



Plainfield Correctional Facility

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10/18/2022	43	OP#IYC 22 02-01-102

OPERATIONAL PROCEDURE
Manual of Policies and Procedures

Title
OFFENDER VISITATION

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-11-3-8 IC 11-11-3-9 IC 35-38-6-4 210 IAC 1-8	00-01-102 00-02-301 01-03-101 02-03-101 02-04-101 03-02-101	ACA: CO: 2-CO-5D-01 ACI: 4-4267, 4-4498 – 4-4501, 4-4503, 4-4504 JTS: 2E-03, 3E-09, 3E-19, 5H- 12 – 5H-18

I. PURPOSE:

The purpose of this procedure is to establish a process through which offenders may receive visits at the Plainfield Correctional Facility from persons outside the Department of Correction in order to maintain contact and relationships in the community

II. POLICY STATEMENT:

The Department and the Plainfield Correctional Facility shall encourage offender communication and contact with family and friends. The Department and the Facility recognizes that the majority of offenders will be released into the community and that the offender’s eventual reintegration will be more effective if a visitation program permits the maintenance of social relationships. In addition to traditional forms of visitation (contact and non-contact), alternative methods of visitation may be made available to help facilitate persons unable to travel to facilities.

The Department and the Plainfield Correctional Facility recognizes that in some cases, the visitation privilege can be abused or used for inappropriate purposes and for this reason the Department and the Facility shall establish visitation guidelines. These guidelines may include the imposition of restrictions, ranging from non-contact visits, including video visits, to not allowing certain persons to visit. Restrictions on the visitation privilege shall be made based upon the safety, security, good order and, administrative manageability of the facility and those persons involved. The offenders shall have the opportunity to appeal the decision to restrict visitation privileges through the Offender Grievance Process.

The Department and the Facility shall provide as much uniformity and consistency in visiting as possible, while considering the physical limitations and security needs of each facility. The Department and the Facility shall include provisions for visits

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by attorneys, clergy, ex-offenders, family, friends, media representatives, legislators, and government officials. Visits shall be permitted at reasonable times.

III. DEFINITIONS:

For the purposes of this policy and administrative procedure, the following definitions are presented:

- A. **ATTORNEY:** Any member of the legal profession, admitted to a State bar retained by or for an offender or appointed by a court to represent the offender.
- B. **CLERGY OF RECORD:** A single spiritual advisor who is an accredited representative or minister of the offender's personally designated religion or another person, not a family member, designated by the offender to provide spiritual advice.
- C. **CONTACT VISIT:** A visit in which the offender and visitor(s) are not physically separated.
- D. **DENIAL:** An immediate denial of visitation for a specific situation or reason, generally for a single visit or until the situation is in compliance with visitation rules. (e.g., the visitor is dressed inappropriately; the visitor is attempting to visit when the offender is not eligible for a visit.)
- F. **ELECTRONIC DEVICES:** Any electric or battery operated device, including, but not limited to: cameras, cellular telephones, tablets, radios, beepers, audio/video recorders, etc.
- E. **EMPLOYEE/STAFF MEMBER:** Any and all persons currently employed by the Department, including contractors and volunteers.
- G. **EX-EMPLOYEE/EX-STAFF MEMBER:** Any and all persons formerly employed by the Department, including contractors and volunteers.
- H. **EX-OFFENDER:** A person of any age convicted of a crime or a juvenile adjudged delinquent whose commitment to a department of correction (federal, state, or local), and/or the sentencing courts(s) has been discharged.
- I. **FRISK SEARCH:** A search that is conducted on one half (1/2) of the person's body at a time, utilizing a squeezing technique with both hands along the body and clothes of the person being searched, which includes the breast and genital areas.

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- J. GATE CLOSURE: The refusal to permit a visitor to enter any Department facility for an indeterminate period of time (e.g., permanently banning a visitor from visiting any offender in the Department due to a trafficking violation).
- K. IMMEDIATE FAMILY: The immediate family of an offender is his/her father, mother, siblings, spouse, children, grandparents, grandchildren, and legal guardians including those with a “step,” “half” or adoptive relationship and those persons with the same relationship to the offender's spouse.
- L. INDIANA DATA AND COMMUNICATIONS SYSTEM (IDACS): The statewide system network available to law enforcement, prosecutors, courts, corrections and other approved agencies for entering and receiving criminal history data.
- M. MAXIMUM SECURITY UNIT: Those facilities designated by policy 01-04-101, "Adult Offender Classification," as maximum security and the disciplinary restrictive status housing units of all facilities.
- N. MODIFIED FRISK SEARCH: A frisk search, authorized by the Custody Supervisor or above, which is conducted on staff and visitors that is slightly less intrusive than the complete frisk search as indicated in the administrative procedures for Policy 02-03-101, “Searches and Shakedowns.”
- O. NEWS MEDIA: Any agency that gathers and reports news for a general circulation newspaper, news magazine, national or international news service, or radio or television news program holding a Federal Communication Commission license.
- P. NON-CONTACT VISIT: A visit in which the offender and visitor(s) are separated by a physical barrier.
- Q. OFFENDER: An adult person committed to a department of correction (federal, state, or local) and housed or supervised in a facility either operated by the department of correction or with which the department of correction has a contract, including an adult under parole supervision; under probation supervision following a commitment to a department of correction; in a minimum security assignment, including an assignment to a community transition program.
- R. OFFICIAL OFFENDER VISITOR: A visitor who is visiting an offender in regards to providing an official service for the benefit of the offender or

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the community, such as attorneys, law enforcement, parole/probation officers, representatives of government agencies (including foreign government agencies), elected officials, etc.

- S. **SUSPENSION:** The refusal to permit a visitor to visit at any Department facility for a determinate period of time. (e.g., taking away a visitor’s visiting privileges at all Department facilities for 30 days for a visitation rule violation.)
- T. **VIDEO VISITATION:** A method of visitation which allows offenders to visit through electronic media.
- U. **VISITATION – MINOR RESTRICTION (VMR):** The restriction prohibiting visitation by minors (i.e., persons under the age of 18 years) based upon an offender’s current or prior adjudication or conviction for a sex offense involving a minor.
- V. **VMR OFFENDER:** An offender who has a current or prior adjudication as a juvenile or conviction as an adult for a sex offense involving a minor and who may be denied visits with minors.

IV. VISITATION AREAS:

The Facility has designated the area immediately inside the pedestrian sally-port as the visiting area. This visiting room shall have the capacity for “contact” and “non-contact”. For “non-contact” visits, the Facility shall use the monitor/telephone receiver unit. The visitor for a “non-contact” visit shall use the unit located in the Facility Lobby, the offender shall use the unit near the officer’s station in the visiting room.

Based on the medical care and patient restrictions, the Facility Medical Director must issue a medical order for the offender to have visits in the Health Services Unit under the following limitations:

- A. Visits are one (1.0) hour in duration excluding Mondays.
- B. No one under age eighteen (18) shall be allowed to visit in the Health Services Unit. The only exception shall be if the offender is terminally ill. Special approval must be obtained from the Facility Head or designee in writing, prior to a visitor under age eighteen (18) visiting in the Health Services Unit;
- C. All visits in the Health Services Unit shall be arranged and approved by the Deputy Warden of Operations. The Deputy Warden of Operations

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shall notify the Health Care Administrator when such a visit has been approved.

D. All visits shall be under the direct supervision of a Correctional Officer to be assigned by the Shift Supervisor.

E. The Facility Head or designee must approve all exceptions.

V. APPLICATION FOR VISITATION:

In order for family members and friends to visit offenders, they must complete either a paper application or electronic application (currently through the GTL website (<https://idoc.gtlvisitme.com/>) for visitation (To apply electronically, the applicant must register an account with the vendor, which is free of charge). .

A. When an offender arrives at the institution, they will be given a visiting list and the visiting process will be explained to them. The offender will be given a visiting list and the number of applications that he requests, up to 12, with instructions on what to do with them. When the offender turns in his completed visiting list, it will be filed in his packet. The CWM will not enter that information into OIS at that time.

This application, once approved, shall allow access to the facility to visit the designated offender. The signature of the visitor on the paper application and the submission of a completed electronic application acknowledge agreement to all rules and regulations included in this policy and administrative procedure, and its attachments, including criminal background/warrant checks through IDACS.

Children less than 18 years of age must have their application completed by their parent/legal guardian. An adult visitor who has the notarized permission of the child's parent or legal guardian who has custody of the child (not the offender) may be allowed to bring the child to the facility for the visit; however, both the child and the adult visitor must have an application on file to visit the offender. State Form 48965, "Authorization for Minor Child to Visit," shall be used to allow an adult, other than the child's parent or legal guardian, to bring a child into the facility to visit an offender. The parent authorization form must be notarized by a Notary Public and, if approved, must be presented each time the child visits. When submitting State Form 48965, the parent/legal guardian must attach a copy of the child's birth certificate.

Criminal background/warrants checks shall be conducted on each adult and child (16 and older) applying to visit an offender. When an active criminal warrant is found, the application shall be reviewed by the facility Investigations and

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Intelligence officer and/or Correctional Police Officer (CPO). The agency that issued the warrant shall be contacted and disposition made. Local law enforcement shall be notified of the information provided. The information on the applicant's criminal history is treated as confidential and shall not be released to the offender.

