


STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Inmate Visitation	PAGE <u>1</u> OF <u>10</u>
	NUMBER: 76-VIS-01
RULE/CODE REFERENCE:	SUPERSEDES: 76-VIS-01 dated 02/12/06
RELATED ACA STANDARDS: 4-4498, 4-4499, 4-4499-1, 4-4500, 4-4501, 4-4504	EFFECTIVE DATE: October 20, 2007
RELATED AUDIT STANDARDS:	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish procedures within the Department, which govern a visitation program for offenders. The visiting program is designed to enhance contact with family and other support persons that will enable the offenders to successfully re-enter society at the conclusion of their incarceration.

III. APPLICABILITY

This policy and procedure applies to all offenders and staff of the Department of Rehabilitation and Correction, especially to those offenders who receive visits, those staff who process visiting applications and the visiting room staff who monitor and supervise visiting.

IV. DEFINITIONS

Applicant: A status for a potential visitor that depicts that the application has been sent to a potential visitor and is pending receipt and/or processing.

Approved Visitor – An approved visitor is a person, family or friend, who has submitted an acceptable Visiting Application (DRC2096). The offender-visiting list will provide for up to 15 visitors, not including any listed attorney of record and/or clergy of record. The Warden may authorize additional visitors.

Attorney of Record - An attorney identified by the offender as his/her current attorney or as someone having been retained by the family for representation with verification by letter from family to attorney. All attorneys must present picture identification, as well as their bar card, each time they visit. Law students, legal interns, investigators or paralegals may be permitted in accordance with Administrative Regulation 5120-9-20, Visits by Attorneys and Inmate Access to Legal Services.

Bona Fide Identification - A valid form of state-issued photo identification. Military photo identification cards and employment photo ID cards may also be used as bona fide I.D.

Child - Any person under the age of eighteen (18) years.

Clergy of Record - Clergy having been identified by the offender as their current outside clergy member. Clergy must complete a Visiting Application (DRC2096) and send in a letter on letterhead, stating that they are the clergy of record, and provide proof of professional certification. Associate or staff Pastors may visit in place of the clergy of record with proper application and professional verifications.

Contraband - Any item not permitted by law or that is expressly prohibited by the Department of Rehabilitation and Correction or institutional policy.

Courtesy Visit - A one-time visit granted by the Warden or designee **at the Reception Centers** when a visitor's application is pending approval or when other administrative delays/changes exist.

Guardian - An approved visitor who has been given notarized permission to accompany a child on a visit. (Authorization for Minor Child Visitation, DRC4371). This permission can only be granted by the custodial parent or legal guardian and must specify the name of the visitor(s) accompanying the child, and permission for the child to be searched.

Immediate Family - Mother, Father, Adoptive Parents, Aunt, Uncle, Husband, Wife, Children, Stepchildren, Grandchildren, Brother, Sister, Stepsiblings, Half-Siblings, Grandfather, Grandmother, and Great-Grandparents. Son-In-Law, Daughter-In-Law-, Sister-In-Law, Brother-In-Law, Mother-In-Law, and Father-In-Law will only be considered immediate family while the binding marital relationship is intact. Step-Parents, Adoptive Parents and/or Foster Parents may be considered within this definition when it has been verified that the inmate was raised by this individual as a result of remarriage, death, desertion, or absences of a parent (verification may include, but is not limited to, marriage certificates, court decrees, adoption orders, etc.). Common-law marriages will only be approved if they were recognized by a court of law as commencing prior to October 10, 1991, in accordance with O.R.C. 3105.12.

Reentry Mentor - A volunteer associated with a recognized reentry program or organization who may be an approved visitor. The volunteer or reentry coordinator shall approve the mentor. A reentry mentor shall be permitted to visit more than one (1) inmate as approved by the volunteer coordinator or reentry coordinator. (DRC Policy 02-REN-01) (DRC Policy 71-SOC-01)

Special Visit - A visit that has been approved by the Warden or designee for someone who may not be an approved visitor, but where significant reasons indicate that such a visit would be beneficial to the offender and would not present a security concern to the institution.

Temporary: A status given to the list of immediate family members submitted by the offender during the reception intake process.

