

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 1 of 34
---------------------------------------	------------------------	--	--------------

I. DEFINITIONS:

For the purpose of these Operational Procedures, the following definitions are presented:

1. Attorney: Any member of the legal profession, admitted to a State bar that may be retained by or for an offender or appointed by a court to represent the offender.
2. CellSense: Cell phone, weapon & contraband detector.
3. Clergy: A single spiritual advisor designated by the offender 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 and who may be listed on the offender's visitor list, subject to the approval of the facility.
4. Contact Visit: A visit in which the offender and visitor(s) are not physically separated.
5. 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).
6. Electronic Devices: Any electronic or battery operated device, including, but not limited to: cameras, portable phones, radios, beepers, tape recorders, etc.
7. Frisk Search: A search that is conducted on one half (½) 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 breasts and genital areas. This type of search is a more thorough and detailed search of a person than a pat search.
8. Gate Closure: The refusal to permit a visitor to visit 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).
9. 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.
10. Non-Contact Visit: A visit in which the offender and visitor(s) will visit via video visitation. The non-contact booths located in IR visiting room shall be used as a back-up to the video visitation and non-contact attorney visits.
11. Maximum Security Unit: those facilities designated by Policy 01-04-101, "Adult Offender Classification," as maximum security and the disciplinary restricted status housing units of all facilities.
12. Modified Frisk Search: A frisk search which is conducted on staff and visitors that is slightly less intrusive than the complete frisk search as indicated in these procedures.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 2 of 34
---------------------------------------	------------------------	--	--------------

13. 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.
14. Official Offender Visitor: A visitor who is visiting an offender in regards to providing an official service for the benefit of the offender or the community, such as attorneys, law enforcement, parole/probation officers, representatives of government agencies (including foreign government agencies), elected officials, etc.
15. Student: A juvenile person committed or ordered by a court to the care and custody of the Department, or the facilities contracting with the Department.
16. 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).
17. 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.
18. 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.
19. Video Visitation: A method of visitation which allows offenders to visit through electronic media.

II. VISITATION AREAS:

The Pendleton Correctional Facility has designated two (2) areas of the facility for offender visitation.

1. Outside Dormitory (IRO) "Level One" offenders designated Visiting Room is located adjacent to the IRO Custody Office and Unit Team Offices. This Visiting Room shall be designated for regular contact visitation only.
2. Inside ISR "Level Two, Three, and Four" offenders designated Visiting Room is located adjacent to the Control Room. This Visiting Room shall be designated for Contact Visitation. Non-Contact Visitation will be via video visitation (Offender will go to the appropriate video visit booth. Visitor will be placed at a non-contact booth in the Visiting Waiting Room.

Both visiting areas at the Pendleton Correctional Facility shall have access to the OIS computer systems.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL
PROCEDURE
02-01-102

OFFENDER
VISITATION

ORIGINAL DATE:
06-01-2009
REVIEW DATE:
09-25-2018

Page 3 of 34

“Non-Contact” visits shall only be used in those cases where it is determined to be in the best interests of the safety and security of the Pendleton Correctional Facility and those persons involved in accordance with procedure.

Pendleton Correctional Facility while taking into consideration the impact that visits with parents or grandparents in a correctional facility may have on young children, especially pre-school age children; work diligently on ways of entertaining and keeping them occupied during their visit. Pendleton Correctional Facility provides coloring pages and crayons, books, blocks, etc. to help keep these young minds occupied while they visit. Due to the physical environment and space capabilities, this facility is unable to have a separate space available for visits with minors. All children must be supervised by the adult visitor who brought the children at all times, whether in the Visiting Waiting Room or the Visiting Room itself.

III. APPLICATION FOR VISITATION:

In order for family members and friends to visit offenders, they must complete an application for visitation. State Form 14387, “Application for Visiting Privileges”, shall be used to provide visitors with the necessary information regarding visitation. Offenders shall be responsible for sending applications to family members and friends that they want to visit. The visitors should send the application back to the facility to the attention of Visiting Coordinator. Once the applications are returned to the facility addressed to the Visiting Coordinator, the mail room then places the applications in the Re-Entry Mail Box for processing. If the applications are addressed to the offender, the mail room confiscates the application and then places it in the Re-Entry Mail Box for processing. **AT NO TIME IS THE APPLICATION TO BE RETURNED TO THE OFFENDER.**

All visitors (regardless of age) must send in their application for visitation and it must be approved prior to the Visitor being placed on the Counselor’s Approved list. Parents/Legal Guardians shall complete an application for minors under the age of eighteen (18) years and shall sign the application on behalf of the minor child. Faxes of the application are not acceptable. It is important that the application is completed fully and all questions are answered honestly. Failure to provide all necessary information may result in a delay in the processing of the application or a denial of visitation privileges. Falsifying an application shall result in the applicant being banned from all correctional facilities for a period of one (1) year.

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

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 4 of 34
---------------------------------------	------------------------	--	--------------

allowed to visit other offenders in other Department facilities. Visitors may request that they be removed from one (1) offender's Visitor List and be placed on another offender's list. Visitors may have their name removed from an offender's visiting list by making that request in writing along with a copy of the visitor's state issued picture identification and mailing it to the facility to the attention of Visiting Coordinator. Once the name is removed, the visitor must wait six (6) months before applying to visit the same or another offender. Exceptions may be for immediate family members.

The application, once approved, shall allow access to the facility to visit the designated offender. The signature of the visitor acknowledges agreement to all rules and regulations included in this policy and its administrative procedures, including criminal background checks through IDACS.

Children less than eighteen (18) years of age must have their applications completed by their parent/legal guardian. An adult visitor who has the notarized permission of the child's parent/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 parental authorization form must be notarized by Notary of the Public. When submitting State Form 48965, the parent/legal guardian must attach a copy of the child's birth certificate. The birth certificate and Authorization for Minor Child to Visit still has to be brought to every visit even if the parent/legal guardian does not come.

