile.
  - c. If VACORIS shows an ID associated with the approved visitor but indicates a different address, the address in VACORIS updates automatically when the ID is scanned.
  - d. If the name and number on the ID does not match the profile information of a currently approved visitor, staff will give the visitor a copy of Attachment 3, *Central Visitation Unit Decline Notification*.
3. Emancipated minors must provide documentation of emancipation in addition to a valid picture ID.

#### C. Admission of Minors

1. Minors must be accompanied by their parent, legal guardian, or an accompanying adult who is an approved visitor
2. A *Minor Visitor Notarized Statement* 851\_F4, signed by the minor's parent/legal guardian and notarized, is required for any minor(s) to visit with an inmate or CCAP probationer/parolee, unless there is a valid Court Order directing that the child be allowed to visit without parent/legal guardian permission.
  - a. The adult visitor must present the completed *Notarized Statement* or a copy of the Court Order every time they bring the minor to visit.
  - b. By signing the *Notarized Statement*, the parent/legal guardian is certifying their parental status and staff will not require further confirmation unless they have reasonable suspicion that person is not the minor's parent or legal guardian.



- c. The *Minor Visitor Notarized Statement 851\_F4* will expire one year from the signature date of the parent/legal guardian, unless otherwise indicated on the *Notarized Statement*.
  - d. The *Notarized Statement* is not valid if the notary's certification was expired at the time of signature.
3. Staff will not allow a minor to visit if they are aware that any of the following circumstances exist:
    - a. DOC is notified of a Court Order prohibiting the minor from visiting.
    - b. DOC is notified the parental rights of the inmate or CCAP probationer/parolee were terminated.
    - c. The minor is a direct victim of a violent crime committed by the inmate or CCAP probationer/parolee.
    - d. The inmate is required to register in the *Sex Offender and Crimes against Minor Registry* for a sexual offense and does not have an approved sex offender exemption to visit with their biological, legally adopted, or stepchild.
  4. Staff, if possible, will document restrictions of this nature, as an alert in the VACORIS Visitation-Volunteer Module in advance of any visit.
  5. When available, staff will scan IDs and photographs of authorized minor visitors into the VACORIS Visitation-Volunteer Module to aid in identification.

#### D. Visitor Attire

1. All visitors, adults, and minors must dress appropriately for visitation in a facility, or their visit will be denied for that day's visitation.
  - a. Clothing must cover from the neck to the kneecaps.
  - b. All visitors must wear underwear.
  - c. All visitors must wear footwear, bare feet are not allowed.
  - d. Watches and all wearable technology devices i.e., google glasses are prohibited.
  - e. The following types of clothing are prohibited:
    - i. Clothing that resembles inmate or CCAP probationer/parolee clothing other than.
    - ii. Form-fitting clothes such as leotards, spandex, leggings, and jeggings unless worn under clothing that covers from the neck to the kneecaps and otherwise meets the visitor attire requirements.
    - iii. Tube tops, tank tops, or halter tops unless covered by garments that meet the visitor attire requirements.
    - iv. Clothes that expose an adult or minor visitor's midriff, side, or back.
    - v. Mini-skirts, mini-dresses, shorts, skorts, or culottes at or above the kneecaps.
    - vi. See-through clothing that exposes the visitor's undergarments, torso, or skin at or above the kneecaps.
    - vii. Tops or dresses that have revealing necklines showing cleavage and/or excessive splits at or above the kneecaps.
    - viii. Clothing that contains symbols or signs with inappropriate language or graphics, including gang symbols, racist comments, inflammatory communications, etc.
2. The Shift Commander or higher authority must approve any denial of visitation due to a visitor's attire.
3. Visitors may wear hats, caps, scarves and other head coverings, coats, jackets, rain gear, shawls, and scarves into the visiting room or they may place them in a designated location in the visiting area. Umbrellas are not permitted and must be left in the vehicle.
4. All property brought into the visiting area and left in the facility provided designated area is the responsibility of the visitor, neither the DOC nor the facility is responsible for any loss, theft, or damage that may occur.



## VI. Visitation Screening and Searches

- A. All visitors are subject to search by electronic scanning and detection devices, pat-down frisk searches, and contraband detection canines to enter the facility for visitation; see Operating Procedure 445.1, *Screenings and Searches of Inmate and CCAP Probationer/Parolee Visitors* (Restricted).
- B. Transgender and intersex visitors who have a preference regarding the gender of the staff member conducting the search must notify staff and request that a staff member of their preferred gender conduct the search; this notification and request must be made at each visit.
- C. Visitor Search Process (5-ACI-7D-21)
  - 1. Visitors must remove coats, jackets, excess layers of outer clothing and shoes to allow for an effective pat-down frisk search.
  - 2. Visitors must turn all clothing pockets inside out if garment construction allows and remove all items from the pockets.
  - 3. Staff will search all non-religious head coverings before the visitor will be allowed to wear the covering in the visiting room.
  - 4. Visitors who wear religious scarves or veils that hide the face must remove the scarf or veil in a private area in the presence of a female Corrections Officer for identification upon entering and exiting the facility.
  - 5. Visitors who wear a religious head covering, self-identified or as recognized by the Corrections Officer, may voluntarily remove their religious head covering for search but will not be required to remove the covering unless reasonable belief exists that the visitor may be attempting to carry contraband into the facility.
    - a. Visitors are only required to lift their hat for the search, unless the hat has a band. When the hat has a band, the visitor should present the hat to the Corrections Officer for search.
    - b. Visitors, when searched, will remove any religious head covering that also cover the face such as scarves, veils, Hijab, etc. in a private area in the presence of a female Corrections Officer.
  - 6. Visitors who wear wigs or other hair pieces will not be required to remove the hairpiece for search unless there is reasonable suspicion that a further search is necessary, and the Shift Commander authorizes the search.
  - 7. Visitors who must carry their medication into a facility during visitation are required to provide documentation from a physician indicating the visitor must keep the medication on their person during visitation.
    - a. At least one week prior to their scheduled visit, the visitor must contact the Facility Unit Head or designee and request an accommodation to enter the facility with their medications.
    - b. The visitor must present their physician documentation at each subsequent scheduled visit to carry their medications into the facility.
- D. Mobility Impaired Visitors
  - 1. Visitors with mobility impairments should contact the facility before visiting to ensure accommodations are in place.
  - 2. Due to the difficulty of thoroughly searching walkers and wheelchairs, staff will require the visitor to use a DOC-owned wheelchair.
  - 3. Staff after a reasonable search is conducted may allow specialized wheelchairs such as medically required chairs for a visitor without use of their extremities e.g., quadriplegic and those who are unable to stand at all.
- E. Service or Guide Dogs