Once a decision is made either approving or denying the application, the offender shall be notified. The offender is responsible for advising applicants that their applications have been approved or denied. The applicant's approved Department visiting application must be on file prior to visiting.

Visitors shall be permitted to visit only one (1) offender within the Department unless the visitor has other immediate family members incarcerated in a Department facility. Therefore, unless the visitor has other immediate family members in different facilities, the visitor shall not be allowed to visit other non-immediate family offenders in other Department facilities. Visitors may request that they be removed from one (1) offender's Visitor's List and be placed on another offender's list in accordance with this policy and administrative procedure.

Visitors may have their names removed from an offender's visiting list by making that request in writing and including a copy of their state approved ID. Once the name is removed, the visitor must wait six (6) months before applying to visit the same or another offender. Exceptions may be made for immediate family members.

Current and former Department employees, ex-offenders, volunteers, and victims of the offender they wish to visit shall submit a paper application and supplemental documentation through the United States Postal System in accordance with Sections IX and XVIII of this policy and administrative procedure.

Visitors who require a reasonable accommodation for a disability must contact the staff member responsible for processing visitors.

VI. VISITATION LISTS:

The facility shall maintain an approved visitation list for each offender. This information shall be maintained on the offender information system (OIS) computer system. The offender's visitation list shall be updated semiannually, at a minimum, in a manner convenient to the operation of the facility. Offenders may request visitation from immediate family members or other approved persons in place of the immediate family members when the offender does not have immediate family members. Offenders may request visitation from no more than 12 approved visitors. Offenders shall not be denied the option to add or remove visitors from their visiting lists, unless it has been determined and substantiated by the facility that a visitor does not meet the established criteria to visit at the facility or that the

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visitor is a substantiated threat to the safety and security of the facility. The visitation list shall include:

- A. The offender's name and number;
- B. The name of the requested visitor;
- C. The relationship of the visitor to the offender;
- D. The visitor's date of birth;
- E. The visitor's address; and,
- F. The visitor's drivers license number or state ID information, if available.

Visitation lists may be printed from the offender information system. At the discretion of the Warden, visitation list hard copies may be made accessible at designated locations in the event of offender information system technical difficulties

The offenders Casework Manager shall be responsible for the updating of the offenders visitation list as outlined by the time table presented in this procedure. It is the responsibility of each offender to know who is on his visiting list and who has been approved. The offenders Casework Manager shall, upon request make available to the offender his visiting list when any changes are made to the list. The offender will sign off on the accepted list and the visit list shall be placed in the offender's packet.

The Plainfield Correctional Facility shall make changes to offender visiting lists semiannually, as needed. The facility shall open and close list changes in January and July. This period shall be open for 7 days to allow all offenders to make the necessary changes to their visiting lists. The only exceptions or changes to visiting lists outside this timeline shall require approval from the Facility Head or designee

Individuals on an offender's approved visiting list shall not be removed from the list without substantiated evidence that a safety and security issue exists, and resulting in a gate closure for the specific visitor with a determinate length of time, or the offender requests removal in writing during the semi-annual opportunity to revise his/her approved visitor's list.

VII. RULES FOR VISITATION:

The facility shall provide the rules for visitation to the offenders and shall make these rules available to persons wishing to visit an offender. The rules shall be available in Spanish and English.

- A. Visiting hours are 8:00 a.m. to 3:30 p.m. on Tuesdays, Thursdays, Fridays, Saturdays, and Sundays.

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- B. Three (3) individuals are allowed at the same time during all visiting hours. The number of persons allowed to visit is restricted to the seating capacity of the visiting room. Persons wanting to visit when capacity is reached shall leave their names at the Lobby Security Desk and shall be admitted by their position on the list as seats become available. Children are not to sit on the laps of offenders.

- C. Visitors shall provide staff with picture identification in accordance with Procedure IX;

- D. Visitors must wear acceptable clothing, including shoes, when visiting. The Dress Code is as follows:
 - 1. Female visitors twelve (12) years or older shall not be permitted to wear halters or low-cut, revealing tops or form fitting clothing. Visitors entering the Facility shall be permitted to wear shorts as long as the shorts do not fall under the limits of revealing attire. "Short-shorts" and mini-skirts cut to the extreme shall not be permitted.
 - 2. Female visitors shall be permitted to wear tube tops if a blouse is worn with it. Sheer blouses are permitted if worn with a shirt. Females wearing a swimsuit or bodysuit as a top shall be required to also wear a blouse. No tank tops or tank dresses are allowed.
 - 3. Dress, skirt or short hemlines are not permitted to be more than four (4) inches above the knee. Revealing slits and kick pleats exposing more than four (4) inches above the knee shall be pinned.
 - 4. Head attire is permitted if it is a required part of a religious practice. This item shall be subject to search.
 - 5. Undergarments must be worn.
 - 6. Shoes must be worn; this includes children, with the exception of infants in arms.
 - 7. Coats, jackets, hooded jackets, hooded sweatshirts, and heavy outer garments shall not be permitted in the Visiting Room.
 - 8. It is recommended that visitors refrain from wearing the same type of clothing worn by the offenders (e.g., white T-shirts, or brown khaki shirt and pants

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G. Visitors may take only the following items into the visiting area

1. Medical necklace;
2. Medical ID bracelet;
3. Religious medallion;
4. Religious text;
5. Wedding ring;
6. Engagement ring;
7. Prescription eyeglasses;
8. Handkerchief or tissues;
9. Nitroglycerin pills (for visitors with heart problems);
10. Portable oxygen tank or inhaler for visitors with breathing problems;
11. Plastic, empty (unless it contains baby formula) baby bottle;
12. Blanket
13. Pacifier
14. Rattle; and,
15. No more than twenty (20) dollars per visitor per visit shall be allowed.

All items listed above are subject to change. A comprehensive list of appropriate items and clothing can be found in Facility Operation Directive #16-03.

(Firearms, weapons, knives, ammunition, narcotics, medication, controlled substances, alcoholic beverages, marijuana, tobacco and tobacco related items, cameras, video and audio recording equipment and electronic devices shall not be permitted in the Facility unless in accordance with Department policies and procedures.):

ELECTRONIC DEVICES: Any electric or battery operated device, including, but not limited to: cameras, portable phones, radios, beepers, tape recorders, etc.

H. Offenders may take the following items into the visiting area:

1. Prescription eyeglasses;
2. Handkerchief;
3. Wristwatch;
4. Wedding band; and,
5. Religious necklace.

I. A visitor may only visit an offender once every thirty (14) calendar days.

J. Any offender that receives visits less than every 6 weeks from the visitor shall be eligible for an extra half hour of visitation. This extension shall be approved by the offenders Unit Team prior to the visit and shall be noted

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in OIS so that Lobby Officers can verify the frequency and approval from the team.

- K. Offenders shall be allowed only one (1) visit per day. Any additional visit in a day for the same offender, must be preapproved by the facility head or designee prior to the visitor's arrival at the facility. No approval will be given without prior proper notice.

VISTING ROOM LAYOUT AND CONDUCT DURING VISIT:

Visitors and inmates will be facing each other. There are blue lines on the floor that the chairs shall not cross. There is one red line on the floor between the visitor/s and inmate that shall not be crossed unless in accordance with the updated Visiting Room Rules below;

- You may embrace (hug and/or kiss) only once at the beginning of the visit and once at the end of the visit. There is no hand holding.
- No visiting other visitors/offenders. There is to be no exchanging food or conversing with other visits.
- Visitors are not to give unsealed food items to offenders.
- Children must be accompanied by an adult at all times. Infants may be seated in the lap of the visitor only.
- Offenders and visitor must remain properly dressed at all times. Any violation may result in termination of the visit.
- Offenders are to remain seated through the entirety of the visit. Visitors only are authorized to use the vending machines.
- Chairs must stay behind the BLUE LINE and feet must not cross the RED LINE.
- Chairs must be behind the BLUE LINE after the visit before the offender will be released to his dorm.
- All offenders will be strip searched by staff before being returned to his dorm.

Any violation of the RED LINE will result in immediate termination of the visit.

The Facility Head shall ensure that a sign containing information regarding the possession and/or trafficking of controlled substances is posted in a prominent location so that both offenders and visitors may read it prior to entering the

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visitation area. These signs shall contain the following information in English and Spanish:

English:

“A person who, without the prior authorization of the person in charge of a penal facility, knowingly or intentionally:

1. *Delivers or carries into the penal facility with intent to deliver an article to an inmate of the facility; or,*
2. *Carries or receives with intent to carry out of the penal facility an article from an inmate of the facility,*

commits trafficking with an inmate, a Class A misdemeanor. The offense is a Level 5 felony if the article is a deadly weapon, a controlled substance, a cellular telephone, or other wireless or cellular communications device.

A person who knowingly or intentionally possesses a cellular telephone or other wireless or cellular communications device while incarcerated in a penal facility commits a Class A misdemeanor.