Criminal warrants checks will be conducted on each adult and child (16 and older) applying to visit an offender. When an active criminal warrant is found, the application will be reviewed and local law enforcement shall be notified of the information provided. The information on the applicant's criminal history is treated as confidential and will 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 who require a reasonable accommodation for a disability must contact the staff person responsible for processing visitors. PCF/IR will provide wheelchairs for those that use a wheelchair or canes.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 5 of 34
---------------------------------------	------------------------	--	--------------

IV. VISITATION LISTS:

The Pendleton Correctional Facility Information Desk and the IRO Custody Office shall maintain an approved visitation list for each offender. The visitation information shall be maintained on the OIS computer system. All visitors regardless of age must appear on the counselor's approved list. Offenders requesting visitation from any person shall be consistent with the Administrative and Operational Procedures. The visitation list shall include:

1. The offender's name and number;
2. The name of the requested visitor;
3. The relationship of the visitor to the offender;
4. The visitor's date of birth;
5. The visitor's address; and,
6. The visitor's driver's license number or state ID information, if available.

Visitation lists shall be printed from the OIS computer systems. An offender's visiting list shall be limited to a total of 12 people that will be on their visiting list. While immediate family members should be given preference, the offender determines that he would prefer to have more friends than family on his list; he would be allowed to do so.

In order for an offender to make changes to his visitation list, FD 180, "Offender Visitation List Additions" must be followed.

The Classification Department and Unit Team Staff shall ensure that each offender in orientation status receives a copy of State Form 40826, "List of Approved Visitors". The offender shall enter relatives, friends, and other visitors on this form and submit the completed form to the Housing Unit Case Worker. The Housing Unit Case Worker shall ensure all persons added to the offender's list is processed and approved for each person prior to being added to the list. The Housing Unit Case Worker shall also ensure that the list of approved visitors (State Form 40826, "List of Approved Visitors") is given to the Visiting Coordinator, whom is responsible for having the names of all persons listed on the approved visiting list entered in the Offender Information System (OIS). An offender can have names changed, added, or deleted from his approved visiting list by submitting a written request on State Form 10987, "Request for Visiting List Change" to his Unit Case Worker. **FOR OFFENDER TRANSFERS THAT ARE RECEIVED AT THIS FACILITY, UNIT CASE WORKERS NEEDS TO VERIFY THROUGH OFFENDER PACKETS THAT THE NAMES ON THE VISITING LISTS HAVE BEEN APPROVED.**

Changes/updates to the offenders' visiting list shall be permitted semi-annually. Please refer to FD 180 for procedures on updating the visitation lists. The Visiting Coordinator shall be responsible for making the requested changes on the offenders' list of approved visitors and

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 6 of 34
---------------------------------------	------------------------	--	--------------

shall enter all visiting list changes in the Offender Information System (OIS). After making Visiting List changes in the OIS system the Visitation Coordinator shall print a hard copy of the updated list to be incorporated in the records at the Information Desk.

When a visitor shows proper identification, the Information Desk Officer shall compare address information from the identification sources with the information on the visiting list. If the information on the visiting list is not current or correct, the Information Desk Officer shall be responsible for making the necessary address changes on State Form 40826 and in the OIS. After the discrepancy is corrected, the Information Desk Officer shall initial and date the form in the appropriate space. The Information Desk Officer shall review the visiting lists for accuracy on a continual basis. No visitors may have access to the visiting list or any OIS screen. The computer screen is to be positioned in such a manner that the public cannot view it. The list of Approved Visitors (State Form 40826) shall be secured in the designated visiting areas at IRO and the Information Desk.

In the event the OIS is not on line, State Form 36766, "Visiting Room Pass" shall be used during the period of time the computer is not on line. All visiting information can therefore be found on the pink copy of the Pass that is retained on file by the Information Desk.

ALL VISITORS MUST HAVE APPROVED APPLICATION ON FILE TO BE PLACED ON THE VISITATION LIST!!!

V. RULES FOR VISITATION:

The Visiting Regulations for the Pendleton Correctional Facility shall be made available to offenders when first arriving at this facility. Staff at the Receiving Gate, Control, Classification, and IRO shall ensure that all offenders arriving at the facility are given a copy of the Visiting Regulations when they are processed into the Pendleton Correctional Facility. The Visiting Regulations must be made available to the offender within 24 hours after arrival at this facility. To ensure all offenders who arrive at the Pendleton Correctional Facility are aware of the visitation rules, the Unit Team Staff will again provide a copy of the "Visiting Regulations Handout" to any offender requesting a copy during orientation.

The Visiting Regulations for the Pendleton Correctional Facility shall be made available to the visitor upon his/her arrival at the facility. The Visiting Regulations for the Outside Dormitory shall be made available to the visitors upon arrival at the Outside Dormitory. The Visiting Regulations include but not limited to the following information:

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 7 of 34
---------------------------------------	------------------------	--	--------------

1. Visitation schedule, including days and hours;
2. Visitation restrictions, including the number of authorized visits and/or visitors;
3. Visitors shall provide staff with a picture identification in accordance with Procedure X;
4. Visitor's dress requirements, (i.e., visitors shall wear clothing that poses no threat to the security, custody, or maintenance of order at the facility; the wearing of expensive clothing or jewelry is discouraged);
5. Items that are not permitted in the visiting area include: Firearms, weapons, knives, ammunition, narcotics, medication, controlled substances, alcoholic beverages, marijuana, tobacco, and tobacco related items, cameras, video and audio recording equipment, cell phones and electronic devices shall not be permitted in the facility unless in accordance with department policies and procedures;
6. Items authorized in the visitation room;
7. Facility address/phone number, directions to IRO, the Pendleton Correctional Facility and information about local transportation;
8. Special rules for children; and,
9. Special Visits.
10. Visitors including their person, personal property, and vehicles while on department property are subject to search at any time;
11. The items which may be brought into the visiting area by the offender and the visitor;
12. The state statute which addresses trafficking with an offender (This statute shall be posted in a conspicuous place in the waiting area); and,
13. 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).

The Pendleton Correctional Facility shall provide information to visitors about transportation to the Pendleton Correctional Facility and/or other facilities. Transportation information shall be posted at the Information Desk, visiting room waiting area, visiting room and the IRO Custody Office. The posted transportation information shall be updated only if the shuttle service changes or additional service is available.