1. The only approved service animal is a dog; visitors requiring the use of a service or guide dog should notify and receive approval from the Facility Unit Head prior to their scheduled visit.
  2. The visitor is not required to provide supporting documentation but must be prepared to provide the Facility Unit Head with the following information:
    - a. Whether the service dog is needed because of a disability.
    - b. What the service dog is trained to provide for you.
  3. The Administrative Duty Officer (ADO), at their discretion, may admit a service or guide dog not previously approved.
  4. Search of Service Animals
    - a. Staff must not separate the visitor and their service dog during the search process.
    - b. Staff conducting the search will explain the search steps and request cooperation of the visitor in the search process.
    - c. Staff must not pet a service dog as the dog is working.
    - d. Staff will visually search and may frisk search the service dog, when a visual search is not sufficient to detect contraband e.g., long, fluffy coats.
    - e. Staff will thoroughly search all pockets, flaps, etc. on the harness or collar.
    - f. If staff must remove the harness for the search, staff should replace the harness very quickly since removal indicates to the dog, they are off duty.
  5. Service or guide dogs may be attentive and “on guard” but must not be aggressive or barking excessively. The visitor will be required to leave the visitation area if the dog’s behavior is aggressive or disruptive.
  6. Visitors are not allowed to bring food or other treats in the visiting room.
- F. Visitors who decline to submit to any search for entry, is unable to clear a metal/cell phone detector, an anomaly was detected, or a canine alerted and who are unable to enter the institution that day for visitation will be provided the opportunity to participate in a 55-minute video visit.

## VII. Visiting Room Operation

- A. Each Facility Unit Head will develop protocols for facility visiting room operations consistent with this operating procedure.
1. Within available resources, staff will provide adequate waiting areas, chairs, and protection from inclement weather for visitors waiting to be processed into the visiting area.
  2. Security Supervisors will carefully screen Corrections Officers for their customer service skills and knowledgeable about visitation procedures and practices before their assignment to visitation.
  3. Supervisors must monitor the visitation process and re-train, or re-assign Corrections Officers as needed to ensure that all visitors are treated courteously and assisted promptly.
- B. The Facility Unit Head or designee will use signs, video information boards, etc. to provide information to visitors.
- C. Staff must notify an inmate and CCAP probationer/parolee when they receive a visit and the inmate or CCAP probationer/parolee must agree to the visit prior to the visitor entering the visiting room.
1. Under no circumstances will staff admit or permit an individual to visit an inmate or CCAP probationer/parolee when the inmate or CCAP probationer/parolee refused the visit unless there is legal authority such as a Court Order to compel the inmate or CCAP probationer/parolee to meet with the visitor.
  2. When an inmate or CCAP probationer/parolee refuses the visit, staff will notify the visitor and document the refusal.



- D. Staff will monitor and control the movement of all visitors within the facility. (4-ACRS-2A-02)
- E. Inmate and CCAP Probationer and Parolee Searches for Visitation
1. All inmates and CCAP probationers and parolees will be searched prior to contact visitation.
  2. Inmates housed participating in visitation at Security Level 2 and above institutions will be required to change into a state issue jumpsuit, a pair of state issue socks, and state issue canvas shoes.
    - a. Male inmates will be required to change into state issue briefs and undershirt.
    - b. At the conclusion of visitation, staff will collect the state issue jumpsuits, briefs, undershirts, socks, and shoes to be appropriately laundered through the Virginia Correctional Enterprises, hospital process prior to being re-issued to other inmates for use during visitation.
  3. Inmate and CCAP Probationers/Parolees are not permitted to wear any head covering, state-issued, personal, or religious into visitation.
- F. Inmates who need to use the restroom during visitation at Security Level 2 and above institutions will be processed from the visiting room and escorted to a separate location where the inmate will be searched prior to and after use of the restroom.
1. The inmate will be allowed to return to the visitation area after the required search has been completed.
  2. Inmates are only allowed to exit and return to the visiting area one time during their visit.
- G. Staff must make accommodations will be made to allow visitors to breastfeed in the visiting room; see COV §32.1-370, *Right to breastfeed*.

#### VIII. Video and Non-Contact Visitation

##### A. Assisting Families of Inmates (AFOI) - *Video Visitation Program*

1. In partnership with Global Tel Link (GTL) and the DOC, AFOI offers eligible inmates and CCAP probationers/parolees the opportunity to visit with their family, friends and others through visitor center video visitation or home internet video visitation; see Attachment 4, *Video Visitation Inmate Eligibility*.
  - a. Video visitation is not to be used for legal visits, as there is no guarantee of confidentiality.
  - b. All video visits are monitored and recorded.
  - c. GTL will maintain all video recordings for six months.
2. Video visitation on the weekends between 9:00 a.m. to 3:00 p.m. is for video visits conducted through video visitation centers, only.
3. Video Visitation Centers
  - a. Video visitation centers provide an alternate form of inmate and CCAP probationer/parolee visitation at a visitor center location for individuals such as non-immediate family members and friends unable to participate in contact visitation; see Attachment 5, *Video Visitation Visitor Centers*.
    - i. Inmates and CCAP probationers/parolees who wish to request a video visitation center visit will contact their Counselor or designee to obtain a *Video Visiting List 851\_F5*; visitors may obtain a *Video Visiting List 851\_F5* from the DOC public website.
    - ii. The visitor must agree to and sign Attachment 6, *Video Visitation Rules and Dress Code*.
    - iii. The completed *Video Visiting List*, the signed *Video Visitation Rules and Dress Code*, and the required fee must be mailed to AFOI for processing and to schedule the visit.
  - b. AFOI staff will review their video visitation system to determine if the inmate, CCAP probationer/parolee or the visitor has been suspended from video visitation center visits. If either is suspended, the video visit will be disapproved.
  - c. AFOI staff will contact the Central Visitation Unit to determine if the inmate or CCAP