A Class A misdemeanor is punishable by imprisonment for not more than one (1) year and a fine of up to \$5000.

A Level 5 Felony is punishable by imprisonment for up to six (6) years and a fine of up to \$10,000.”

Spanish:

“Una persona que no tiene la aprobación previa del personal de la institución y quien deliberadamente:

1. *Lleve o transporte un articulo a la institución con la Meta para lo entrega a un ofensor o,*
2. *Reciba un articulo de uno de los ofensores con la meta para transportarlo fuera de la institución,*

Esta cometiendo contraband, un delito menor de clase A.

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Si el artículo es un arma mortal, una sustancia controlada, un teléfono celular e otro dispositivo de comunicación con conexión inalámbrica, esta ofensa es un delito del nivel 5.

Una persona que deliberadamente posea un teléfono celular e otro dispositivo de comunicación con conexión inalámbrica mientras la persona esta bajo la custodia de una institución penal esta cometiendo un delito menor de clase A.

Un delito menor clase A es sancionable con encarcelamiento por no mas de un (1) ano y una multa del hasta \$5,000.

Un delito grave de nivel 5 es sancionable con encarcelamiento por hasta seis (6) anos y una multa de hasta \$10,000.”

The Department and the Facility shall not tolerate trafficking with an offender, or the possession of controlled substances, tobacco, electronic devices, or weapons while on Department property. All offenders and visitors shall be subject to search. Refusal to be searched shall result in a denial of the visit.

In all cases where a visitor and/or an offender are found to be trafficking, the incident shall be reported to the facility Investigations and Intelligence Office/Correctional Police Officer. Investigations and Intelligence Office/Correctional Police Officer shall process the incident to include the arrest of the visitor, if appropriate. All trafficking cases shall be referred to the prosecutor’s office with a recommendation that the matter be prosecuted to the fullest extent.

The Plainfield Correctional Facility shall post signs in the area(s) where visitors are initially processed and in the visiting rooms/areas that advises visitors that drug, cellular telephone, and tobacco detection dogs (K-9s) may be in use in the facility and visitors shall be subject to search by these dogs. The sign shall state:

NOTICE:

Drug, cellular telephone, and tobacco k-9’s (dogs) may be in use today in the visiting room. These dogs are non-aggressive. All visitors will be searched prior to entering the visiting room and/or during the visit. If you do not wish to be searched, you may choose not to visit today.

ATENCIÓN:

K-9’s (perros) que pueden detectar narcóticos, teléfono celular, y tabaco pueden ser usados hoy en la sala de visitantes. Estos perros no son agresivos. Todos los visitantes van a ser registrados antes de entrar en la sala de visita y / o durante la visita. Usted puede optar por no visitar hoy!

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These signs shall be presented in both English and Spanish.

VIII. PUBLICATION AND DISTRIBUTION OF VISITATION RULES:

The facility shall publish the operational procedures governing offender visitation as presented in Procedure III. This information is to be made available to the offender upon arrival at the facility along with the visitation rules. It is the responsibility of the offender to ensure that any prospective visitors are made aware of the facility's visitation procedures before visitation occurs. Prior to visiting, visitors should be advised of the following:

- A. Visitors, including their person, personal property and vehicles while on Department property are subject to search at any time;
- B. The items which may be brought into the visiting area by the offender and the visitor;
- C. The state statute (IC 35-44-3-9) which addresses trafficking with an offender (This statute shall be posted in a conspicuous place in the waiting area.); and,
- D. The visitors enter the facility and visiting area at their own risk and the Department shall assume no responsibility for any injury or damage to property (This information shall be posted in a conspicuous place in the waiting area.).

Items A through D shall be incorporated into a written document and placed as an attachment to the facility's operational procedures. For convenience, items A through D and the items as presented in Procedure VI may be incorporated into the same document.

Upon a request from an offender or a visitor, the facility shall advise what types of transportation may be available to the facility for visitors. This information may include various sources of public transportation or any forms of privately operated transportation that may be available. The facility shall make no recommendations regarding potential sources of transportation.

IX. PERSONS EXEMPTED FROM THE VISITATION SCHEDULE:

Staff must verify the qualifications of exempted visitors and may request background information and official assignment documentation from the potential visitor for this purpose. Whenever possible, exempted visitors should schedule their visits at least 24 hours in advance so that the facilities can ensure that suitable accommodations are available.

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Attorneys, clergy, or government officials or person's from other agencies/organizations providing an approved service for the facility or the offender (e.g. Mental Health professionals, Indiana Vocational Rehabilitation counselors, etc.) may be approved for visitation on a case by case basis. Such visits will not be considered as part of the offender's regular visitation schedule and these visitors need not be on the visitation list. If the attorney, clergy, or government official is not on the authorized visiting list, approval from the Facility Head or designee is required.

Where space is available and the security of the facility and safety of the people involved will not be impaired, a special area may be set aside for attorney-client visits. If space is available, arrangements also may be made to allow clergy or approved spiritual advisors to have a separate space, outside of the regular visiting room/area, to meet with the offender. In both cases, such space shall be observable by staff; however, staff shall not listen to the conversations.

X. VISITATION BY STAFF MEMBERS, EX-EMPLOYEES, EX-OFFENDERS, AND VICTIMS:

A. STAFF MEMBERS

In accordance with the policy and administrative procedure for Policy 04-03-103, "Information and Standards of Conduct for Departmental Staff," staff shall notify the Facility Head in writing whenever a friend or relative is committed to the Department. A staff member may be permitted to visit an offender who is an immediate family member. Additionally, with sufficient justification, a staff member may be permitted to visit an offender who is a family member but not an immediate family member. In these cases, the staff member shall provide the facility with sufficient information to verify the relationship and the need for such visits.

A staff member must obtain prior written approval to visit an offender. The staff member shall obtain State Form 51058, "REQUEST FOR STAFF CONTACT WITH OFFENDER," from the facility. The staff member shall complete Sections I and II. The staff member shall provide as much information as possible, including information verifying the relationship, so that a decision can be made regarding the visit. The form shall be submitted to the staff member's Warden. The Warden shall review State Form 51058 and determine whether approval of the requested visit is in the best interests of the Department, offender, and staff member. The Warden shall consider such factors as the relationship between the staff member and the offender, the staff member's work history with the Department and the potential impact on the facility and the offender's adjustment. The Warden shall indicate his/her decision on the form and forward it to the Warden of the facility housing the offender.

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The Warden of the facility housing the offender shall review the request. The Warden of the facility housing the offender shall consider such factors as: the relationship between the staff member and the offender; the offender's conduct history; the frequency of visits to the offender; the offender's family background; and, the decision of the staff member's Warden and any comments made by that Warden, etc.

If both Wardens approve the request to visit, the Warden of the facility housing the offender shall return the State Form 51058 to the staff member's Warden who shall note the approval. A copy of State Form 51058 with the approvals of both Wardens shall be given to the staff member who will be required to bring the form with him/her whenever a visit takes place. Additionally, a copy of the approved State Form 51058 shall be placed in the staff member's personnel packet and a copy placed in the offender's packet. Once the approval is given by both Wardens, the staff member shall be required to complete an APPLICATION FOR VISITING PRIVILEGES and attach a copy of State Form 51058 in order to be placed on the offender's visitors list.

If either or both of the Wardens do not approve the request from the staff member to visit the offender, the Warden of the facility housing the offender shall forward the request with all recommendations to the appropriate Regional Director. The Regional Director shall review the request and, if necessary, contact the facilities to obtain additional information before rendering a decision. If one of the facilities involved is not under the Regional Director's supervision, State Form 51058 shall be forwarded to the other Regional Director, as appropriate, for review and approval. If either of the Regional Directors deny the request, the request shall be considered denied and the staff member shall not be allowed to visit the offender. The decision of the Regional Director (s) shall be final.

Following approval/denial by the Regional Director, the original State Form 51058 shall be returned to the originating Warden for filing and a copy shall be sent to the Warden of the facility housing the offender. Once an approval has been granted for visits between a staff member and an offender, the approval shall remain in effect until rescinded by the Regional Director. If the request to visit is denied, the staff member may submit another request for visitation one (1) year from the date of the denial. If a staff member terminates his/her employment with the Department, any approval to visit an offender shall be rescinded immediately and the staff member will be required to follow the procedures for ex-employees to visit offenders.

If the request is approved and the offender is transferred to another facility, the approval shall continue to be in effect unless the Warden or designee of the new facility determines that there is a reason to require the staff member to submit a

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new request.

B. EX-EMPLOYEES

Ex-employees who wish to visit an offender must make a written request for approval to the Warden of the facility housing the offender prior to the visit. Generally, ex-employees shall not be allowed to visit an offender who has been housed in the same facility in which the ex-employee was employed and who was incarcerated at the facility during the time the ex-employee was employed there. The Warden shall review the request and recommend whether the visit is in the best interest of the facility and the individuals involved. Unless the ex-employee and the offender are immediate family members or special circumstances exist, visits by ex-employees shall not be authorized until one (1) year after the ex-employee's separation from the Department. Ex-employees shall not be permitted to visit an offender if the relationship between the offender and the ex-employee started or resulted from contact between the ex-employee and the offender during the ex-employee's period of employment with the Department. The Warden shall forward the request to the appropriate Regional Director for review and approval/denial. The Regional Director shall render a decision and so notify the Warden submitting the request. The decision of the Regional Director shall be final. Ex-employees shall not be allowed to visit an offender until the request to visit has been approved by the Regional Director. If the decision is to deny the request to visit, the ex-employee may submit another request one (1) year from the date of the denial.