The Pendleton Correctional Facility and IRO has signs posted containing information regarding the possession and/or trafficking of controlled substances in a prominent location, including IRO, so that both offenders and persons visiting offenders may read it prior to entering the visitation area. These signs shall contain the following information:

IC 35-44.1-3-5 states:

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 8 of 34
---------------------------------------	------------------------	--	--------------

(b) A person who, without the prior authorization of the person in charge of a penal facility or juvenile facility, knowingly or intentionally:

- (1) delivers, or carries into the penal facility or juvenile facility with intent to deliver, an article to an inmate or child of the facility;
- (2) carries, or receives with intent to carry out of the penal facility or juvenile facility, an article to an inmate or child of the facility; or
- (3) delivers, or carries to a worksite with the intent to deliver, alcoholic beverages to an inmate or child of a jail work crew or community work crew;

commits trafficking with an inmate, a Class a misdemeanor. However, the offense is a Level 5 felony under subdivision (1) or (2) if the article is a controlled substance, a deadly weapon, or a cellular telephone or other wireless or cellular communications device.

(c) If:

- (1) the person who committed the offense under subsection (b) is an employee of:
 - (A) the Department of Correction; or
 - (B) a penal facility;

and the article is a cigarette or tobacco product (as defined in IC 6-7-2-5), the court shall order the person to pay a fine of at least five hundred dollars (\$500) and not more than five thousand dollars (\$5,000) under IC 35-50-3-2, in addition to any term of imprisonment imposed under IC 35-50-3-2; or

- (2) a person is convicted of committing a Level 5 felony under subsection (b) (1) or (b) (2) because the article was a cellular telephone or other wireless or cellular communication device, the court shall order the person to pay a fine of at least five hundred dollars (\$500) and not more than ten thousand dollars (\$10,000) under IC 35-50-2-6(a) in addition to any term of imprisonment imposed on the person under IC 35-50-2-6(a).

(d) A person who:

- (1) Is not an inmate of a penal facility or a child of a juvenile facility; and
- (2) Knowingly or intentionally possesses in, or carries or causes to be brought into, the penal facility or juvenile facility a deadly weapon without the prior authorization of the person in charge of the penal facility or juvenile facility;

commits carrying a deadly weapon into a correctional facility, a Level 5 felony.

The Department of Correction shall not tolerate trafficking with an offender or the possession of controlled substances, tobacco 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 9 of 34
---------------------------------------	------------------------	--	--------------

In all cases where a visitor and/or an offender are found to be trafficking, the evidence shall be turned over to the Indiana State Police with a recommendation that the matter be prosecuted to the fullest extent. In addition, any visitor caught trafficking shall be permanently banned from visiting any offender in the Department of Correction at any Department facility.

Any offender found guilty in a disciplinary action of possession of a controlled substance or tobacco (as a Class B disciplinary code #202 violation) shall have his visiting privileges restricted to "non-contact" visits only. Additionally, an offender found guilty of certain other disciplinary code violations may have his/her visiting privileges restricted to "non-contact" visits only. For the first offense, these "non-contact" visits shall be for a period of six (6) months; second offense shall be for a period of twelve (12) months; any further offenses shall be permanent.

Also, all Department facilities shall post signs in the area(s) where visitors are initially processed and in the visiting rooms/areas that advises that drug 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 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.

These signs shall be presented in both English and Spanish.

There are yellow lines painted on the floors in the visiting room for OSD that visitors are prohibited from crossing. AT NO TIME SHALL VISITS BE TAKING PLACE IN THE OSD OFFENDER DINING HALL!!

When the facility's positive urinalysis screens reach five percent (5%) of total urinalysis screens for the month the facility shall implement appropriate action as stated in AP 01-02-107, "Offender Urinalysis Program". When the facility's positive urinalysis screens reach ten (10%) of total urinalysis screens for the month the facility shall go to a **"NO CONTACT VISITATION" which consists of no hugging, kissing, holding hands, sharing snacks, holding children, etc. This will be in effect until the facility's positive urinalysis screens drop below ten percent (10%).**

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 10 of 34
---------------------------------------	------------------------	--	---------------

VI. PERSONS EXEMPTED FROM THE VISITATION SCHEDULE:

Attorneys, government officials or person's from other agencies/organizations that are providing an approved service for the Pendleton Correctional Facility or the offender, (e.g., Mental Health Professionals, Indiana Vocational Rehabilitation Counselors, etc.), are considered an "official" offender visitor and 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 OR GOVERNMENT OFFICIAL IS NOT ON THE AUTHORIZED VISITING LIST, APPROVAL FROM THE WARDEN OR DESIGNEE IS REQUIRED.

CLERGY ARE NO LONGER CONSIDERED EXEMPTED FROM THE VISITATION SCHEDULE. THEREFORE, CLERGY MUST BE ON THE OFFENDERS VISITATION LIST HOWEVER WILL NOT COUNT AS 1 OF THE 12 VISITORS THAT ARE ALLOWED. CLERGY ARE ALSO REQUIRED TO SUBMIT AN APPLICATION FOR VISITATION FOR EACH OFFENDER THEY ARE REQUESTING TO VISIT.

Guidelines for Clergy/Spiritual Advisor Visits shall be as follows:

1. Clergy/Spiritual advisors shall be allotted the same amount of time as a regular visit. No deviation shall be allowed, except in an emergency and then only with the approval of the Warden or designee.
2. Clergy/Spiritual Advisors may visit a given offender depending on the housing location of the offender either once every seven (7) days or once every fourteen (14) days and may enter up to three (3) times in a single day.
3. Clergy/Spiritual Advisors shall visit with one offender per visit.
4. Credentials of a congregation or a bonafide representative of a religious group shall be presented to the staff at the Information Desk.
5. If a Clergy/Spiritual Advisor wishes to reenter a second or third time, he/she shall return to the Information Desk and repeat all steps of the visitation policy as if it was the first visit.
6. Offender family members or significant others shall not visit as Clergy/Spiritual Advisors.

Where space is available and the security of the Pendleton Correctional Facility and safety of the people involved shall not be impaired, a special area may be set aside for attorney-client visits. Such space shall be observable by staff; however, staff shall not listen to the conversations.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 11 of 34
---------------------------------------	------------------------	--	---------------

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 facility can ensure that suitable accommodations are available.