Tentatively Approved: A status in the approval process for visitation when the applicant has returned an application for visitation, processing has been completed and approval is pending until the initial visit.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction that offenders in the physical custody of the Department be allowed visitation privileges.

VI. PROCEDURES

A. General Visiting Guidelines

1. The DRC General Instructions (DRC2274) shall be made available to all staff, offenders and visitors. Each institution has different physical facilities and programs, therefore, the Warden at each institution shall have discretion in determining the number of visitors allowed to visit an offender at any one time; the frequency, duration and priority of visits and the visiting hours. Any significant changes made by the institution in the number of visitors allowed to visit an offender at any one time, the frequency, the duration and priority of visits, and the visiting hours will be made available for the visitor and offenders to review thirty (30) days prior to the change effective date. These changes shall be displayed in the front entrance of the institution, in the visiting areas, and in the living areas of the units. However, no institutional specific policies will supersede the General Visiting Instructions (DRC2274).
2. Visitation areas will have facilities fully accessible to disabled visitors, including restrooms and entrance ramps to the visitation area. Offender visiting facilities will permit opportunities for formal/informal communication. Devices that preclude physical contact shall not be used except in instances of substantiated security risk, i.e. special management housing.
3. Staff facilitated institution programs, such as Parenting, Boy/Girl Scouts, Mother/Child and Father/Child Day Camps, etc., shall not count towards the number of visits an offender is permitted to receive. Programs of this type are categorized as formalized programs facilitated by staff and are established in addition to normal visiting.
4. Each visiting department will have an area designated as a Reading Room. Reading Rooms should be “child-friendly” and contain a diverse supply of age appropriate books, learning aids and toys that appeal to the interest of children. Procedures shall be established to ensure the safety, sanitation and availability of the Reading Room to parents and children. In addition to scheduled readings, special activities may be planned to enrich the child’s visiting experience and foster family ties.
5. DRC employees assigned to an area in which they have significant interaction with the public will be provided with additional training by their institution. Each employee will be required to participate and complete an initial four (4) hour Front-Entry/Visitor’s Training Course. This training course provides each employee with a holistic view of balancing good security and public relations. In addition to the above training, it may be necessary to provide staff in these areas with additional training in the Department’s Offender Tracking Systems (DOTS Portal) and screens related to Visitation.
6. Written information regarding procedures governing visitation shall be made available to the offender within 24 hours after arrival at the facility. At a minimum the information will include the following:

- a. Facility address/phone number, directions to the facility and information about local transportation;
 - b. Days and hours of visitation; and if applicable, visiting reservation procedures;
 - c. Approved dress code and identification requirements for visitors, including the prohibition of clothing with any gang related markings;
 - d. Items authorized in visitation room;
 - e. Special rules for children; and
 - f. Special visits.
7. Each institution shall make available to visitors information about local means of public transportation to the institution and shall provide a means for visitors to contact public transportation agencies for needed services.

B. Reception Center Visitation

1. Immediate family members shall be permitted to visit an offender housed at a reception center. The offender will also be permitted to identify one (1) significant support person other than a family member to be a visitor during the reception process.
2. Those individuals requesting to visit an offender during Reception will complete a Visitor Application (DRC2096) at the time of their first visit. In addition to the application form, visitors will sign the Declaration of Understanding (DRC2554) and the General Visiting Instructions (DRC2274).
3. Questionable applications may be forwarded to the Warden's designee for resolution. The Warden's designee may authorize a courtesy visit for those individuals. Such courtesy visits will be clearly marked in the visitation notes in DOTS Portal.
4. Visitors must present verification of their identity. After verification, the reception center staff will enter all required information into the (DOTS VISTI Screen Visitor Details) and list the visitor as an approved (A) visitor.
5. Offenders returning to DRC within two (2) years or less of release from incarceration shall have the individuals that were on their prior visiting list reviewed and updated at reception by classification specialists. This review will include verification of victims and co-defendant(s) who may be restricted from visiting. When identified through the screening process, new victim or co-defendant visiting status must be determined on a case-by-case basis. The individuals on the visiting list in a re-approved status shall not have to repeat the application process.
6. Offender visitors at reception centers shall comply with all parts of this policy, with the exception that visitor applications will be completed at the time of their first visit. Visitors may not visit an offender at a parent institution until after receipt of a visitor application or unless already listed as an approved visitor by a reception facility.
7. Short term offenders (serving less than 90 days at ORW, LorCI, and CRC) will not be required to create a permanent visiting list. These offenders will be permitted visiting privileges based on their reception visiting list throughout the duration of their incarceration.