In cases where an ex-employee has been terminated from employment, allowed to resign prior to termination, or during an investigation arising from a violation of Department rules or procedures involving an offender, (e.g. trafficking, inappropriate contact) the ex-employee shall be denied visitation privileges permanently from all Department facilities. Such denials shall be noted in the offender information system. If the request is approved and the offender is transferred to another facility, the approval shall continue to be in effect unless the Warden or designee of the new facility determines that there is a reason to require the ex-employee to submit a new request.

C. EX-OFFENDERS

Ex-offenders shall not be permitted to visit offenders at the Plainfield Correctional Facility without the prior written approval of the Warden of the facility housing the offender to be visited. Ex-offenders shall be approved or denied for visitation on a case-by-case basis. Ex-offenders shall be permitted to visit only immediate family members. Permission for visits by ex-offenders, who are not under any type of community supervision (e.g., parole or probation), may be considered after the ex-offender has been discharged or released from parole or probation supervision for a period of one (1) year. Individuals who received county jail time, but have never received a court order for any type of community supervision, and who have not

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been incarcerated in a state or federal prison do not fall under the (1) year consideration, and can be approved or denied at the discretion of the Warden.

Ex-offenders, including parolees, and probationers, may be considered for visits if special circumstances warrant such consideration. Special circumstances are visits that will aid in the incarcerated offender's rehabilitation or adjustment to the facility or community upon release. Such visits shall be limited to immediate family members only. If still on probation / parole, the ex-offender shall obtain written authorization from his/her parole / probation officer prior to consideration by the Warden. The original signed approval from the parole or probation officer must be sent to the Warden where the ex-offender is requesting visitation. The Warden shall consider the safety and security of the individuals and the facility as well as the value of the visit to the offender when granting approval or denial of requests to visit by ex-offenders. Approvals for an ex-offender to visit shall be for one (1) visit only, unless otherwise specified by the parole or probation officer, if applicable, and the Warden. Denials of requests to visit shall be noted in the offender information system. In cases of denials, the parolee or probationer may submit a request again no earlier than one (1) year from the date of the last denial. If the request is approved and the offender is transferred to another facility, the approval shall continue to be in effect unless the Warden or designee of the new facility determines that there is a reason to require the ex-offender to submit a new request.

The Warden may approve for regular visitation an ex-offender who has children under the age of 18 with a current offender, provided the relationship of the children to the offender is verifiable and the ex-offender visits the offender with the mutual children each time. The ex-offender shall be subject to the same application approval process as other ex-offenders in this section of this policy and administrative procedure. The children shall be subject to the application approval process as outlined in Section V of this policy and administrative procedure.

D. VICTIMS

Victims generally shall not be allowed to visit offenders, unless the visit is for therapeutic reasons and a therapist has requested the visit and will be a part of the visit, similar to that indicated previously. If the Warden or designee determines that the visit will be in the best interests of the offender's re-entry into the community. Victims who are immediate family members of an offender may submit a request to the Warden of the facility housing the offender if they wish to visit the offender. The Warden or designee shall determine whether the offender has a Victim Notification (VN) flag involving the victim seeking to visit the offender. The Warden or designee shall review the records regarding the actual crime and determine whether it appears that the victim and offender can safely visit. Visits between victims and offenders, if approved, may be non-contact visits or other

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restrictions may be placed on the visits, including a requirement that the visit be supervised. Visits with victims as a part of a victim reconciliation or restorative justice program may be approved by the Warden, if the program provides details of the program and supervision of the visit is provided and it does not appear that the visit will be a threat to the safety and security of the facility or the persons involved. If a visit between an offender and a victim is approved and the offender has a Victim Notification flag, the Warden or designee shall contact the Victim Notification Section in Central Office to advise of the intended visit. An offender who is approved to visit with a victim may be permitted to meet with a Mental Health staff member either before or after the visit in accordance with the facility's procedures for requesting Health Services.

XI. VOLUNTEERS AND EX-VOLUNTEERS:

A. Volunteers

Volunteers are subject to the provisions of this policy and administrative procedure and Policy and Administrative Procedure 01-03-103, "The DEVELOPMENT AND DELIVREY OF COMMUNITY INVOLV." Visits by volunteers as a part of an approved volunteer program at the facility shall be in addition to an offender's normal visiting schedule. Volunteers shall be advised of the facility's visitation rules/procedures during the volunteer's orientation training.

Persons who are providing services to offenders in a volunteer capacity may be allowed to visit an offender outside of the approved volunteer program. Persons who are on an offender's visitation list may be permitted to provide volunteer services at the facility housing the offender if the volunteer's program duties are such that visiting the offender would be in the best interests of the program and the offender. Volunteers may be allowed to visit an offender at a facility not receiving their services. However, they are to report to the Warden or designee of the facility where their services are provided and the Warden of the facility housing the offender that they are visiting an offender at another Department facility.

B. Ex-volunteers

Ex-volunteers who wish to visit an offender must make a written request for approval to the Warden of the facility housing the offender prior to the visit. The Warden shall review the request and recommend whether the visit is in the best interest of the facility and the individuals involved. Unless the ex-volunteer and the offender are immediate family members or special circumstances exist, visits by ex-volunteers shall not be authorized until one (1) year after the ex-volunteer's separation from the Department. The Warden shall forward the request to the appropriate Regional Director for

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review and approval/denial. The Regional Director shall render a decision and so notify the Warden submitting the request. The decision of the Regional Director shall be final. Ex- volunteers shall not be allowed to visit an offender until the request to visit has been approved by the Regional Director. If the decision is to deny the request to visit, the ex-volunteer may submit another request one (1) year from the date of the denial.

XII. VISITATION RECORDS:

The facility shall maintain a record for each offender documenting all of the offender's visits, including visits by attorneys, government officials and clergy. These records shall be maintained on the OIS computer system. Any hard copy records involving offender visits shall be placed in the offender's packet prior to the offender being transferred to another facility or if the offender is released, prior to the transfer of the packet to storage.

Lobby Security, visiting room staff and Unit Team staff shall be responsible for maintaining visiting records on the OIS system.

XIII. VISITOR SIGN-IN:

Each visitor shall sign-in at a place designated by the Warden and in a manner appropriate for the facility. This designated location shall have access to the offender information system. State Form 14389, "LOG OF VISITORS," shall be completed for this purpose. Staff assigned to the sign-in area shall confirm and update the visitor's date of birth (DOB), gender, phone number and current address. Immediately prior to entry into the authorized visiting area, all visitors shall be asked, "Do you have in your possession any firearms, weapons, knives, ammunition, narcotics, medication, controlled substances, alcoholic beverages, marijuana, tobacco or tobacco related items, money/currency, cameras, video or audio recording equipment or electronic devices, including cellular telephones, pagers or other communication devices?" If the visitor responds in the negative and no contraband or prohibited property is found in the search process (including searches by drug and tobacco detecting dogs), entry into the visiting room may be allowed. If the visitor responds affirmatively or contraband or prohibited property is found during the search process, staff shall advise the visitor that he/she will not be allowed into the visiting room. If the visitor is in possession of prohibited property, the staff member shall advise the visitor what action (method of disposal of the prohibited property, such as putting in a vehicle or a locker if available) may be taken so that the visit may proceed. If the property is contraband, the staff member shall notify his/her Supervisor immediately for instructions regarding how to proceed and whether facility Investigations and Intelligence/Correctional Police Officer or law enforcement will be notified. Staff shall follow the facility's procedures for entry into the facility. Cameras, recording equipment, and other electronic devices shall not be permitted into the facility without the prior written

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approval of the Warden or designee, except in cases involving the news media as provided in the administrative procedures for Policy 00-03-101, "Distribution of Information," or Department staff/law enforcement who need the equipment to carry out his/her duties.

During the influenza season, staff shall question the visitor about influenza-like illness prior to entering the facility to visit. All visitors must be asked specifically if they have had, within the previous seven (7) days, any of the following symptoms:

- A. Fever;
- B. Cough;
- C. Body aches;
- D. Runny nose; and/or,
- E. Sore throat.

Visitors with current symptoms observed during questioning or those who acknowledge having had any of the symptoms listed above in the previous seven (7) calendar days prior shall not be permitted to enter the facility.

Non-alcohol-based hand sanitizer should be available in all visitor entries and all visitors should be encouraged to use this product or wash their hands before entering the facility.

Additionally, all visitors shall be asked "Are you or have you ever been an employee of the Department of Correction?" If the visitor answers affirmatively, facility staff shall determine whether the visitor has received the necessary approval as indicated in Procedure IX. If the visitor has not received the necessary approval, staff shall advise the visitor of the proper request procedures and deny entry until approval is obtained. If it is determined that the visitor has not been truthful, the Warden shall be notified. The Warden shall submit a written report to the appropriate Regional Director. All facilities shall be notified that the individual shall not be permitted entry into any Department facility. The visitor shall have the right to appeal the decision to the appropriate Regional Director.