- probationer/parolee is required to register as a sex offender or has a potential sex offender registry offense.
- d. When the video visitation center visit is approved, AFOI will contact the facility and the visitor to confirm the date and time of the video visit.
  - e. A staff member authorized by the Facility Unit Head and trained on the video visitation system will print the *Visitation Activity Report* each night after the last video visitation session is complete for the next day.
    - i. The staff member, after selecting the facility and AFOI Visitor Centers from the *Visitation Activity Report*, will print copies of the *Visitation Activity Report* and will post a copy of this report in each housing unit.
    - ii. The inmate or CCAP probationer/parolee must be on time to participate in their video visitation session; the visit cannot be extended due to the visitor, inmate, or CCAP probationer/parolee not being on time for the visit.
      - (a) The video visit will begin at the exact time scheduled, if a visit does not begin on time due to no fault of the inmate or CCAP probationer/parolee, staff must enter a note in the video visitation system as to the reason.
      - (b) GTL will only consider a refund when the visitor, inmate, or CCAP probationer/parolee is unable to participate due to no fault of their own i.e., internet connectivity, equipment failure, etc. GTL will refer to the notes made in the system by staff when considering a refund.
    - iii. A Corrections Officer must confirm the inmate's or CCAP probationer's/parolee's identity prior to the allowing the inmate or probationer/parolee to participate in the video visit.
      - (a) A Corrections Officer will remain in the area to supervise the inmate's video visit at Security Level W-5 institutions.
      - (b) Security Level Security Level 6 and S, Intensive Management (IM), Special Management (SM) and inmates assigned to the restorative housing unit must be under constant sight supervision during the visit.
4. Home Internet Video visitation
- a. Home internet video visitation allows family, friends, and others to video visit with an eligible inmate or CCAP probationer/parolee using their personal electronic devices, e.g., desktops, laptops, tablets, and android smartphones; IOS system is not supported.
    - i. Visitors who wish to schedule a home internet video visit are not required to be a pre-approved visitor through the Central Visitation Unit; visitors must register through GTL's website at <https://vadoc.gtlvisitme.com/app>.
    - ii. Once registered, visitors can schedule home internet video visits with eligible inmates and CCAP probationers/parolees through *GTL - Schedule Visits (1 of 2)* and *GTL - Internet Visits (2 of 2)*.
    - iii. A visitor's use of home internet video visitation and acceptance of the rules will serve as the visitor's consent to the audio/video recording as well as agreement to the visitation rules.
  - b. The specific hours of operation for home internet video visitation varies by institution as provided in the *Inmate Visitor Information Brochure*. The minimum number of hours that home internet visitation will be made available is as follows:
    - i. General Population: Monday - Friday 9:00 a.m. until 9:30 p.m. and Saturday and Sunday from 7:00 a.m. to 9:00 a.m. and from 2:00 p.m. until 9:30 p.m.
    - ii. Restorative Housing Unit: Monday - Friday 9:00 a.m. until 3:00 p.m. and on Saturday and Sunday 7:00 a.m. to 9:00 a.m. and from 2:00 p.m. until 3:00 p.m. for non-general population inmates specific to the institution.
  - c. Inmates in general population will have unlimited access during the institution's designated hours; access for inmates assigned to non-general population housing is based on the inmate's internal status.
5. Visitors who engage in inappropriate behavior during a video visit will be referred to the Facility Unit

Head for a possible suspension of visiting privileges for a set period of no more than three years.

- a. Minor violations will result in a suspension of video visitation for a set period of no more than six months.
  - b. Serious violations will result in a suspension of video visitation for a set period of no more than three years.
6. If a violation of operating procedure, resulted in inmate or CCAP probationer/parolee disciplinary action or a referral for visitation suspension, staff must make a copy of the video visit recording to document the violation; the recording must be uploaded in accordance with Operating Procedure 030.1. *Evidence Collection and Preservation*.

## B. Non-Contact Visitation

### 1. Non-Contact Visitation at the institution

- a. The Facility Unit Head may restrict an inmate to non-contact visits in any of the following circumstances:
  - i. It is in the best interest of the inmate due to health or mental health treatment needs as recommended by the Physician or Psychology Associate. The Facility Unit Head makes the final decision on such restrictions.
  - ii. The inmate was found guilty of a disciplinary offense related to a contact visit or an offense related to the inmate's contact by mail, phone, or visitation with certain visitors.
    - (a) If the disciplinary offense is related to contact visitation, the inmate may be limited to non-contact visitation with all visitors for a set period of no more than 180 days.
    - (b) If the disciplinary offense is related to mail or phone contact with a specific visitor, the inmate may be limited to non-contact visiting with that visitor for a period not to exceed 180 days.
  - iii. Non-contact visitation is for an approved programmatic purpose to include but not limited to Cognitive Therapeutic Community Program, SDTP, STAR, Restorative Housing Units, Security Level S, etc.
  - iv. The Facility Unit Head determined that safety and security could not be maintained otherwise.
- b. Visits between an inmate and an attorney who has a current attorney-client relationship with the inmate cannot be restricted to non-contact, contact visits must be provided when requested by the attorney.
- c. Institutions that do not have permanent non-contact visiting areas must have sufficient portable non-contact visiting booths to accommodate inmates restricted to non-contact visiting.
  - i. Non-contact visiting will be scheduled based on the operational needs of the institution; the Facility Unit Head will allocate a day, time, and location for non-contact visits.
  - ii. The Facility Unit Head or designee must identify the day, time, location, maximum length of the visit, the number of visits, and visitors allowed per day for non-contact visiting in the *Inmate Visitor Information Brochure*.