Attorneys/Paralegals who request to visit an offender outside of the legal professional capacity will have to have permission from the Warden and will be based on a case by case basis.

VII. VISITATION BY STAFF, EX-EMPLOYEES, EX-OFFENDERS, AND PAROLEES/PROBATIONERS:

In accordance with the Administrative Procedures for Policy 04-03-103, "Information and Standards of Conduct for Departmental Staff", staff shall notify the Warden in writing "Employee's Notification of Relationship/Knowledge of Offender Incarcerated within the Department of Correction", whenever a friend, relative, or acquaintance is committed to the department. A staff person may be permitted to visit an offender who is an immediate family member. Additionally, with sufficient justification, a staff person may be permitted to visit an offender who is a family member but not an immediate family member. In these cases, the staff person shall provide the Pendleton Correctional Facility with sufficient information to verify the relationship and the need for such visits.

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

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 person and the offender, the offender's conduct history, the frequency of visits to the offender,

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 12 of 34
---------------------------------------	------------------------	--	---------------

the offender's family background, and the decision of the staff person's Warden and any comments made by the 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 person'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 person 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 person's personnel packet and a copy placed in the offender's packet. Once the approval is given by both Wardens, the staff person 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 person to visit the offender, the Warden of the facility housing the offender shall forward the request with all recommendations to the Executive Director of Adult Facilities or the Executive Director of Juvenile Services if the offender is a juvenile. The appropriate Executive 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 Executive Director's supervision, State Form 51058 shall be forwarded to the other Executive Director, as appropriate, for review and approval. If either of the Executive Directors deny the request, the request shall be considered denied and the staff person shall not be allowed to visit the offender. The decision of the Executive Director(s) shall be final. **THIS IS TO INCLUDE ANY STAFF WORKING IN ANY CORRECTIONAL FACILITY (INCLUDING NON-IDOC FACILITIES).**

Ex-employees who wish to visit an offender must make a written request for approval to the Warden of the Pendleton Correctional Facility 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 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 Executive Director of Adult Divisions for review and approval/denial. The Executive Director shall render a decision and notify the

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL
PROCEDURE
02-01-102

OFFENDER
VISITATION

ORIGINAL DATE:
06-01-2009
REVIEW DATE:
09-25-2018

Page 13 of 34

Warden submitting the request. The decision of the Executive Director of Adult Divisions shall be final. Ex-employees shall not be allowed to visit an offender until the request to visit has been approved by the Executive 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.

The cases where an ex-employee has been terminated from employment or 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 OIS computer system.

Ex-offenders shall not be permitted to visit offenders at the Pendleton Correctional Facility without the prior written approval of the Warden. 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. There are certain criteria that will be considered prior to ex-offenders being granted visitation privileges; they are as follows:

- The length of incarceration;
- What facility was the time served (If incarcerated at this facility, ex-offender will be unable to visit an offender that is currently housed at this facility);
- The conduct of the ex-offender during their incarceration;
- Time span since incarceration;
- And any other determining factors that may arise.

Parolees or 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. Parolees or probationers shall obtain written authorization from his/her Parole or Probation Officer prior to consideration by the Warden. The original signed approval from the Parole or Probation Officer must be sent to the Warden of the facility housing the offender at the time the request to visit is made. 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 by ex-offenders and parolees/probationers to visit offenders. Approvals to visit shall be for one (1) visit only unless otherwise specified by the parole or probation officer and the Warden. Denials of requests to visit shall be noted in the OIS computer systems. 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 14 of 34
---------------------------------------	------------------------	--	---------------

VIII. VISITATION RECORDS:

The Pendleton Correctional Facility Information Desk and IRO Custody Office shall maintain a record for every 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 systems. State Form 40826, "List of Approved Visitors" 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 for storage.

It shall be the responsibility of the Information Desk staff to ensure the visiting records are sent to the Offender Packet Room to be placed in the offender packet in the event the offender is being transferred to another facility or being released.

IX. VISITOR SIGN-IN:

Each visitor shall sign-in using state Form 14389, "Log of Visitors", at the Information Desk or the IRO Custody Office for IRO offenders. The Information Desk and IRO Custody Office areas shall have access to the OIS computer system. Staff assigned to the sign-in area shall confirm and update the visitor's date of birth (DOB), gender, and current address. Each visitor (that has a contact visit) shall have the back of their right hand stamped with ultraviolet ink by the Information Desk staff. 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?" If the visitor responds negatively and no contraband or prohibited property is found in the search process, 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 person shall advise the visitor what action, method of disposal of the prohibited property, (i.e., watch, ring, etc.) such as putting in vehicle or a locker if available, may be taken so that the visit may proceed. If the property is contraband, the staff person shall notify his/her Supervisor immediately for instructions regarding how to proceed and whether law enforcement will be notified. Information Desk and/or IRO custody staff shall follow the Pendleton Correctional Facility's procedures for entry into the facility. Cameras and recording equipment shall not be permitted into the Pendleton Correctional Facility without the prior written approval of the Warden or designee, except in

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 15 of 34
---------------------------------------	------------------------	--	---------------

cases involving the news media as provided in the Administrative Procedures for Policy 00-03-101, "Distribution of Information", or department staff who need the equipment to carry out his/her duties.

Additionally, all visitors shall be asked, "Are you or have you ever been an employee of any correctional facility (including non-IDOC facilities)? Have you ever been incarcerated in a correctional facility?" If the visitor answers affirmatively, Information Desk or Custody Office Staff shall determine whether the visitor has received the necessary approval as indicated in Procedure VII. 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/Duty Officer shall be notified. The Shift Supervisor shall also be notified immediately. Information Desk and/or IRO Custody Office staff shall complete State Form 3779, "Denial/Restriction of Visitation Privileges", detailing the reasons for denying the visit and forward to the Warden, Deputy Wardens, appropriate Unit Manager, Custody Supervisor, Shift Supervisor, Duty Officer (if on weekends/holidays) and Offender Packet Room (for filing in offenders packet). One (1) copy shall be kept on file at the Information Desk for six (6) months. The Warden shall submit a written report to the Executive Director of Adult Divisions.