In addition, visitors shall be asked if they have any disabilities that require special accommodations. Such accommodations may include allowing the visitor to enter the facility with a service dog (seeing-eye dog, etc.). Staff shall determine whether the visitor indicated a need for a special accommodation on the completed Application for Visitation. If this need was indicated and a special accommodation has been approved, staff shall process the visitor in accordance with this policy and administrative procedure. Visitors with special accommodations shall be advised that they will be searched and the search shall include any special equipment, such

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as wheelchairs, or service animals. Service animals shall have their collars/harnesses searched by staff and the service animal shall be required to pass through the facility's metal detector. While service animals may be permitted in the visitation area, the visitor shall be advised that if the animal becomes disruptive or interferes with the visit, the visitor and the service animal shall be advised that the visit is terminated. The visitor shall be liable for all actions of the service animal while on facility grounds.

The Department shall oversee the development of posters that shall be placed in prominent locations within the facilities displaying various methods of reporting sexual behaviors and incidents. These posters shall be placed in locations in the facilities where they can be seen by staff, visitors, and offenders and be written in both English and Spanish.

The sign-in area shall have a supply of brochures regarding the Prison Rape Elimination Act (PREA) available for visitors to review.

XIV. VISITOR SEARCHES:

All visitors attempting to visit an offender shall submit to a search of their person and property. Minimally, all visitors shall be required to submit to a modified frisk search in accordance with Policy and Administrative Procedure 02-03-101, "Searches and Shakedown." Frisk/modified frisk searches of a visitor's person shall be conducted by staff of the same gender as the visitor. The modified frisk search shall consist of all aspects of the frisk search conducted on offenders with the exception of:

- A. It will not be necessary for the staff person conducting the search to inspect the mouth or nasal passage;
- B. The person being searched will not be required to bend at the waist and run his/her hands through the hair; and,
- C. Pulling the shirt/blouse out of the pants, if tucked into the pants.

If reasonable cause exists to believe the visitor is carrying prohibited property or contraband, staff may request that the visitor submit to a frisk search, with approval of the Warden or designee.

Additionally, visitors shall be subject to additional searches using metal detectors, ion scanning equipment, and other approved search methods. Visitors in the waiting area and in the visiting room may be searched by trained K-9s at any time while in the facility. Searches by K-9s shall be in accordance with the procedures for the search of persons using drug and tobacco detecting K-9s in the Department's Emergency Manual. The Facility shall ensure that visitors are informed of the proper behavior and actions when being searched by K-9s. This notification shall include a sign posted in the visitor waiting area and the visiting room as well as staff announcing the entrance of K-9s into an area for searches.

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Visitors may be asked to submit to a strip search; however, strip searches are to be used only in the most extreme circumstances where reasonable cause exists to believe the visitor is carrying prohibited property or contraband and poses a serious risk to the security of the facility and/or individuals. The decision to request a visitor to submit to a strip search shall be made by the Warden or designee. In such cases, the visitor shall be given the option of either submitting to the strip search or being refused entry into the visiting area. The visitor shall be advised as to why the request is being made.

Any visitor who refuses to be searched shall be advised that he/she will not be permitted to enter the facility visiting area. In cases where a visitor refuses to be searched by any means during a visit, the visit shall be terminated and the visitor shall be escorted from the facility. Staff at the initial processing area and in the visiting area shall maintain a log of all visitors who refuse to be searched upon demand. The facility shall follow the procedures established in Procedure XIX for documenting the denial of a visit.

Offenders shall be strip searched prior to entering the visiting room and shall be strip searched immediately upon leaving the visiting room before being allowed to return to their living area or assignment. At the conclusion of the visit, the offender shall be required to leave the visiting area first. The visitor shall be requested to wait until the offender has been processed and searched. If staff finds any prohibited property or contraband on the offender, staff shall identify the visitor and shall contact local law enforcement and the facility Investigations and Intelligence Office/Correctional Police Officer.

When an Official Offender Visitor concludes the visit with the offender, he/she shall not be required to remain in the waiting area until the offender goes through the search process prior to leaving the visiting area. Official Offender Visitors shall be allowed to leave the visiting area as soon as the offender leaves. If staff searching the offender discovers any prohibited property or contraband in the offender's possession after a visit with an Official Offender Visitor, the staff member conducting the search shall follow standard procedures when such items are discovered and shall notify the Shift Supervisor. The Shift Supervisor shall notify the Warden as soon as possible. The Warden shall advise the appropriate Regional Director of the incident and shall contact the Official Offender Visitor's supervisor with the information.

Frisk and strip searches, use of metal detectors, x-rays, K-9's and inspection of purses, packages and bundles shall be governed by the standards established in Policy and Administrative Procedure 02-03-101, "Searches and Shakedowns" and shall be consistent with the security needs of the facility.

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XV. IDENTIFICATION:

All visitors age sixteen (16) years and older shall be required to produce picture identification before entering the visiting area. All visitors must present valid identification each time they visit. The only forms of identification accepted by the Department are:

- A. A valid driver's license from the state of residence;
- B. A valid state photo identification card from the state of residence;
- C. A valid photo military identification card;
- D. A valid passport; and,
- E. A valid government identification card, including foreign governments

Additionally, all minor visitors (younger than age 18) specially approved to visit VMR offenders shall be required to provide a copy of a birth certificate at each visit, regardless of age, and additional identification may be required in other special circumstances as required by the Warden or designee.

Visitors under the age of eighteen (18) years shall be accompanied by a parent or legal guardian at all times while on facility grounds. This procedure does not apply to an offender's spouse who is under the age of eighteen (18) years. Based upon a request from the offender, the Warden may grant an exception to this requirement. In cases where a parent or guardian cannot accompany a minor child, the Warden may approve another responsible adult to accompany the child during a visit. In these cases, the accompanying adult must be on the offender's visitor list. The minor child's parent or legal guardian must sign and have notarized State Form 48965, "AUTHORIZATION FOR MINOR CHILD TO VISIT," and must be presented to facility staff prior to each visit. Children under the age of 16 years of age shall be assigned a computer generated identification number in the offender information system. All visitors, regardless of age, shall be logged into the offender information system.

XVI. SPECIAL VISITS:

Special visits may be granted, with the prior approval of the Facility Head or designee, on a case by case basis. Special Visit requests shall be submitted by the offender to the offenders Unit Team Manager for consideration. The Unit Team Manager shall review each request on a case by case basis taking into consideration frequency of visits as determined by number of miles the visitor must come from, the number of times the visitor has access to visit the offender during the year and any other special circumstances that may exist. The Unit Team Manager shall approve or deny the request and submit to the Facility Head or designee the decision. Any denial can be appealed by the offender with the Facility Head or designee. Upon approval the Unit Team Manager shall notate in the offender information system the approval, for how long and when it expires.

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Lobby security staff shall have access to this information. Any questions arising from this request shall be directed to the offenders Unit Team Manager.

In cases where a visitor has two (2) or more immediate family members incarcerated at the same facility, the visitor may be permitted to visit the immediate family members on the same day. However, the visitor will not be allowed to visit all of the family members at the same time.

Members of the news media may be granted special visits in accordance with Policy and Administrative Procedure 00-03-101, "Distribution of Information."

XVII. VIDEO VISITATION:

The facility shall provide offenders with the information and rules governing the use of the kiosk and fee schedule during facility orientation.

- A. Offenders and visitors using video visitation shall be subject to the same rules and procedures as regular visitation as outlined in this operational procedure. Offenders or visitors that violate or abuse the rules governing visitation or video visitation may have their video visitation privileges temporarily or permanently suspended. Suspensions resulting from an administrative action shall be initiated by the Warden or Assistant Warden based upon a staff member's recommendation and justification indicating reasonable knowledge, or information that video visitation suspension is appropriate. Suspensions resulting from a disciplinary action may be initiated by a Hearing Officer, or designated staff. Temporary suspensions shall be for a determinate length of time. Restrictions on an offender's regular visitation shall apply also to video visitation.

Suspension of video visitation for offenders shall be:

1. First Offense: Three (3) month suspension of video visitation;
2. Second Offense: Six (6) month suspension of video visitation;
- and,
3. Third Offense: Permanent suspension of video visitation.

Suspensions shall be entered into the offender information system as visiting restrictions.

Offenders receiving suspensions from video visitation shall receive documentation noting the suspension, the length of the suspension, and the reason(s) for the suspension.

- B. A visitor for video visitation must appear on the offender's approved visitation list.

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C. Video visitation may be monitored by staff in real-time or archives. A poster near the kiosk shall notify offenders that video visits may be monitored. The Warden shall determine the staff members granted access to the video visits.