### 2. Non-Contact Video Visitation

- a. Non-contact video visitation allows a visitor, who for security reasons is unable to enter the institution that day for visitation the opportunity to participate in a 55-minute video visit.
- b. Due to the limited number of inmate video visiting stations, visitors may be required to wait until a station is available as non-contact video visits are held on the same inmate stations as all other video visits.

### 3. No Visits (Contact, Video, and Non-Contact)

- a. The inmate was convicted of a drug related offense and is subject to enhanced sanctions; see Attachment 6, *Enhanced Sanctions Guide* to Operating Procedure 861.1, *Inmate Discipline*.
- b. The visitor is detected carrying or attempting to carry contraband into the visiting room.
  - i. First Incident: No visits for six months
  - ii. Second Incident: No visits for one year



- iii. Third Incident: No visits for two years
  - iv. Fourth Incident and any additional incidents: No visits for a minimum of three years.
4. After three years, the inmate can submit a written request to the Regional Operations Chief for reinstatement of their visiting privileges.
- a. Regional Operations Chief written approval must be received before visitation can be reinstated.
  - b. If an additional incident occurs while the inmate is restricted from receiving visits for a previous incident, staff will not require the inmate to complete the previous period of restriction; staff will impose the restriction of no visitation from the date of the latest incident.

#### IX. Sex Offender Visitation

- A. Any inmate convicted of an offense that would require them to register in the *Sex Offender and Crimes against Minors Registry* must be granted a sex offender visitation exemption before staff will permit the inmate to visit with their biological, legally adopted, or stepchildren.
- 1. The inmate must be at least six months infraction free to be considered for a sex offender visitation exemption.
  - 2. There must not be a Court Order restricting such visits.
- B. Inmates will request a sex offender contact visitation exemption through the following process:
- 1. The inmate must complete a *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10.
    - a. Inmates can obtain a *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10 from their assigned Counselor and will return the completed *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10 to their assigned Counselor for processing.
    - b. The inmate's Counselor will review the *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10 and determine if the registerable offense(s) is a non-sexual or a sexual offense.
  - 2. If the offense is non-sexual, the Counselor will email the *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10 to the Central Visitation Unit mailbox, [VisitationInquiries@vadoc.virginia.gov](mailto:VisitationInquiries@vadoc.virginia.gov) and copy the Central Visitation Unit Manager.
    - a. The Counselor will instruct the inmate to notify the minor's parent or legal guardian to submit an *Adult Visitor Application and Background Investigation Authorization* 851\_F1 for themselves and a *Minor Visitor Application and Background Investigation Authorization* 851\_F6 for the minor online.
    - b. Central Visitation Unit staff will disapprove any *Minor Visitor Application and Background Investigation Authorization* 851\_F6 received prior to an inmate's sex offender exemption approval.
  - 3. If the offense is a sexual offense, the Counselor will provide the inmate with a *Sex Offender Minor Visitation Questionnaire (Parent/ Guardian)* 851\_F11 and will instruct the inmate to notify the minor's parent or legal guardian to submit an *Adult Visitor Application and Background Investigation Authorization* 851\_F1 for themselves and a *Minor Visitor Application and Background Investigation Authorization* 851\_F6 for the minor.
    - a. The inmate must send the *Sex Offender Minor Visitation Questionnaire (Parent/Guardian)* 851\_F11 to the minor's parent or legal guardian to complete and return to the inmate's assigned Counselor.
    - b. The Counselor will forward the *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10 and the *Sex Offender Minor Visitation Questionnaire (Parent Guardian)* 851\_F11 by email to [SexOffenderVisitation@vadoc.virginia.gov](mailto:SexOffenderVisitation@vadoc.virginia.gov).
    - c. The *Sex Offender Visitation Mailbox Administrator* will assign the exemption request to an evaluator with a copy of the evaluator assignment sent by email to the Facility Unit Head and the Sex Offender Program Director (SOPD)
    - d. The evaluator will complete an assessment either face-to-face or by videoconference and will

forward the completed assessment, the *Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10, and the *Sex Offender Minor Visitation Questionnaire (Parent/Guardian)* 851\_F11 to the SOPD or designee.

- i. A copy of the completed assessment must be sent to the Medical Department for filing in the inmate's Health Record.
- ii. Staff can only disseminate the assessment with the approval of the SOPD and in accordance with Operating Procedure 701.3, *Health Records*.
  - (a) Staff, who receive a request for a copy of an inmate's assessment, must notify the SOPD.
  - (b) The SOPD will review the inmate's assessment, consult with the Chief of Mental Health Services to determine if the assessment is exempt from dissemination, and notify the staff member of the decision.
  - (c) Copying charges will apply to all assessments provided to an inmate or the public.
- e. The *Sex Offender Visitation Committee* is comprised of designated staff appointed by the Chief of Corrections Operations.
  - i. The committee meets at least quarterly to review all available information and forward their recommendation for sex offender visitation exemption approval or disapproval to the [visitationinquiries@vadoc.virginia.gov](mailto:visitationinquiries@vadoc.virginia.gov) with a copy to the Central Visitation Unit Manager .
  - ii. If an inmate is denied a sex offender visitation exemption, the inmate can reapply after two years.