C. Visitor Application and Processing Procedures

1. With the exception of attorneys and official visitors, each potential visitor must complete a Visiting Application (DRC2096). Visitors entering the institution shall conform to regulations in accordance with DRC General Visiting Instructions (DRC2274). The offender visiting list can list up to fifteen (15) visitors, regardless of the relationship, excluding any listed attorney of record, clergy of record or children under the age of eighteen years old. Offenders who have more than fifteen visitors (this total includes tentatively and approved visitors) on their visiting list with the effective date of this policy shall have all their visitors grandfathered.
2. No visitor of offenders shall be admitted for visitation until the visitor application is received and verification of identity has been established. Visitors may be placed on more than one DRC offender-visiting list as long as they are in good standing. The warden or designee may approve visitors to visit with more than one offender. During a scheduled visit if all involved are immediate family members and/or approved visitors. This does not include an attorney-of-record or clergy-of-record.
3. Each visitor, with the exception of attorneys, must sign a copy of the Declaration of Understanding (DRC2554) and the General Visiting Instructions (DRC2274) and submit with the visitor application including, the web application, prior to the visitor visiting an offender for the first time. All visitors must register upon each visit and show bona fide identification.
4. **AMISH VISITORS:** Those individuals identifying themselves as Amish may visit one time only after which they are to be informed that they must obtain one of the following items and present it when they arrive for their next visit:
 - a. State identification without a picture; or
 - b. A letter from the local county sheriff, prosecutor, judge, or health department, indicating that the individual is who they say they are, with the signature of the visitor notarized; or
 - c. A letter from an elected state official (congressman, representative, senator, etc.) indicating that the individual is who they say they are, with the signature of the visitor notarized.
 - d. The visitor should then sign in; with the visiting officer/supervisor comparing the signature on the letter to the signature provided that day. If there is any question as to the similarity in the signatures, a supervisor must make the determination regarding the individual being able to visit.
5. Visitors shall not enter any areas of the institution except for approved visitation areas, as determined by the Warden or designee, and approved routes to and from those areas.
6. Visitors are not permitted to deliver packages, correspondence, money or printed materials directly to offenders. All such items shall be processed through the mailroom. In addition, offenders shall not be permitted to convey any property to a visitor without the written consent of the Warden or designee.
7. Visitation applications may be denied for the following reasons:

- a. The visitor's presence in the institution could reasonably pose a threat to the institution's security, or disrupt the orderly operations of the institution; or
 - b. The visitor has a past record of disruptive conduct; or
 - c. The visitor is directly related to the offender's prior criminal behavior; or
 - d. The visitor will not have a positive effect on the offender's attitude, behavior, or overall adjustment; or Reentry efforts; or
 - e. The visitor is under supervision, and does not have the written permission of both the Warden and the parolee's parole officer. Offenders, including family, under supervision must have the written permission from his/her parole/probation officer and approval from the Warden in order to visit. Individuals may apply for visitation privileges six (6) months after his/her release from a correctional facility;
 - f. The visitor is a current or past Department of Rehabilitation and Correction employee, volunteer, or independent contractor and has not received written authorization from the Warden; or
 - g. The visitor was a victim of personal injury or harm of the offender's crime, either under the current incarceration or any previous incarceration(s), unless the Warden/Designee grants approval. The Warden or Designee may contact the Office of Victim Services for consultation, in which case the Office of Victim Services will provide a written opinion. The Warden/Designee grants final approval. Unit staff are responsible for ensuring that these steps are taken prior to ANY victim being allowed to enter the institution for a visit; or
 - h. Required documentation has either been falsified and/or incomplete forms were returned for processing.
8. All visitors under 18 years of age must be related to the offender being visited or accompanied by an approved visitor who is the child's parent, legal guardian or guardian, as defined in this policy. Documentation naming the child's custodial parent or guardian must be presented in the form of a birth certificate or custodial court order at the first visit. This documentation will be maintained on file by the institution for future references. Visitors under 18 years of age are not permitted to send money or packages.
- a. In cases where the offender's child visits and a custodial parent or legal guardian does not accompany the child, a notarized Authorization for Minor Child Visitation Form (DRC4371) must be provided, specifying the name(s) of the guardian(s) listed on the approved visiting list that may bring the child to visit, and permission for the child to be searched.
 - b. This notarized Authorization for Minor Child Visitation Form (DRC4371) may be mailed in or delivered at the time of the first visit, with the letter being maintained on file by the institution. If the letter is not notarized, the child is not to enter the institution. This form must be updated at least annually. Any changes to the list must be in writing and notarized.
9. Offenders may add or remove visitors by notifying their unit staff. There are no restrictions on how often an offender may change/remove visitors.