D. The Warden or designee shall determine the days and times that video visitation will be available.

XVIII. RESTRICTIVE STATUS HOUSING:

The facility shall establish a separate visiting area for those offenders housed in a segregation or detention unit, including a protective custody unit. Offenders in restricted status housing units may be restricted to “non-contact” or video visits. The facility shall require all offenders receiving visits and who are assigned to restricted status housing units to be required to sit in the area directly in front of the Visiting Officers station. This area shall be reserved for such offenders and their visitors. Upon installation of the proper cameras in the segregation units, the offenders as designated by the Facility Head or designee shall be required to have non-contact visits using these devices.

XIX. DENIAL AND SUSPENSION OF VISITATION AND GATE CLOSURES:

An individual’s visitation privileges may be denied, suspended, or the individual may be placed on gate closure status. Offenders or visitors who violate or abuse the rules governing visitation at the facility may have their visitation privileges temporarily or permanently suspended. An offender's visitation privileges also may be temporarily suspended for administrative reasons, such as during lockdowns. Temporary suspensions of an offender's visitation privileges may be for all visits or may be limited to a specific visitor. Temporary suspensions of an offender’s or visitor’s visitation privileges shall be for a determinate length of time, but shall be approved by the Warden. However, visitation privileges for a specific visitor may be permanently denied and a gate closure issued if it is determined that to allow such visits would threaten the safety and security of the facility. Any temporary suspensions for a period of more than 60 days or permanent suspensions (gate closures) shall be reported to the appropriate Regional Director. Suspension of an offender’s visitation privileges and gate closures shall be noted in the offender information system. Additionally, the Warden or designee issuing the suspension or gate closure shall send an e-mail to all other facilities notifying the facilities of the suspension or gate closure. The e-mail shall indicate the name of the visitor, the offender who was being visited, the reason for the suspension or gate closure and, if it is a temporary suspension, the date that the suspension will end.

Visitors who violate the visitation rules/procedures may be denied visits to a particular offender, to a specified facility or to all Department facilities. Denial of

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these privileges shall be based upon the Department's interest in security, safety, order of the facility, and the safety of the individuals involved.

Denial or suspension of visitation privileges or gate closures shall be given to the offender and visitor in writing, including the reason for the denial, the name of the staff member making this decision, the length of any suspension, and the right of the offender to appeal the decision to deny visitation privileges through Policy and Administrative Procedure 00-02-301, "Offender Grievance Process." State Form 3779, DENIAL/RESTRICTION OF VISITATION PRIVILEGE, shall be used to notify the offender of the decision to deny or restrict visitation privileges. Additionally, the visitor shall be advised that while the suspension or gate closure is in effect, the visitor shall not be permitted to visit offenders in any Department facility. Whenever possible, the offender and the visitor should be notified of the suspension or gate closure within two (2) weeks of the initial decision. The denial or suspension of visitation privileges or gate closures shall be logged in the offender information system.

Temporary suspension of an offender's visitation privileges may be lifted by the Warden due to extenuating circumstances, such as a death in the family, pending military deployment, or family has been away on military leave where a special visit is warranted.

In cases where an offender's visitation privileges are suspended due to either the offender's behavior or based upon security needs of the facility, it shall be the responsibility of the offender to advise any prospective visitors of this suspension. Visitors who come to the facility to visit offenders whose visitation privileges have been suspended shall be advised that the offender may not receive visitors and the approximate date when the suspension may be lifted.

When an offender is no longer on temporary visitation suspension, his/her visitation privileges shall be reinstated.

Visitors whose visitation privileges to visit an offender are denied or suspended or who are the subjects of gate closures may submit a letter to the Warden of the facility causing the denial, suspension, or gate closure to request that the denial, suspension, or gate closure be reconsidered. The Warden or designee shall review the request and determine whether the denial, suspension, or gate closure was applied in accordance with this policy and administrative procedure. If the offender was transferred to another Department facility since the denial, suspension, or gate closure was issued, both facility Wardens shall discuss and come to a decision. In the case of disagreement between Wardens, the appropriate Regional Director shall decide. If the Warden or designee determines that the denial, suspension, or gate closure is to be rescinded, the Warden shall ensure that all appropriate staff at the facility and any other facilities are notified of the decision and that the visitor shall

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be allowed to visit the offender again. If the decision of the Warden or designee is to uphold the denial, suspension or gate closure, the visitor shall be advised that he/she may appeal the decision of the Warden by writing to the appropriate Regional Director. The visitor shall explain the circumstances of the denial and why the visitation privilege should be reinstated. The Regional Director shall contact the Warden who has denied visitation and determine the reasons for this action. The appropriate Regional Director shall notify the visitor of his/her decision. The Regional Director shall maintain a file of all requests to reinstate visits and the decision to uphold or reverse the restriction. The decision of the Regional Director shall be final.

If the action of the Warden is upheld, the visitor may apply again to have visitation reinstated no earlier than one (1) year from the date of the Regional Director's denial. The visitor shall send a letter to the Warden of the facility housing the offender requesting that visitation be reinstated. The Warden shall review the request and any previous materials relating to the request. If the decision of the Warden is to lift the visitation restriction, the Warden shall send a letter to the visitor advising that the restriction has been lifted and that the visitor may commence visiting the offender again. If the visitation restriction is upheld, a letter shall be sent to the visitor advising that they may again apply for visitation no earlier than one (1) year from the denial. The visitor shall be advised that the decision of the Warden may be appealed to the appropriate Regional Director.

If the visitor appeals the Warden's denial, the appropriate Regional Director shall review the appeal. If the Regional Director overturns the Warden's decision upon review or on appeal, the Regional Director shall notify the visitor and Warden issuing the gate closure as to the decision. The Warden shall be instructed to lift the gate closure and allow the visitor to have visits at the facility. Also, the Regional Director making the decision shall send an e-mail to all facilities advising that the gate closure has been lifted. If the Regional Director upholds the Warden's decision, the visitor shall be so notified and advised that this decision may be appealed to the Warden of the facility housing the offender one (1) year from the date of the Regional Director's decision.

All visitor gate closures shall be forwarded to the Regional Director upon completion and approval by the Facility Head. This shall be completed via fax or email. The facility shall print and monitor the Restrictions Report monthly. This shall be the responsibility of the Assistant Warden of Operations or their designee. The reports shall be reviewed and submitted to the Facility Head monthly and shall be maintained in the Facility Head office records.

Permanent visitation restriction of offenders shall not be used as a form of discipline, or as an administrative option. Instead, non-contact or video visitation shall be used in cases when physical visitation would otherwise be denied. In such

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cases, offenders are to be placed on non-contact visitation or video visitation for safety and security reasons.

XX. VOLUNTEERS:

Volunteers are subject to the provisions of this policy and administrative procedure and Policy 01-03-103, "The Development and Delivery of Community Involvement Program." Visits by volunteers as a part of an approved volunteer program at the facility shall be in addition to an offender's normal visiting schedule. Volunteers shall be advised of the facility's visitation rules/procedures during the volunteer's orientation training.

Persons who are providing services to offenders in a volunteer capacity may be allowed to visit an offender outside of the approved volunteer program. Persons who are on an offender's visitation list may be permitted to provide volunteer services at the facility housing the offender if the volunteer's program duties are such that visiting the offender would be in the best interests of the program and the offender. Volunteers may be allowed to visit an offender at a facility not receiving their services. However, they are to report to the Warden or designee of the facility where their services are provided and the Warden of the facility housing the offender that they are visiting an offender at another Department facility.

XXI. BODILY CONTACT BETWEEN OFFENDERS AND VISITORS:

Offenders and visitors may be physically separated. In those cases where an offender and visitor are permitted contact, the offender and visitor may be permitted to shake hands, embrace, or kiss briefly at the beginning and end of the visit. There shall be no kissing or embracing during the actual visit. The facility shall strictly adhere to these guidelines concerning offender visitor contact during visits. Any inappropriate contact as observed by facility staff may result in immediate termination of the visit.

Denial of contact visits shall be based upon a reasonable suspicion that to allow the offender contact visits would jeopardize the safety and security of the facility or the persons involved, or may lead to the introduction of contraband or prohibited property. The denial of contact visits shall require the same notice and right to appeal as outlined previously. Offenders who are placed on non-contact visitation may have the option of regular non-contact visits, intra-facility video visitation or video visitation through a vendor, if these options are available at the facility. There shall be no cost for intra-facility video visitation; however, there may be a cost associated with video visitation provided by a vendor.

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Non-contact or video visits shall be imposed as an administrative restriction. The basis for the imposition of non-contact visits is an action that took place during a visit. Non-contact or video visits shall be imposed as an administrative action by the Warden based upon a staff member's written recommendation and justification indicating reasonable knowledge or information and belief that non-contact visitation is appropriate. Any imposition of non-contact or video visits must have the written approval of the Warden or designee.