All facilities shall be notified regarding any individual NOT being permitted entry into the Pendleton Correctional Facility. This notification shall be done by making the necessary entry in the OIS System (Offenders Visiting List). The visitor shall have the right to appeal the decision to the Commissioner or designee.

X. **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 frisk search in accordance with the Department's Administrative Procedures for Policy 02-03-101, "Searches and Shakedowns". Frisk search of a visitor's person shall be conducted by staff of the same gender as the visitor.

Additionally, visitors shall be subject to additional searches using metal detectors and the CellSense. 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 Response Manual. Facilities shall ensure that visitors are informed of the proper behavior and

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 16 of 34
---------------------------------------	------------------------	--	---------------

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. Body and strip searches, use of metal detectors, x-rays, and inspection of purses, packages, and bundles shall be governed by the standards established in Administrative Procedure 02-03-101, "Searches and Shakedown".

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 safety and 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.

In the event of a visitor not being able to comply with the visitor dress code, the Warden is to be notified and a decision is to be made on a case by case basis for each visit. A letter will also be drafted and sent to the visitor that will require them to bring said letter and any supporting documentation (doctor's note) with them each time they visit. The paperwork will need to be presented when the visitor signs in to allow the Warden ample time to render a decision as to whether or not the exemption will be approved. On the weekends/holidays, the Shift Supervisor will be notified.

Any visitor who refuses to be searched shall be advised that they 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 XIV for documenting the denial of a visit.

All 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. Offenders must be dressed appropriately. Offenders must wear a white undershirt with their Khaki Jumpsuits and either state issued boots or Jackie Chan's. 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 17 of 34
---------------------------------------	------------------------	--	---------------

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 02-03-101, "Searches and Shakedowns" and shall be consistent with the security needs of the facility.

XI. IDENTIFICATION:

All visitors age sixteen (16) years and older shall be required to produce **STATE ISSUED PICTURE IDENTIFICATION (DRIVER'S LICENSE OR BMV ID CARD)** along with their birth certificates until minors are eighteen (18) years of age. All minor visitors must produce birth certificates until they are eighteen (18) years of age. All minor visitors to VMR offenders (Victim Minor Restriction) must have prior approval to visit and may require additional documentation on other special circumstances as required by the Warden or designee. The only forms of identification accepted by the Department are:

1. A valid driver's license from the state of residence.
2. A valid state photo identification card from the state of residence.
3. A valid photo military identification card (active duty only).
4. A valid passport.
5. Green Card.

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. Also, the minor child's parent or legal guardian must sign and have notarized State Form 48965, "AUTHORIZATION FOR MINOR CHILD TO VISIT", prior to the minor child being authorized to visit. All visitors shall be assigned a computer generated identification number in the OIS computer system. All visitors regardless of age must appear on the counselor's approved list.

- In the event a visitor's identification does not positively identify the visitor or if there is any uncertainty, the Control Center Supervisor is to be notified immediately. The Control Center Supervisor shall make his/her determination of the identification and if the ID is found not to positively identify the visitor then the visit shall be denied. The visitor shall then be advised of the reason the visit is being denied and the Shift

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 18 of 34
---------------------------------------	------------------------	--	---------------

Supervisor shall be notified immediately. Information Desk Staff shall complete State Form 3779, "Denial/Restriction of Visitation Privileges detailing the reason(s) for the visit being denied and forward a copy of this form as outlined in section (XIV) of this procedure.

XII. SPECIAL VISITS:

Special visits may be granted, with the prior approval of the Commissioner, Warden or designee, on a case by case basis.

The following criteria shall be considered when approving special visits;

1. Frequency of offender's visits;
2. Relationship to the offender;
3. Available space in the visiting room;
4. Distance and difficulty of travel;
5. Special Circumstances (Family issues-terminal illness, death, military assignment overseas);
6. Conduct of the offender requesting the special visit.

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

When an offender puts in a request for a special visit to his Unit Team, the Unit Team Manager's shall make the decision as to whether a special visit shall be approved or denied. The Unit Team Managers shall take the above listed criteria into consideration when determining approval/denial of requests.

There will be no special requests for additional time granted for special visits. The only time an offender will get additional time is what he receives for clear conduct consistent with FD 159. The only special visits that will be taken into consideration are the 14 day waivers. Unit Team Manager's will be looking at conduct as one of the criteria as well for approving/denying the request. There also will be no more expanded visits where tables will be but together for larger groups to visit. The tables in the visiting room are arranged that way for a specific reason and if an offender has more visitors than is allowed, that offender will have to split his visit.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 19 of 34
---------------------------------------	------------------------	--	---------------

ALL SPECIAL VISITS MUST BE INITIATED BY THE OFFENDER AND AT LEAST A WEEK (7 DAYS) IN ADVANCE! NO EXCEPTIONS!!

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.

XIII. RESTRICTED STATUS HOUSING OFFENDERS:

Visitation privileges shall be NON-CONTACT for all Offenders on Administrative Restrictive Status Housing (ARSH), Hospital Restraint Unit (HRU), Disciplinary Restrictive Status Housing (DRSH), Administrative Hold (ADH), and Protective Custody (P/C). Offenders housed in GCH, RCH, and C-Building will utilize the video visitation booth on those respective units.

XIV. DENIAL AND SUSPENSION OF VISITATION AND GATE CLOSURES:

Visitation privileges may be denied, suspended, or placed on gate closure status. Offenders or visitors who violate or abuse the rules governing visitation at the Pendleton Correctional Facility may have their visitation privileges 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 or housing unit. Temporary suspensions of an offender's or visitor's visitation privileges shall be for a determinate length of time. 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 Pendleton Correctional Facility. Any temporary suspensions for a period of more than 60 days or permanent suspensions (gate closures) shall be reported to the Executive Director of Adult Facilities by the office of the Deputy Warden of Re-Entry. Suspension of an offender's visitation privileges and gate closures shall be noted in OIS computer system by the Information Desk Officer and/or the Unit Team Staff.

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 these privileges shall be based upon the department's interest in security, safety and order of the Pendleton Correctional 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 person making this

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 20 of 34
---------------------------------------	------------------------	--	---------------

decision and the right of the offender to appeal the decision through the “Offender Grievance Process”, Administrative Procedure Policy 00-02-301. State Form 3779, “Denial/Restriction of Visitation Privilege”, shall be used to notify the offender of the decision to deny or restrict visitation privileges.