### C. Sex Offender Video Visitation

#### 1. Video Visitation Center Visits

- a. Inmates who are required or who are potentially required to register on the *Sex Offender and Crimes against Minors* registry cannot participate in a video visit with a minor through a video visitation center until the inmate has been approved.
- b. The inmate must be approved by the *Sex Offender Visitation Committee* and have an approved sex offender visitation exemption.
- c. If approved, the video visits with a minor will only take place through one of the AFOI Video Visitation Centers.
- d. Only adult and minor visitors approved by the Central Visitation Unit may participate in the video visitation center visit.

#### 2. Home Internet Video Visitation

- a. Registered sex offenders and inmates potentially required to register for a sexual offense on the *Sex Offender and Crimes against Minors* registry are not allowed at-home internet video visits.
- b. Inmates who are required or potentially required to register on the *Sex Offender and Crimes against Minors* registry for a non- sexual offense may be granted a video visitation exemption to participate in home internet video visitation through the following process.
  - i. Eligible inmates must obtain a *Home Video Visitation Exemption Questionnaire* 851\_F13 from their assigned Counselor.
  - ii. The inmate will complete the *Home Video Visitation Exemption Questionnaire* 851\_F13 and return it to their Counselor.
  - iii. If there is a Potential Registry alert in VACORIS, the Counselor will review the *Home Video Visitation Exemption Questionnaire* 851\_F13, make a recommendation as to whether the offense requiring registration is a non-sexual offense, scan, and email a copy to the Sex Offender Registry contact, at the institution, who will determine if registry is required and will update VACORIS accordingly.
  - iv. The Counselor will forward a scanned copy of the *Home Video Visitation Exemption Questionnaire* to [VideoVisits@vadoc.virginia.gov](mailto:VideoVisits@vadoc.virginia.gov) and shred the original questionnaire.
  - v. Sex Offender Screening and Assessment Unit staff will review the questionnaire and approve or disapprove the exemption documenting their decision in VACORIS alerts.



- vi. Sex Offender Screening and Assessment Unit staff will add the alert indicating approval or disapproval and will upload a copy of the approved *Home Video Visitation Exemption Questionnaire* in VACORIS
- vii. Once the decision is made, a Sex Offender Screening and Assessment Unit staff member must notify the inmate's Counselor who will inform the inmate of the decision.

X. Special Visits (5-ACI-7D-17; 4-ACRS-5A-18)

A. Eligibility and Approval

1. The Facility Unit Head or designee will establish a process for the review and approval of special visit requests consistent with the requirements of this operating procedure.
  - a. The Facility Unit Head or designee must include facility specific information on special visits in the *Inmate Visitor Information Brochure* or in the written orientation materials for CCAP facilities.
  - b. Special visits can include, but are not limited to visits with attorneys, clergy, former or prospective employers, sponsors, parole advisers, and officials of the legislative, judicial, or executive branch of the state or federal government on official business with the inmate or CCAP probationer/parolee.
  - c. Media visits are not special visits. The Director of Communications or designee in the Communications Unit must review and approval all media visits; see Operating Procedure 022.1, *News Media Relations*, and Operating Procedure 022.2, *Inmate and CCAP Probationer/Parolee Access to the News Media*, for guidance on media visits.
2. Individuals are not required to submit an online visitor application and receive pre-approval through the Facility Unit for a special visit; Facility Unit Head approval is required.
  - a. The Facility Unit Head will not approve a contact visit through the special visit process for any person suspended from visitation during the period of their suspension.
  - b. The Facility Unit Head or designee should schedule special visits during normal working hours on business days. The Facility Unit Head or designee may make exceptions for special circumstances.
  - c. Special visits do not count toward total number of hours an inmate may visit per month.

B. Legal Visits

1. An attorney or representative acting on the attorney's behalf on official business may qualify for a legal visit with an inmate or CCAP probationer/parolee.
  - a. An attorney or the attorney's legal representative may request to visit with an inmate or CCAP probationer/parolee by submitting a *Legal Visit Request 851\_F3* to the Facility Unit Head or designee. (5-ACI-3D-02; 4-ACRS-6A-01)
    - i. In the absence of Court documents requiring the visit, legal visits will be limited to one of the following:
      - (a) Attorneys and legal representatives of law firms with a current attorney-client relationship with the inmate or CCAP probationer/parolee.
      - (b) An inmate/probationer/parolee who is a witness to a case in which the firm is involved.
      - (c) Attorney and attorney legal representatives, with approval of the Director or designee, will be allowed to conduct polygraphs and other approved assessments.
    - ii. The attorney or their legal representative must submit the *Legal Visit Request 851\_F3* with reasonable advance notice, normally 48 hours but not less than 24 hours of the intended visit.
    - iii. Visits will occur during normal working hours of the facility unless otherwise approved by the Facility Unit Head or designee.
    - iv. The Facility Unit Head or designee will review the *Legal Visit Request 851\_F3*.
      - (a) If the Facility Unit Head or designee approves the visit, they must notify the attorney or attorney's legal representative of their decision.
      - (b) If the Facility Unit or designee recommends denial of the visit, the Facility Unit Head will



contact the Regional Administrator or Regional Operations Chief who will determine whether the legal visit can be denied.