Offenders who are found guilty of certain violations of the disciplinary code shall be subject to administrative restriction for non-contact or video visits for prescribed periods of time. Following review and approval by the Warden or designee, offenders who have been found to have abused the visiting privileges or found guilty of the following disciplinary code offenses may be permitted only non-contact or video visits:

- Testing positive for the use of a controlled substance;
- Unauthorized possession of an electronic device (e.g., cellular telephone, pager, etc.) or altering an approved electronic device to use it as a charger for a cellular telephone;
- Refusal to submit to a test to determine the presence of a controlled substance.
- Possession and/or distribution of a controlled substance;
- Possession of a firearm or deadly weapon, including ammunition, or an explosive device;
- Findings of guilt for use or possession of tobacco, tobacco associated products or unauthorized tobacco substitute products (including, but not limited to, more than one lighter, more than one box of matches, more than one package of cigarette rolling papers, etc.); and/or
- Possession of escape materials.

may be permitted only non-contact or video visits:

Additionally, upon approval of the Warden, an offender may be approved for an administrative restriction for non-contact or video visits for violations of other disciplinary codes, including but not limited to:

- Batteries;
- Sex related offenses;
- Physically resisting staff;
- Possession, use or making of intoxicants;
- Escape or attempted escape;
- Trafficking; or,
- Violations that occur in the Visiting Room or associated areas.

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If the Warden determines that the evidence supports the imposition of non-contact or video visits, the offender shall be allowed only non-contact or video visits based upon the following guidelines:

- First restriction - Six (6) month of non-contact or video visits
- Second restriction following a previously imposed non-contact or video visit restriction - Twelve (12) months of non-contact visits or video visits.
- Third and subsequent restrictions following two (2) previously imposed non-contact or video visit restrictions - Permanent non-contact or video visits

In order to impose either 12 months of non-contact or video visits or permanent non-contact or video visits the offender must have been placed on six (6) months and/or 12 months of non-contact or video visits previously. The offender must have progressed through the lower levels of non-contact or video visits. Simply finding an offender guilty of any of the above offenses and not imposing non-contact or video visits shall not entitle the offender to be given a longer period of non-contact or video visits following the next finding of guilt. Additionally, non-contact or video visits imposed in a prior period of incarceration or in a prior commitment period shall not be considered when imposing non-contact or video visits in the current commitment.

These restrictions shall not be considered as a part of any disciplinary action taken against the offender for guilty findings for any of the indicated offenses; but, shall be an administrative action in addition to any disciplinary action taken against the offender. The Disciplinary Hearing Body or Screening Officer shall notify the Warden or designee of any offender who has been found guilty of any disciplinary code violation which may result in a recommendation for non-contact or video visits.

When a decision is made to permit only non-contact or video visits, the offender shall be notified in writing by use of State Form 43324, MODIFICATION OF VISITING PRIVILEGES. This notification shall include: the reason for the imposition of the non-contact or video visits; the time period for the imposition of non-contact visits; and, the offender's right to appeal the decision through the administrative procedures for Policy 00-02-301, "Offender Grievance Process." In those cases where the non-contact or video visits apply only to a specific visitor, the visitor shall be notified in writing of the decision and his/her right to appeal this action to the appropriate Regional Director.

Following the imposition of non-contact or video visits and the exhaustion of appeals through the Grievance Process, an offender who has been placed on permanent non-contact or video visit status may request that this status be reviewed

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two (2) years from the date of the decision to impose non-contact or video visits. The offender shall submit a written request to the Warden asking that the imposition of non-contact or video visits be reconsidered. The Warden shall review the request and the offender’s record during the two (2) year period and render a decision. If the Warden denies the request, the offender may appeal the decision to the appropriate Regional Director. The Regional Director shall review the request and the Warden’s comments and render a decision. The decision of the Regional Director shall be final. If the request is denied, the offender may submit another request to the Warden one (1) year from the date of the final denial.

When non-contact or video visits are imposed, the Warden or designee shall ensure that all appropriate areas, including the information desk, visitor processing area and the Classification Department, are notified of this action. Passes granted to the offender for the purpose of visitation shall be clearly marked “non-contact or video visits.”

Upon finding of guilt for any reason stated previously a modification of visiting form (43324) shall be completed by the screening officer, and forwarded to the Facility Head for determination of final visiting restriction imposed upon the offender

XXII. SUPERVISION OF VISITING ROOM:

The following rules shall be maintained in the visiting area post orders:

1. The facility shall provide direct visual supervision of the entire visitation area at all times. Staff shall position themselves throughout the visitation area to maintain a direct line of sight on interactions between offenders and visitors. While mirrors or cameras can augment direct supervision and compensate for blind spots, staff will position themselves with a direct line of sight on interactions between offenders and visitors.
2. Staff shall immediately intervene on inappropriate behavior, which may include behavior outside the bounds of permitted intimacy, or involve any violation of visiting regulations that may prove uncomfortable, disruptive, or offensive to other offenders and visitors.
3. Should inappropriate behavior result in an incident report or termination of the visit, staff must provide the reasons for terminating a visit in writing, by using State Form 3779, DENIAL/RESTRICTION OF VISITATION PRIVILEGE, to the offender who in turn may appeal the action to the facility administrator.
4. Notices shall be posted informing visitors of the potential for monitoring anywhere in the visiting area, e.g., staff of the same gender as the visitor should monitor the restrooms during visits if there is a reasonable suspicion

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that a visitor or offender may engage or be engaging in some form of prohibited behavior.

XXIII. RESTRICTIONS ON VISITS WITH MINORS (SEE OPERATIONAL PROCEDURES):

Male and female offenders who have a current or prior sex offense adjudication and/or conviction involving a minor may be restricted from receiving visits from minors (i.e. persons under the age of 18 years of age excluding spouses who are not the offender’s victim).

A. INTAKE ASSESSMENT:

1. When an offender is received at a Department Intake Unit, staff at the Intake Unit shall review the offender’s records to determine whether there has been either a conviction as an adult or adjudication as a juvenile for a sex offense involving a minor. Staff at the Intake Unit shall complete the INITIAL SEX OFFENSE CHECKLIST for all offenders committed for a sex offense and shall include information relating to the offense. If there is such a conviction/adjudication, the offender’s record shall be marked with a “Y” (for Yes) in the “VMR” (Visitor-Minor Restriction) field in the offender information system. This data is entered into the “Current Classification” screen. The “VMR” flag can then be viewed in the “Current Classification” screen and above the Offender’s DOC Number on the “Visitor List” and “Visitor Log” screens.
2. Any offender identified as having a sex offense involving a minor shall be notified in writing of the visitation restriction with minors. State Form 3779, “DENIAL/RESTRICTION OF VISITATION PRIVILEGE,” shall be used for this purpose. The offender shall be advised that his/her visitation with minors will be restricted until his/her records have been thoroughly reviewed and he/she meets with the Unit Team at the housing facility. A copy of the completed State Form 3779 shall be placed in Section 5 of the offender’s facility packet.
3. The following visiting restrictions for minor visitors shall be imposed:
 - a. Offender with no current or previous sex offenses involving a minor – No restrictions on minor visitation.

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- b. Offender with no sex offense(s) in the current commitment period and a previous sex offense that did not involve a minor – No restrictions on minor visits.
- c. Offender with no sex offense(s) in the current commitment period and a previous sex offense involving a minor:
 - (1) If the offender was discharged from supervision 10 or more years prior to the current commitment – Non-contact visits with minors.
 - (2) If the offender was discharged from supervision less than 10 years from the current commitment – No minor visitation.
 - (3) If the offender has multiple sex offenses involving minors or the use of force or threat of force was used (involving a minor) – No minor visitation.
- d. Offender with a sex offense involving a minor in the current commitment period: No minor visitation.

B. HOUSING FACILITY ASSESSMENT:

- 1. Upon receipt of the offender at the housing facility and during the admission and orientation (A&O) process, staff shall determine whether the offender is a “VMR” offender. If the offender is a “VMR” offender and has requested that minors be placed on his/her visitation list, the staff in A & O shall advise the offender’s Unit Team of the “VMR.” During A&O the “VMR” designation shall be discussed with the offender. The offender shall be advised as to any minor visitation restrictions. If the offender questions the validity of the minor visitation restrictions, Unit Team staff shall complete State Form 51812, “VISITATION MINOR RESTRICTION EXEMPTION-FACILITY REVIEW CRITERIA FOR OFFENDER VISITATION WITH A MINOR,” determining whether the offender should be allowed to have minor visitation. Until the Unit Team completes the review and advises the offender, the offender shall be restricted as per the Department Intake Unit’s determination.
 - a. The offender must not have been found guilty of any disciplinary code violations for any sex related offenses during the preceding twelve (12) months. This includes sex related offenses committed in a county jail, community transition program (CTP), a community corrections program, or federal, or state correctional systems.

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- b. The intended visitor must be documented in the offender's packet as the offender's child or grandchild (including step-children and step-grandchildren) and must not have been a victim of the offender.
 - c. The offender has not been adjudicated/convicted of any other sex offense and there is no documentation, in the offender's records, indicating the offender has/had multiple victims. If the offender has multiple counts for sex offenses in the current commitment period, these offenses shall count as only one (1) offense if there was a single victim.
 - d. The offender must not have had any other visitation restrictions for sexually related activities within the preceding 12 months.
 - e. There must be no known court orders restricting/prohibiting the offender's contact with the intended minor visitor(s).
 - f. The circumstances surrounding the triggering adjudication(s)/conviction(s) indicate the minor, though legally incapable of consenting, was not compelled by force or threat.
 - g. The intended victim must not have been a minor or so mentally disabled or deficient that consent could not be legally given at the time of the offense.
2. The Unit Team shall review the responses to the above questions. If the responses to Questions a, c, d, e, f, and g are in the negative and the response to Question b is in the affirmative the offenders may be permitted visitation with minors upon review and approval by the Warden or designee.