Copies of the completed form, “Denial/Restriction of Visitation Privilege”, State Form 3779 shall be distributed as follows:

- The offender
- Warden
- Deputy Warden of Re-Entry
- Deputy Warden of Operations
- Custody Supervisor
- Shift Supervisor
- Duty Officer (if on weekends or holidays)
- Appropriate Unit Manager
- Records Room
- Perimeter Supervisor
- Visitation Coordinator
- Control Sergeant
- Perimeter Lieutenant
- Information Desk (original)

In cases where an offender’s visitation privileges are suspended due to either the offender’s behavior or based upon security needs of the Pendleton Correctional Facility, it shall be the responsibility of the offender to advise any prospective visitors of this suspension. Visitors who come to the Pendleton Correctional 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.

Visitors whose visitation privileges are denied or suspended or who are the subjects of gate closures may appeal the decision of the Pendleton Correctional Facility by writing to the Warden. The visitor shall explain the circumstances of the denial and why the visitation privilege should be reinstated. The Warden shall review the request and determine whether the denial, suspension, or gate closure was applied accordance with Administrative Procedures 02-01-102. The Warden shall notify the visitor of his/her decision to uphold or reverse the restriction. If the Warden or designee determines that visitation shall be reinstated, the facility and any other facilities are notified of the decision and that the visitor

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 21 of 34
---------------------------------------	------------------------	--	---------------

shall be allowed to visit the offender again. **ONCE A VISITOR HAS BEEN GATECLOSED AND THE GATECLOSURE IS LIFTED, THAT VISITOR MUST THEN REAPPLY FOR VISITATION PRIVILEGES.** 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 Executive Director of Adult Facilities. The visitor shall explain the circumstances of the denial and why the visitation privilege should be reinstated. The Executive Director of Adult Facilities shall contact the Warden who has denied visitation and determine the reasons for this action. The appropriate Executive Director shall notify the visitor of his/her decision. The Executive Directors shall maintain a file of all requests to reinstate visits and the decision to uphold or reverse the restriction. The decision of the Executive Director shall be final.

If the action of the Warden is upheld, the visitor may apply to have visitation reinstated no earlier than one (1) year from the date of the Executive Director's denial. The visitor shall send a letter to the Executive Director requesting that the visitation be reinstated. The Executive Director shall review the request and the previous materials relating to the request. Additionally, the Executive Director shall contact the Warden where the offender is currently housed to determine whether the restriction should be lifted. If the decision is to lift the visitation restriction, the Executive Director shall send a letter to the visitor advising that the restriction has been lifted and that the visitor is to contact the Warden to reinstate visitation. A copy of this letter shall be sent to the Warden. 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 Information Desk shall maintain a file of all denial or suspension of visitation privileges and gate closures at the Pendleton Correctional Facility. The Executive Director shall notify all facilities of gate closures. The Restrictions Report shall be printed routinely by the office of the Deputy Warden of Re-Entry.

AGAIN, ONCE A VISITOR HAS BEEN GATECLOSED AND THE GATECLOSURE IS LIFTED, THAT VISITOR MUST THEN REAPPLY FOR VISITATION PRIVILEGES.

XV. **VOLUNTEERS:**

Volunteers are subject to the provisions of this Operational 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 Pendleton Correctional Facility shall be in addition

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 22 of 34
---------------------------------------	------------------------	--	---------------

to an offender's normal visiting schedule. Volunteers shall be advised of the Pendleton Correctional 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. 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.

XVI. BODILY CONTACT BETWEEN OFFENDERS AND VISITORS:

This section does not apply to Offenders housed in Restrictive Status Housing Units since all offenders located in DRSH, ARSH, HRU, on Administrative Hold (ADH), P/C, and all general population non-contacts automatically receive NON-CONTACT visitation on a regular basis. Offenders and visitors may be physically separated consistent with offender's security classification. In those cases where an offender and visitor are permitted contact, the offender and visitor may be permitted to shake hands, embrace or kiss at the beginning and end of the visit. There shall be no kissing or embracing during the actual visit. Offenders may hold hands with their visitors during the visit; however, offenders **shall not** touch any other part of the visitor's body. Children too small to sit in a chair by themselves (6 years and younger) may sit on the offender's lap during the visit.

The offender must sit facing the gate/control room. Offenders may hold hands with their visitors as long as their hands remain on top of the table.

Visitors must keep all authorized items in containers provided. All authorized items must remain in the container for the duration of the visit. These containers are not to be poured out onto the tables. They are not to put their hands in pockets or fidget with clothing. Shoes must stay on at all times during the visit. Violation of any of the above mentioned may result in termination of visit.

Denial of contact visits shall be based upon reasonable suspicion that to allow the offender contact visits would jeopardize the safety and security of the Pendleton Correctional 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 in Procedure XIV, "Denial of Visitation".

1. Non-Contact visits may be imposed under the following circumstances:

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 23 of 34
---------------------------------------	------------------------	--	---------------

- A. By order of the Warden,
- B. By a formal written recommendation of the Supervisor of Classification to the Warden indicating the justification for such a recommendation;
- C. By a formal written recommendation and justification to the Warden from the facility Investigator, Disciplinary Hearing Body, Screening Officer or Unit Team Classification Committee; or,
- D. By a staff member's written recommendation to the Warden indicating reasonable knowledge or information and belief that non-contact visitation is appropriate.

Any imposition of non-contact visits must have the written approval of the Warden or designee.