D. Professional, Official, and Special Visitors

1. Each offender may have one attorney of record, unless additional attorneys are required for ongoing litigation. Except when authorized in writing by the Warden or designee, attorneys shall not be allowed to deliver packages, correspondence, money or printed materials to any offender.
2. Offenders may have one person on their visiting list as their clergy-of-record, except in the case of associate or staff Pastors. In the event that the clergy of record is not available, associate or staff Pastors may visit in their place. This exception does not increase the number of allowable visits.
 - a. The institution Chaplains are responsible for verifying all professional certifications prior to the pastor being listed on the offender's visiting list.
 - b. Except when authorization in writing by the Warden or Designee, Clergy shall not be allowed to deliver packages, correspondence, money or printed materials to any offender.
3. Offenders may request that the mother/father of their children be added to the visiting list. They are required to follow the same application process as any other visitor and count towards the fifteen-person visiting list limitation. The mother/father of children provision is made to facilitate family ties between the offender parent and his/her children. The visitor is permitted to visit without the child or children.
 - a. In some cases, an incarcerated parent may not be listed on the child's birth certificate. It is the offender and/or custodial parent's responsibility to provide verification of paternity.
 - b. The offender may provide a receipt of the "acknowledgement of paternity" form through Vital Statistics or a child support enforcement collection order may serve as verification of relationship.

E. Special Visits

1. The Warden or designee may grant special visits or professional contact visits, utilizing the Special Visit Request (DRC2466), when special circumstances are present. Such special visits may be approved for hours other than those regularly scheduled for visitation, as scheduling and space permits. Special visits may not be authorized more than once per inmate every three-month period. However, out-of-state special visitors may be permitted to visit for three (3) consecutive days with the approval of the Warden/designee. Additional professional contact visits may be scheduled as requested and/or as needed, with the approval of the Warden/designee.
2. Circumstances that may warrant a special visit include the following:
 - a. Visitors who do not visit on a regular basis (at the Warden's discretion);
 - b. Clergy;
 - c. Persons significant to the offender for purposes of crisis intervention.
3. Circumstances that may warrant a professional/official visit include the following:
 - a. Parole or probation advisors and those acting on behalf of a court of law;
 - b. Psychiatrists or other mental health professionals;

- c. Law enforcement, judges and other official visitors granted at the discretion of the Warden;
- d. Social Services Professionals.