If any of the responses to Questions a, c, d, e, f, or g are in the affirmative or if the response to Question b is in the negative, the offender shall not be permitted to have visits with minors.

The Unit Team shall notify the offender in writing of its decision regarding visits with minors. If there is a restriction, either non-contact or no visits, the Unit Team shall use State Form 3779 for this purpose

- C. Offenders who are denied visits with minors may request a Case Review (SF

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51812) to ensure that the restriction is appropriate. The Warden or his/her designated staff shall forward the Case Review (SF 51812), the Probable Cause Affidavit, and the Pre-Sentence Investigation, and any other pertinent documentation regarding the reason for the restriction to the SOMM Program Director.

The SOMM Program Director shall complete a Case Review of the offender and make a determination as to whether there should be any changes in the decision of the Unit Team. The Case Review and determination of the SOMM Program Director shall be documented on SF 51811, "Visitation Minor Restriction (VMR) Exemption-Sex Offender Management and Monitoring Review-Case Management Review Summary." The decision of the SOMM Program Director shall be final. There shall be no appeal through the Offender Grievance Process of this decision as the decision to restrict the visits will automatically be reviewed by the SOMM Program Director.

The SOMM Program Director shall submit a copy of the completed SF 51811 to the designated staff of the facility housing the offender with a decision regarding whether visits with minors are to be permitted and any restrictions on these visits. The Warden shall review the decision documented on SF 51811 and ensure that the decision is implemented. The Warden shall ensure that SF 51811 is filed in the offender's facility packet and that a copy of the final page of SF 51811 is given to the offender.

If the decision is to grant the visits, the Warden shall ensure that the offender is notified that the requested visits are granted contingent on the following:

1. The offender must consent to send State Form 50270, SEX OFFENDER VISITATION WITH MINOR VISITATION DISCLOSURE at his/her expense to the parent/legal guardian of the intended visitor(s) and the parent/legal guardian must complete the form. This form, completed by Unit Team staff, not the offender, shall indicate the offender's offense; the age of the victim; sentence imposed by the court; an agreement to accept responsibility for a minor to visit the offender; agreement to abide by all of the facility's visitation rules; and, the conditions of the visit. This form must be completed and returned to the Unit Team.
2. Whenever such a visit occurs, a valid picture identification card (Section XIII) and a copy of the birth certificate must be presented for each minor visitor. (Picture identification cards are available from the Bureau of Motor Vehicles License Branches).

All minor visitors specially approved to visit VMR offenders shall

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be required to provide a copy of a birth certificate no matter the age and additional identification may be required in other special circumstances as required by the Warden or designee.

The child(ren) may visit the offender only in the company of the parent/legal guardian unless prior approval has been given and recorded by the parent/legal guardian on SF 48965, "Authorization for Minor Child to Visit," in accordance with this policy and procedure, to allow another adult to accompany the child(ren) to the facility.

If all of the above conditions are met, visits with the requested minor(s) who are immediate family may occur.

If the intended minor visitor is the legal spouse of the offender and the marriage can be verified through the offender packet or by the spouse providing documentation, the spouse shall be permitted to visit the offender. In cases where the spouse was the victim of the offender, if approved in the Case Management Review on SF 51811, the spouse may be allowed to visit the offender.

Once visitation has been granted, the designated staff shall ensure that the approval is noted in the "Comment" field in the "Counselor's Approval List" in offender information system while retaining the "Y" indicator on the "VMR" field. The original approval and Case Management Review Summary (SF 51811) shall be filed in the offender's packet with other visitation documents.

- D. The decision to allow an offender to have visits with minors shall be honored by all facilities dependent upon the offender continuing to meet the stated criteria. The deciding facility's designated staff shall ensure that notation of the decision is documented in OCMS.
- E. During the development of the Offender's Case Plan, the Unit Team shall discuss any restrictions placed on the offender's visitation with minors. The Unit Team shall review any Re-Entry progress made by the offender. For example, if the offender successfully participates in the SOMM Program, the Unit Team may recommend lessening the visitation restriction.
 1. The offender's minor visitation restrictions shall be reviewed during each Case Plan review.
 2. Offenders who have been placed on "no minor visitation" shall be required to remain on this restriction for at least one (1) year before being considered for non-contact visits with minors. If the offender

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has successfully completed SOMM phase II, the Unit Team shall submit a recommendation based upon input from the SOMM staff to the SOMM Program Director for a decision.

- a. If the SOMM Program Director approves the recommendation, the Unit Team shall advise the offender that he/she has been approved for non-contact visits with minors.
 - b. If the SOMM Program Director denies the lifting of the restriction, the Unit Team shall advise the offender of the decision and the reason for the decision. The offender shall be advised that he/she shall be reviewed again in six (6) months from the date of the SOMM Program Director's denial.
 - c. In cases where these offenders are granted non-contact visits, they shall be required to remain on non-contact visits for at least one (1) year. After being on non-contact visits with minors for one (1) year, they may be considered for contact visits in accordance with the above procedures.
 - d. The decision of the SOMM Program Director shall be final.
- F. The Unit Team shall review any disciplinary actions taken against the offender, any visitation restrictions imposed, and whether the offender continues to meet the criteria for minor visitation. The Unit Team shall make a determination as to whether the offender's minor visitation status should be revised and, if a change appears appropriate, shall submit a recommendation to the SOMM Program Director. The SOMM Program Director shall review the recommendation, render a decision on the restrictions, document the decision on SF 51811, and return SF 51811 to the Unit Team. The Unit Team shall ensure that the decision is documented on the appropriate information systems.

If the offender, after having been approved for visits, fails to continue to meet any of the above criteria or exhibits any behavior that raises concerns about the safety or security of the facility or the public, the approval for any visits with minors shall be rescinded immediately. In such instances, the Unit Team shall notify the SOMM Program Director within five (5) business days of the decision to rescind the approval(s).

- G. In certain cases, visits with minors may be permitted even if the offender does not meet all of the above criteria and a Case Management Review (SF 51811) has not been conducted. Unless prohibited by a court order, the Warden or designated staff may approve a visit with minors who are immediate family members in the following situations:
1. The offender is in the last stages of a terminal illness and it appears

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that the offender's death is imminent.

2. The facility receives a court order instructing it to allow the offender to visit with a specific minor. If a facility receives a court order for a VMR offender to be permitted visitation with a minor, the facility shall contact the Division of Legal Services as soon as possible. The Division of Legal Services shall contact the court and advise the facility as to what action is to be taken.

3. A therapeutic visit is requested by the victim's licensed therapist. If the victim is in therapy and the victim's therapist believes that the visit is necessary for the successful treatment of the victim, the therapist may request a special visit. The therapist must submit a request on official letterhead stating the purpose of the visit and those to be present at the meeting. Additionally, the therapist must provide a signed statement from the victim or the victim's parent/legal guardian, if the victim is still a minor, authorizing this visit and a copy of the therapist's state license. The Warden, Unit Team staff, and SOMM Program staff shall review this request and determine whether it appears that to permit such a visit will be in the best interests of all parties. If the proposed visit appears to be appropriate, the Warden or designated staff shall contact the offender to ensure that the offender agrees to such a meeting. If the Warden approves such a visit and the offender agrees to the visit, a written notification, indicating the date and time of the visit, shall be sent to the therapist. The permission for such a therapeutic visit shall be for one (1) visit only. If the therapist believes that another visit is necessary, the therapist must obtain approval for any subsequent visits, in accordance with the above process.

4. All offenders are screened upon intake for VMR status and are noted in the offender information system. Reviews of this status shall be completed on the offenders annual review date. The facility head shall designate a staff person who shall be the VMR contact person for requests to allow visits with minors for VMR offenders. These requests shall be reviewed by Unit Team Staff and forwarded to the Classification Supervisor for review. When necessary, these requests shall be sent to Central Office for approval.

5. The facility receives a court order instructing it to allow the offender to visit with a specific minor. If a facility receives a court order for a VMR offender to be permitted visitation with a minor, the facility shall contact the Division of Legal Services as soon as possible. The

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Division of Legal Services shall contact the court and advise the facility as to what action is to be taken.

XXIV. EMERGENCY SITUATIONS:

When the Warden determines that an emergency situation exists as presented in Policy and Administrative Procedure 02-03-102, "Emergency Response Operations," any or all visits shall be suspended. Any visits in progress shall be terminated and the visitors escorted from the facility.

In cases where the Warden or designee determines that it is in the best interest of the facility, visitors, or offenders, the Warden or designee may suspend any or all visitation privileges. In those cases, the Warden or designee shall notify the individuals involved that the visit is terminated. The individuals involved in the terminated visit shall be advised if and/or when a visit may occur again.

XXV. APPLICABILITY:

These operational procedures are applicable to all facility staff, offenders and prospective visitors to the Plainfield Correctional Facility.

Tricia Pretorius
Warden

Tricia Pretorius

10/18/2022
Date