2. Offenders who are found guilty of certain violations of the applicable disciplinary code shall be subject to non-contact for prescribed periods of time. Following review and approval by the Warden or designee, offenders who have been found guilty of the following disciplinary code offenses shall be permitted only non-contact visits:
 - A. Testing positive for the use of a controlled substance.
 - B. 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.
 - C. Refusal to submit to a test to determine the presence of a controlled substance.
 - D. Possession of a firearm or deadly weapon, including ammunition, or an explosive device.
 - E. Multiple 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.)
 - F. Possession of escape materials.
3. Additionally, upon recommendation of the Disciplinary Hearing Body and approval of the Warden, an offender may be considered for non-contact visits for violations of other disciplinary codes, including, but not limited to:
 - A. Assaults/Batteries
 - B. Sex related offenses
 - C. Physically resisting staff
 - D. Possession, use or making of intoxicants
 - E. Trafficking or violations that occur in the Visiting Room
 - F. Escape or attempted escape

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 24 of 34
---------------------------------------	------------------------	--	---------------

4. If the Warden determines that the evidence supports the imposition on non-contact visits, the offender shall be allowed only non-contact visits based upon the following guidelines:

- A. First Offense – Six (6) months of non-contact visits
- B. Second Offense – Twelve (12) months of non-contact visits
- C. Third and subsequent offenses – Permanent non-contact visits

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 visits.

When a decision is made to permit only non-contact visits, the offender shall be notified in writing by use of State Form 43324, "MODIFICATION OF VISITING PRIVILEGES".

Notification shall include:

- A. The reason for the imposition of the non-contact visits;
- B. The time period for the imposition of non-contact visits;
- C. The offender's right to appeal the decision through the procedures for Policy 00-02-301, "Offender Grievance Process".

In those cases where the non-contact 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 Executive Director.

Following the imposition of non-contact visits and the exhaustion of appeals through the Grievance Process, an offender who has been placed on permanent non-contact visit status may request that his status be reviewed two (2) years from the date of the decision to impose the non-contact visits. The offender shall submit a written request to the Warden asking that the imposition of non-contact 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 Executive Director of Adult Divisions. The Executive Director of Adult Divisions shall review the request and the comments of the Warden and render a decision. The decision of the Executive Director of Adult Divisions 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 25 of 34
---------------------------------------	------------------------	--	---------------

When non-contact visits are imposed, the Warden or designee shall ensure that all appropriate areas, including the information desk 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 Visits".

5. Implementation and Scheduling Process for each non-contact visit shall be as follows: The non-contact visits shall be conducted through Video Visitation. The visitor will sign in at the Information Desk. The Information Desk will create a pass and notify the offender's housing unit of the visit. The visitor will enter the Visitor Waiting Room and wait, observing the same rules as contact visitors.

When the offender is on non-contact visitation status he will not go to the Custody Hall for his visit. The offender shall be placed according to his housing assignment, which is as follows:

- GCH will visit in GCH
- RCH will visit in RCH
- C-Building will visit in C-Building
- General Population and A, B, D, E will visit in D.O. Building

The Visiting Room Officer shall verify that both parties are in their correct booths and can then begin the visit. There will be a timer that both parties see that show the remaining time for the visit. The Visiting Room Officer may adjust that to reflect any visiting time earned.

When a successful visit is complete and the timer on the screens hit zero (0:00) the visit will automatically disconnect. The Visiting Room Officer will notify the offender's staff and the Information Desk. The visitor will collect their belongings and exit the facility and the offender will return to their housing assignment.

- A. All non-contact visits no longer need to be pre-arranged; (Attorney visits however are preferred to be pre-scheduled 24 hours in advance).
- B. Non-Contact visiting hours shall be conducted during regular visiting hours.
- C. A maximum of three (3) visitors (2 adults and 1 child or 2 children and 1 adult) will be allowed into the non-contact visiting area.
- D. The length of each visit shall be for ½ hour; an additional ½ hour may be given in accordance with FD 159. A visitor may visit every fourteen (14) days.
- E. An offender may receive two (2) visits each day, as long as one of the two visits consists of immediate family members.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 26 of 34
---------------------------------------	------------------------	--	---------------

- F. It is the offender's responsibility to notify his visitors of his non-contact status, the procedural regulations, and the scheduled visitation time and date.
- G. The Pendleton Correctional Facility will not provide supervision of unattended children. Visitors will be expected to comply with all Pendleton Correctional Facility rules and regulations.
- H. For Visitors, the only items that are allowed at the Non-Contact Visitation Booth are the food and drink items from the vending machine. **All personal items are to be secured in the lockers.**
- I. Due to Level One Criteria, OSD offenders will not be authorized to have non-contact visits.

XVII. SUPERVISION OF VISITING ROOM:

The following rules shall be maintained in the visiting area Post Orders:

1. Visiting Room Officer must provide direct visual supervision of the entire visitation area at all times. Staff must 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 visit in writing, by using State Form 3779, "DENIAL/RESTRICTION OF VISITATION PRIVILEGE", to the offender who in turn may appeal the action through the Offender Grievance Procedure.
4. Notices will be posted informing visitors of the potential for monitoring anywhere in the visiting area.

DURING THE VISIT ALL VISITORS MUST STAY AWAKE AND ALERT FOR SAFETY. IF FOUND ASLEEP OR EYES CLOSED FOR ANYTHING OTHER THAN PRAYERS, THE VISIT MAY OR WILL BE TERMINATED.

NO RESTROOM BREAKS DURING A VISIT. SHOULD A VISITOR OR OFFENDER NEED TO USE THE RESTROOM, THE VISIT SHOULD BE TERMINATED AND THE PROPER STEPS

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 27 of 34
---------------------------------------	------------------------	--	---------------

TAKEN TO END A VISIT. VISITORS WILL NOT BE ALLOWED BACK IN THE VISITING ROOM UPON LEAVING FOR ANY REASON.

XVIII. **RESTRICTIONS ON VISITS WITH MINORS:**

1. 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).
2. When an offender is received at the Departmental intake unit (Reception Diagnostic Center), 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. 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 (OIS). The affirmative VMR 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.
3. Any offender identified as having 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 visitation with minors will be restricted until his records have been thoroughly reviewed and he meets with Unit Team staff. A copy shall be placed in Section 5 of the offender's facility packet.
4. The following visiting restrictions for minor visitors shall be imposed:
 - A. Offender with no current or previous sex offense involving a minor – No restrictions on minor visitation.
 - 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 28 of 34
---------------------------------------	------------------------	--	---------------

- 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.
5. Upon receipt of the offender at the Pendleton Correctional Facility and during the admission and orientation (A&O) process, Unit Team 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 visitation list, the staff in A&O shall advise the offender’s Unit Team of the “VMR”. During the Unit Team’s first meeting with the offender, the “VMR” designation will be discussed with the offender. The offender shall be advised as to any minor visitation restrictions. Unit Team staff shall complete the facility review 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 indicated above.
 - A. The offender must not have had any disciplinary code violations for any sex related offenses during the preceding 12 months.
 - 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 29 of 34
---------------------------------------	------------------------	--	---------------

6. The Unit Team shall review the responses to the above questions. If the responses to Questions A, C, D, E, and F are in the negative and the response to Question B is in the affirmative the offender shall be permitted or denied visitation with minors as indicated in XVIII 5. C.