- b. Court Order Requirements
  - i. A Court Order is required to take an inmate's or CCAP probationer's/parolee's deposition in a facility; video depositions will never be required, nor will they be allowed.
  - ii. A Court Order is required for an expert to evaluate an inmate or probationer/parolee for a Court proceeding, unless the evaluation is initiated by the DOC or the Office of the Attorney General.
  - iii. The Director or designee can approve for an attorney or their legal representative to polygraph or conduct an assessment on an inmate or CCAP probationer/parolee without a Court Order.
- c. Attorneys and their legal representatives will be required to present a government-issued to enter the facility for a scheduled legal visit.
  - i. Attorneys must also present their State Bar Association card.
  - ii. Legal representatives must present a letter on official letterhead signed by the attorney or law firm authorizing the representative to visit on the attorney's behalf.
- d. The conditions provided at the facility for inmate and CCAP probationer/parolee visits with their attorney or a legal representative must maintain the confidentiality of the attorney-client conversations while ensuring proper security and sight supervision. (5-ACI-3D-02; 4-ACRS-6A-01)
  - i. Staff will only monitor conversations between attorneys, their legal representatives, and inmates or CCAP probationers/parolees by sight.
  - ii. Attorneys and legal representatives must not give any item directly to the inmate or CCAP probationer/parolee.
    - (a) The Corrections Officer supervising the visit must search, but not read, the legal documents and will then hand the documents to the inmate or CCAP probationer/parolee.
    - (b) Legal documents must in paper format, staff will not give CD's, DVD's, flash drives, or other data storage formats to the inmate or CCAP probationer/parolee.
- e. Attorneys and legal representatives must request permission from the Facility Unit Head in advance of a scheduled legal visit to take photographs and audio or video recordings.
  - i. The attorney or attorney's legal representative must provide documentation of the specific legal necessity to take a photograph, audio, or video recording to include the specific court case or other legal authorization and a copy of any Court Orders.
  - ii. The Facility Unit Head or their designee may contact the Office of the Attorney General for guidance in individual cases.
- f. The Director or designee must approve all polygraph equipment and assessment materials, in writing, prior to the visit.

### C. Guidance on other Special Visits

#### 1. Clergy Visits

The Facility Unit Head or designee may require a member of the clergy to provide written verification of their clergy status to qualify for a visit and to perform a marriage ceremony; see Operating Procedure 801.5, *Inmate Marriage Ceremonies*.

#### 2. Re-entry Visits

- a. Re-entry visits are extended visits with immediate or extended family or re-entry supporters to assist in re-entry preparation. (5-ACI-7D-19)
- b. Re-entry visits may include in-person or video visits supervised or mediated by DOC staff or professionals from other organizations who have been approved by DOC to perform this function.
- c. Re-entry visits will occur at the discretion of the Facility Unit Head and are dependent on the inmate's or CCAP probationer's/parolee's needs and the facility's mission.
- d. To be eligible for consideration for a special visit re-entry supporters must not participate in regular





visitation with the inmate or CCAP probationer/parolee.

3. Business Representative Visits

- a. The Facility Unit Head or designee may permit special visits from business representatives to enable an inmate or CCAP probationer/parolee to protect personal resources or financial interests.
- b. Inmates and CCAP probationer/parolees may not actively participate in a business. If there are excessive requests for business visits, or if criminal or illegal activity is suspected, the Facility Unit Head or designee will bring the matter to the attention of the Regional Administrator.

4. Diplomatic Representative Visits

- a. Inmates and CCAP probationers/parolees who are foreign nationals must have access to the diplomatic representative of their country of citizenship through the special visit process; see Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*. (5-ACI-3D-07)
- b. The Facility Unit Head or designee must notify the Director, Chief of Corrections Operations, and Regional Administrator of all special visit approvals with a diplomatic representative.

D. Special Circumstances for Immediate Family - Institutions

1. The Facility Unit Head or designee may grant a special visit for immediate family based on special need or exceptional circumstances such as an immediate family member, who unexpectedly traveled long distances, 500 miles or more, or when an inmate's death is imminent.
  - a. Special visits for immediate family will be scheduled during normal visiting days, only.
  - b. Special visits during normal working hours on DOC business days are only available in the event of the inmate's imminent death.
2. Each immediate family member must complete and submit the online *Adult Visitor Application and Background Investigation Authorization 851\_F1* and/or *Minor Visitor Application and Background Investigation Authorization 851\_F6*.
3. Facility staff will instruct visitors not already approved for visitation to apply online and will request a CVCU staff expedite the application.
  - a. Central Visitation Unit staff will conduct a criminal record check and associate the visitor with the inmate or CCAP Probationer/Parolee.
  - b. Facility staff must not allow the visitor to enter the facility for visitation until the Central Visitation Unit completes the criminal record check.
4. Facility staff must record the special visit in VACORIS and the Visitation Scheduler; this visit counts towards the total number of hours an inmate may visit per month.

XI. Visitation Denials, Terminations, Suspensions, and Inmate Restrictions

A. Visitation Denials and Terminations

1. Visitors will be denied entry into the facility or, if already in the facility, the visit will be immediately terminated for the following: (5-ACI-7D-14)
  - a. The inmate or CCAP probationer/parolee declines the visit.
  - b. The visitor declines to complete the visitor application or have their ID scanned into VACORIS, when required. If the name of the visitor is known, staff will document the incident and notify the Facility Unit Head.
  - c. The inmate, CCAP probationer/parolee or their visitor appears to be intoxicated or under the influence of a controlled substance.
  - d. The DOC is notified the inmate's or CCAP probationer's/parolee's parental rights for a visiting minor were terminated.
  - e. Staff receive reliable information the visitor, inmate or CCAP probationer/parolee is expected to commit an illegal act. Staff must notify the facility's Regional Administrator when a visit is denied



- or terminated for this reason.
  - f. The inmate, CCAP probationer/parolee or visitor fails to comply with visiting rules, and applicable operating procedures.
  - g. The visitor is verbally abusive towards staff, inmates, CCAP probationers/parolees, or visitors.
  - h. The inmate or CCAP probationer/parolee commits a disciplinary violation in the visiting room.
  - i. The inmate, CCAP probationer/parolee, or visitor, physically disciplines a minor.
2. A Supervisor will verbally explain to the visitor, at the time of the incident, the reason for denying or terminating a visit if circumstances permit.
- a. If the denial or termination is the result of the visitor's conduct, staff will not allow the visitor to visit for the remainder of that day/weekend and the visitor may be subject to a suspension of visiting privileges.
  - b. If the inmate's or CCAP probationer's/parolee's conduct results in a denial or termination of a visit:
    - i. Staff should submit a *Disciplinary Offense Report* for any violation(s) committed and the inmate may be subject to a visiting restriction.
    - ii. CCAP Probationer/parolee conduct will be addressed utilizing a *Probationer/Parolee Conduct Report 940\_F15* or *CCAP Violation Report 940\_F16*, as appropriate; see Operating Procedure 940.4, *Community Corrections Alternative Program*.
  - c. Staff will document the incident, and based on the severity of misconduct, complete the appropriate *Incident Report*; see Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*.