F. Denial and Suspension of Visitation

1. Visitors may be excluded when there is reason to believe that their presence would be disruptive to the institution or to the offender's adjustment. All suspensions will be progressive in nature in accordance with the DRC Guidelines for Mail and Visiting Restrictions (attached). Such exclusions may range from denial of visiting for that day, suspension of visiting privileges for a specific period of time, or permanent removal from the approved visiting list.
2. An approved visitor may be denied access to visit for reasons including, but not limited to:
 - a. A visitor refuses to show appropriate and bona fide identification, such as a driver's license;
 - b. A visitor refuses to submit to a search;
 - c. A visitor appears to be under the influence of an intoxicating substance;
 - d. There is insufficient space for visiting (terminations of earlier visits are to occur before denying a visit due to lack of space) or prior reservations were not secured, when required;
 - e. Possession of contraband that is prohibited by DRC policy and/or state law;
 - f. Inappropriate dress, as defined by the Warden or designee (Refer to the General Visiting Instructions (DRC2274));
 - g. Any circumstance that presents a threat to the security of the institution, staff, visitor and/or offenders.
3. The Warden or designee, upon the recommendation of the supervisor in charge of the visiting area, may only terminate visits. Reasons for termination of a visit shall include, but not be limited to, inappropriate conduct or a violation of visiting rules.
4. Whenever a visit is denied or terminated, a written report shall be prepared by the official taking the action. A copy of the report shall be forwarded to the Warden or Designee. The statement of reasons by the reporting officer shall provide details of the visitor(s) and/or offender's inappropriate actions.
5. If contraband is found in the possession of a visitor then the contraband shall be confiscated and the visitor may be referred to law enforcement officials for possible felony prosecution. If the visitor refuses to be detained until the arrival of law enforcement officials, force shall not be used but vital information, such as the visitor's name, address, telephone number, automobile make and model, description, license plate number and state where issued should be documented and forwarded immediately to the shift supervisor, who in turn shall notify the appropriate local authorities.
6. Only the Warden or designee can suspend visitation privileges. Only the Warden may, at their discretion, suspend all of the offender's approved visitors, except attorneys and clergy – of-record unless they are personally involved, for any misconduct involving the offender

and/or visitor. Upon determining that visitation shall be suspended, the Warden or designee shall provide a written notice of the time period of suspension to the offender, all suspended visitors and visitation staff, as documented on the Termination of Mail/Visiting Privileges (DRC2199) and Decision on Termination of Mail/Visiting Privileges (DRC2200). Any suspension from an institution serves as a suspension from all facilities. The statement of reasons may be limited to the extent it would jeopardize the security of the institution or the safety of any individual. All suspensions and/or changes in a visitor's status shall be entered into the DOTS Screen (VISTI) and a brief explanation for the suspension noted into the DOTS Screen (VSNOT) within 24 hours of the decision to suspend. The Administrative Assistant to the Warden will be responsible for processing all visiting suspensions that are the result of any disposition imposed by the inmate Rules Infraction Board and shall enter the suspension into the appropriate DOTS screen (VRIB).

Restrictions entered at a Reception Center, must be thoroughly reviewed upon receipt at the parent institution.

7. Visiting privileges may be suspended for reasons including, but not limited to:
 - a. Upon reviewing a denial or termination report, the Warden/designee determines that suspension is warranted;
 - b. The visitor repeatedly violated visiting rules;
 - c. The visitor continually failed to control children;
 - d. Sexual physical contact;
 - e. The visitor refused to submit to a search, in which case he/she may be restricted from visiting at any DRC institution;
 - f. Falsifying information on the visitation application;
 - g. The visitor exhibits other behavior and actions, which the Warden/designee, at their discretion, determines, may jeopardize the security of the institution.
8. If a visitor is arrested on the grounds of the correctional facility then their visitation privileges shall be suspended pending disposition of the case and may be suspended for the duration of any court sentence, including terms of probation, incarceration and parole, up to permanent suspension, as determined by the Warden.
9. In all instances where offenders test positive for or are in possession of illegal drugs, or refuses to comply with a request for a drug screen, in addition to appropriate Rules Infraction Board disciplinary actions, the Warden/designee may modify the offender's visits according to the following:
 - a. First Offense – All visits may be suspended for up to three (3) months.
 - b. Second Subsequent Offense – All visits may be suspended for up to six (6) months. Progressive disciplinary action will apply for subsequent offenses.
 - c. This section does not affect attorney and clergy visits, unless that person is involved in the drug violation.

G. Variations from Policy

The Warden may determine that, based upon the circumstances of a requested visit, an exception to this policy needs to be made. In such cases, written documentation must be placed in the offender's unit and visiting files indicating the reasons for the exception and must have the Warden/designee's signature of approval.

Related Department Forms:

Daily Inmate Visiting Log	DRC1030
Visiting Application	DRC2096
Termination of Mail/Visiting Privileges	DRC2199
Decision on Termination of Mail/Visiting Privileges	DRC2200
General Visiting Instructions	DRC2274
Special Visit Request	DRC2466
Declaration of Understanding	DRC2554
Authorization for Minor Child Visitation Form	DRC4371