If any of the responses to Questions A, C, D, E, or F 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.

7. Offenders who are denied visits with minors shall automatically receive a Case Review to ensure that the restriction is appropriate. The Pendleton Correctional Facility has designated a "VMR Contact" whom shall forward all pertinent material regarding the reason for the restriction to the Division of Mental Health in Central Office.

The SOMM Program Manager in Central Office 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 decision of the Central Office staff 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 Central Office.

The SOMM Program Manager in Central Office shall submit a copy of the Case Management Review Summary to the Warden 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 in the Case Management Review Summary and ensure that the Case Management Review Summary is filed in the offender's facility packet.

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:

- A. The offender must consent to send State Form 50270, "SEX OFFENDER VISITATION WITH MINOR VISITATION DISCLOSURE" at his expense to the parent/legal guardian of the intended visitor(s) and the parent/legal guardian must complete the form. This form shall indicate the offender's offense; the circumstances of the offense; an agreement to accept responsibility for a minor

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 30 of 34
---------------------------------------	------------------------	--	---------------

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 facility.

- B. Whenever a visit occurs, a **STATE ISSUED PICTURE IDENTIFICATION** card must be presented for each minor visitor. (Picture Identification cards are available from the Bureau of Motor Vehicles License Branches).

The child(ren) may visit the offender only in the company of the parent/legal guardian unless prior approval has been given, in accordance with these procedures, 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, the spouse may be allowed to visit the offender.

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

8. The decision to allow an offender to have visits with minors shall be honored by all facilities as long as the offender continues to meet the stated criteria and continues to make progress towards his Case Plan objectives.
9. 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 advise the offender that if the offender makes substantial progress in meeting the needs identified in the Offender Case Plan, the offender may have the restriction lessened or removed. Substantial progress means that the offender has made significant strides in completing any programs identified that may impact the likelihood that the offender will re-offend. For example, if the offender successfully participates in the SOMM Program, the approved Substance Abuse Program or other programs, such as "Thinking for a Change" or an approved Anger Management Program, the Unit Team may consider lessening the visitation restriction.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 31 of 34
---------------------------------------	------------------------	--	---------------

- A. The offender's minor visitation restrictions shall be reviewed during each Case Plan review. If the Unit Team determines that the offender has made significant progress in addressing the areas in the Case Plan, the Unit Team shall contact SOMM staff, if available at the facility, to discuss modifying the restrictions on minor visitation. The Unit Team shall submit a recommendation based upon its findings and the input from the SOMM staff to the Warden for a decision.
- 1) If the Warden approves lifting the restriction, the Unit Team shall notify the offender that he may have contact visits with his children.
 - 2) If the Warden 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 shall be reviewed again in six (6) months.
 - 3) The decision of the Warden shall be final.
- B. Offenders who have been placed on no minor visitation shall be required to remain on this restriction for one (1) year before being considered for non-contact visits with minors. The Unit Team shall meet with the offender during the next Case Plan review following the end of the one (1) year period and shall review the offender's behavior and progress in addressing those areas indicated in the Case Plan. If the Unit Team believes that the offender's behavior has been appropriate and that he has made appropriate progress in addressing the issues in his Case Plan, the Unit Team shall contact SOMM staff, if available at the facility, to obtain their opinion about lifting the restrictions on the offender's visitation with minors. The Unit Team shall submit a recommendation based upon its findings and the input from the SOMM staff to the Warden for a decision.
- 1) If the Warden approves the recommendation, the Unit Team shall advise the offender that he has been approved for non-contact visits with minors.
 - 2) If the Warden 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 shall be reviewed again in six (6) months.
 - 3) In cases where these offenders are granted non-contact visits, they will 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.

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 32 of 34
---------------------------------------	------------------------	--	---------------

- 4) The decision of the Warden shall be final.
- C. The Unit Team shall review any disciplinary actions taken against the offender, any visitation restrictions imposed, the offender's progress toward completing the requirements in the Case Plan 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 Warden.

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.

- D. 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 has not been conducted. Unless prohibited by a court order, the Warden 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 that the offender's death is imminent.
 - 2) 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 his/her 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 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 designee 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

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 33 of 34
---------------------------------------	------------------------	--	---------------

approval for any subsequent visits, in accordance with the above process.

- 3) 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.

XIX. EMERGENCY SITUATIONS:

When the Warden determines that an emergency situation exists as presented in Policy 02-03-102, "Emergency Response Operations", any or all visits shall be suspended. Any visits in progress shall be terminated and the visitor escorted from the Pendleton Correctional Facility. In cases where the Warden or designee determines that it is in the best interest of the Pendleton Correctional 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.

XX. APPLICABILITY:

These Operational procedures are applicable to all Pendleton Correctional Facility Staff and offenders and shall remain in effect until notified by the Warden or designee.

Dushan Zatecky, Warden
Pendleton Correctional Facility

Date

Reviewed/Revised: 07-07-08
Reviewed/Revised: 06-16-09
Reviewed/Revised: 06-01-10
Reviewed/Revised: 07-01-13
Reviewed/Revised: 10-23-14
Reviewed/Revised: 10-05-15

PENDLETON CORRECTIONAL FACILITY

OPERATIONAL PROCEDURE 02-01-102	OFFENDER VISITATION	ORIGINAL DATE: 06-01-2009 REVIEW DATE: 09-25-2018	Page 34 of 34
--	--------------------------------	--	----------------------

Reviewed/Revised: 10-26-16

Reviewed/Revised: 08-07-17

Reviewed/Revised: 10-10-17

Reviewed/Revised: 09-25-18

Next Review Date: 09-2019