#### B. Visitor Suspension from Visitation

1. Inmates and CCAP probationers/parolees are permitted to visit with their approved visitors unless there is substantial evidence that the visitor poses a threat to the safety of the inmate or CCAP probationer/parolee or the security of the visitation program or facility. (4-ACRS-5A-17)
- a. The Facility Unit Head may suspend a visitor's contact visiting privileges for a set period of no more than three years for any conduct that compromises the safety of others or the security of the facility; the length of the suspension is based on the seriousness of the violation.
    - i. Minor violations will result in a suspension of contact visiting privileges for a set period of no more than six months.
    - ii. Serious violations will result in a suspension of contact visiting privileges for a set period of no more than three years.
    - iii. A Headquarters or Regional Office staff member may initiate a visitor suspension for a set period of no more than three years based on visitor activities affecting more than one facility.
  - b. The Facility Unit Head will suspend a visitor's contact visiting privileges for up to a maximum period of three years and the visitor will not be allowed to access DOC property for the following:
    - i. The visitor's conduct compromises the safety of others or security of the facility.
    - ii. The visitor brings contraband into the facility.
    - iii. The visitor assaults staff or others or threatens them with physical harm.
    - iv. The visitor conspires to assist an inmate to escape or conspires to assist a probationer or parolee to abscond from a CCAP program.
    - v. The visitor has a pending felony or misdemeanor charge or has been found guilty of a felony or misdemeanor that occurred in connection with a visit.
    - vi. The visitor provides false information related to visiting rules or procedures.
    - vii. The visitor damages or attempts to damage DOC property or engages in disruptive behavior while on DOC property.
    - viii. The visitor removes or attempts to remove an item from the facility without authorization.
    - ix. The inmate, CCAP probationer/parolee or visitor touches or exposes the breast, unless breastfeeding, buttocks, or genital area during a visit, or engages in any other inappropriate physical or obscene behavior during a visit, including signs, signals, or other behaviors related

- to gang identification or gang activities.
- c. The Facility Unit Head will impose the maximum three-year period of suspension for the following:
    - i. The visitor smuggles, conspires to smuggle, or attempts to smuggle a cell phone, controlled substance, marijuana, tobacco, firearm, or other weapon into a facility.
    - ii. The visitor assaults staff or others resulting in serious physical injury.
    - iii. The visitor assists or attempts to assist an inmate escape.
    - iv. The visitor is convicted of a felony for any behavior that resulted in the suspension.
  - d. Suspension of a visitor's contact visiting privileges for conduct that compromises the safety of others and security of the facility does not have to occur in connection with a visit. Any visitor who conspires, attempts, plans, and/or aides an inmate or CCAP probationer/parolee by telephone, mail, or other method in the commission of such conduct may be suspended for a set period of no more than three years.
2. In addition to the visiting suspensions, staff may initiate Court proceedings against a visitor who violates the law; such violations include but is not limited the following:
    - a. Visitors who give or attempt to give a cellular telephone to any inmate may be charged with a felony under COV §18.2-431.1, *Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty*.
    - b. Visitors who attempt to give or convey any item to an inmate to help them escape, or in any manner attempt to aid an inmate in escape, either with force or otherwise, may be charged with a felony as specified in COV §18.2-473, *Persons aiding escape of prisoner or child*.
    - c. Visitors attempting to give or found to have given to any inmate any items that have not been specifically approved or processed may be charged with a Class I misdemeanor in accordance with COV §18.2-474, *Delivery of articles to prisoners or committed person*.
    - d. Visitors who give, attempt to give, or conspire to give drugs, firearms or explosives to any inmate may be charged with a felony as specified in COV §18.2-474.1, *Delivery of drugs, firearms, explosives, etc., to prisoners or committed persons*.
  3. When the Facility Unit Head suspends a visitor's contact visiting privileges, the Facility Unit Head must provide a written explanation to the visitor and the inmate or CCAP probationer/parolee involved to include notification of the length of suspension.
  4. When a Headquarters or Regional Office staff member suspends a visitor's contact visiting privileges, appropriate staff must provide the written explanation to include notice of the length of suspension.
    - a. If the visitor disagrees with the suspension, the visitor may request the decision be reviewed by the Corrections Operations Administrator within 30 days of the written notice.
    - b. The Corrections Operations Administrator's decision is final.
  5. Suspended visitors who are immediate family are allowed to reapply for reinstatement of their contact visiting privileges following the expiration of their suspension.
    - a. The visitor may resume contact visitation at the end of the suspension period if their visitor application is still valid.
    - b. If the visitor application has expired at the end of the suspension period, the visitor must complete a new application through the DOC public website, when required. A new visitor application will not be considered until the suspension period has expired.
- C. Inmate Visiting Restrictions - Institutions
1. The Hearings Officer may impose a loss of all visiting privileges to include contact, non-contact, and video visiting as a penalty for conviction of a disciplinary infraction; see Operating Procedure 861.1, *Inmate Discipline*.
    - a. The Facility Unit Head has the discretion to grant visiting privileges on a case-by-case basis in special circumstances during the period that the inmate is serving the penalty.

- b. When an inmate is serving a disciplinary penalty, staff must allow contact legal visits when the attorney has a current attorney-client relationship with the inmate. Contact visits will only be approved at the request of the attorney.
2. The Facility Unit Head may restrict an inmate to non-contact visitation in accordance with this operating procedure.
3. The Regional Administrator, upon request of the Facility Unit Head, may restrict an inmate's visiting privileges to non-contact as follows:
  - a. Any inmate convicted of the following may be restricted to non-contact visiting for a set period of no more than two years:
    - i. A felony or misdemeanor that occurred during a visit.
    - ii. Escape, attempted escape, or conspiracy to escape.
  - b. Inmates may be restricted to non-contact visiting permanently for the following:
    - i. A felony conviction for an incident that occurred during a visit.
    - ii. An escape, attempted escape, or conspiracy to escape associated with a visit.
  - c. The Regional Administrator will ensure that the Facility Unit Head is notified of the decision, and the decision is entered into VACORIS. The Facility Unit Head must ensure the inmate is notified of the Regional Administrator's determination.
4. When an inmate's visits have been restricted to non-contact:
  - a. Contact visits will be allowed with attorneys and their authorized legal representatives, when requested by the attorney, provided there is a current attorney-client relationship with the inmate.
  - b. Contact visits may be allowed with clergy as approved by the Facility Unit Head.

## XII. Documentation

- A. Facility staff must maintain a record of each visit, showing inmate or CCAP probationer/parolee name, DOC number, visitor name(s), date, and time of every visit. Institutions utilize VACORIS and the Visitation Scheduler for documentation.
- B. Staff must enter all visitor suspensions and inmate visiting restrictions into VACORIS and the Visitation Scheduler.
  1. Staff will enter the visitor suspension and length of the suspension in VACORIS. Staff will enter suspensions based on the visitor and will:
    - a. Indicate a start and end date of no more than three years.
    - b. Provide the justification for the visitor's suspension in the comments.
    - c. Document the reason for the suspension in comments.
  2. Staff must enter inmate visiting restrictions as a visitation alert in VACORIS with an end date selected for the restriction. Visiting restrictions will also be entered in the Visitation Scheduler under "Restrictions".

## XIII. Appeals and Complaints

- A. When a visitor disagrees with their suspension, the visitor may submit a written appeal to the Facility Unit Head for reconsideration within 30 days of receipt of their written notice.
  1. The visitor should provide any additional information or extenuating circumstances, if applicable.
    - a. If the suspension is the result of a pending felony or misdemeanor, the visitor must provide written documentation that the charge was dismissed or that the charge has resulted in a non-guilty finding.
    - b. The Facility Unit Head may require a meeting with the suspended visitor prior to deciding on a reinstatement of visiting privileges.
    - c. If visiting privileges are reinstated, the Facility Unit Head in institutions may require non-contact



visits.

2. If the visitor is not satisfied with the Facility Unit Head's response, the visitor may submit a written request within 30 days of the Facility Unit Head's response to the Regional Administrator for a review of the Facility Unit Head's decision. The Regional Administrator's decision will be final.
- B. The Facility Unit Head or the inmate may submit a reconsideration request to the Regional Administrator to remove an inmate's visiting restriction as follows:
1. The Regional Administrator will not reconsider the request for at least three years after imposition of the restriction when the restriction is based on a felony that occurred during a visit or an escape, attempted escape, or conspiracy to escape associated with a visit.
  2. The Regional Administrator will not reconsider the request for at least two years after imposition of the restriction when the restriction is based two or more drug related disciplinary convictions.
- C. Inmates will address their complaints related to visitation through Operating Procedure 866.1, *Inmate Grievance Procedure*.
- D. CCAP Probationers/parolees and visitors who want to appeal any adverse decision or render a complaint regarding visitation at CCAP facilities may appeal to the Facility Unit Head who will be the final level of appeal; see Operating Procedure 940.4, *Community Corrections Alternative Program*.

## REFERENCES

COV §18.2-431.1, *Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty*

COV §18.2-473, *Persons aiding escape of prisoner or child*

COV §18.2-474, *Delivery of articles to prisoners or committed person*

COV §18.2-474.1, *Delivery of drugs, firearms, explosives, etc., to prisoners or committed persons*

COV §32.1-370, *Right to breastfeed*

COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*

Operating Procedure 021.2, *Victim Offender Dialogue*

Operating Procedure 022.1, *News Media Relations*

Operating Procedure 022.2, *Inmate and CCAP Probationer/Parolee Access to the News Media*

Operating Procedure 030.1, *Evidence Collection and Preservation*

Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*

Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Inmates [and Probationers/Parolees](#)*

Operating Procedure 425.2, *Hospital Security (Restricted)*

Operating Procedure 445.1, *Screenings and Searches of Inmate and CCAP Probationer/Parolee Visitors (Restricted)*

Operating Procedure 701.3, *Health Records*

Operating Procedure 801.4, *Privileges by Security Level*

Operating Procedure 801.5, *Inmate Marriage Ceremonies*

Operating Procedure 841.4, *Restorative Housing Units*

Operating Procedure 861.1, *Inmate Discipline*

Operating Procedure 866.1, *Inmate Grievance Procedure*

Operating Procedure 866.3, *Inmate and CCAP Probationer/Parolee Legal Access*



Operating Procedure 940.4, *Community Corrections Alternative Program*

## **ATTACHMENTS**

Attachment 1, *Inmate Visitor Information Brochure Guidelines*

Attachment 2, *Inmate Visitor Information Brochure*

Attachment 3, *Central Visitation Unit Decline Notification*

Attachment 4, *Video Visitation Inmate Eligibility*

Attachment 5, *Video Visitation Visitor Centers*

Attachment 6, *Video Visitation Rules and Dress Code*

## **FORM CITATIONS**

*Adult Visitor Application and Background Investigation Authorization* 851\_F1

*Legal Visit Request* 851\_F3

*Minor Visitor Notarized Statement* 851\_F4

*Video Visiting List* 851\_F5

*Minor Visitor Application and Background Investigation Authorization* 851\_F6

*Sex Offender Minor Visitation Questionnaire (Inmate)* 851\_F10

*Sex Offender Minor Visitation Questionnaire (Parent/Guardian)* 851\_F11

*Home Video Visitation Exemption Questionnaire* 851\_F13

*Probationer/Parolee Conduct Report* 940\_F15

*CCAP Violation Report* 940\_F16

