



Virginia Department of Corrections

Community, Media, and Other Agency Relations

Operating Procedure 025.2

Public Access to DOC Property

Authority:

Directive 025, *Public Access to the Department of Corrections*

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Access: Restricted Public Inmate

ACA/PREA Standards: None

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

The content owner reviewed this operating procedure in April 2023 and determined that no changes are needed.

COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

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DEFINITIONS

Community Residential Program - Any group home, halfway house, or other physically unrestricting facility used for the housing, treatment, or care of adult probationers/parolees established or operated with funds appropriated to the Department of Corrections from the state treasury and maintained or operated by any political subdivision, combination of political subdivisions, or privately operated agency within the Commonwealth.

DOC Property - Any land, state correctional facility, building, room, furnishings, machines, vehicles, apparatus, or equipment purchased or leased by the DOC and occupied for the use to which it is lawfully dedicated.

Emergency Personnel - Emergency medical staff, firefighters, and law enforcement personnel responding to an emergency at a DOC facility.

Facility - Any institution or Community Corrections Alternative Program.

Inmate and Probationer/Parolee - A person who is serving a state responsible sentence or under community supervision with the Virginia Department of Corrections or other release authority.

News Media - A media organization whose primary objective is to collect and report a wide range of news-related content for a newspaper, magazine, news website, news service, or radio and television news; to be considered a news organization, the publication's primary purpose and content must not be about a specific inmate/probationer/parolee.

Official Visitor - A visitor who may be an employee of another agency or another DOC facility or unit, a private vendor, or an individual who is present for a purpose other than inmate or CCAP probationer/parolee visitation.

Political Activity - An activity involving or relating to individual views about social relationships involving authority or power (political opinions); involving or relating to the profession of governing (political office); having or influenced by partisan interests (political party).

Political Material - Literature, electronic communication, posters, signs, etc. that elicit support for one political candidate or opposition for the other candidate.

Political Office - An office for which a candidate is nominated or elected based on votes received under the electoral process; this does not include any position held within a political party or affiliated organization.

Service Personnel - Vendors, maintenance, delivery, and repair personnel who need to gain access to a state correctional facility for business purposes.

PURPOSE

This operating procedure provides guidance for representatives of state government, service personnel, emergency personnel, and other individuals who have legitimate reason or purpose to have access to Department of Corrections (DOC) property and facilities under state contract to provide correctional programs.

PROCEDURE

- I. Entering the DOC Headquarters Building
 - A. All DOC Headquarters employees, interns, contractors, and volunteers will enter and exit the building through the main entrance. Only those individuals specified by the Director or designee may enter and/or exit through other locations.
 1. DOC Headquarters employees, interns, contractors, and volunteers who do not present valid DOC identification card, must contact their Supervisor or another individual within their chain of command who is authorized to confirm they are of active status with approved access to the building.
 2. Upon confirmation of active and approved status, the employee, intern, contractor, or volunteer will be required to surrender a valid operator's license or other acceptable form of photo identification in exchange for a visitor's access badge.
 - B. Authorized DOC Headquarters employees or other individuals specifically authorized by the Director, Chief of Corrections Operations, or Deputy Directors will be issued a DOC identification card to access the building and various specified access points throughout the building in accordance with their job duties.
 - C. Visitors are classified as general public, outside agency guests, former employees, and family members of DOC employees; including DOC employees who do not have an office in the building or have DOC Headquarters assigned as their base point.
 1. Any visitor must present either a DOC identification card or valid government issued photo identification.
 2. Visitors should have a scheduled appointment/meeting or be expected by a DOC employee who is available to serve as a point of contact when they arrive.
 3. Visitors must sign the visitor log at the main access point and provide their DOC point of contact for escort. The DOC point of contact or designee is responsible for the visitor's movement throughout the building until they return to the main access point to collect their identification and log out of the building.
- II. Entering a Facility or Community Residential Program (CRP)
 - A. This operating procedure, and Operating Procedure 022.1, *News Media Relations*, provide for a public information program that encourages interaction with the public and the news media.
 - B. The following persons may enter any facility or CRP:
 1. The Governor
 2. Members of the Virginia General Assembly
 3. The Secretary and Deputy Secretaries of Public Safety and Homeland Security and those persons authorized by the Secretary
 4. The Director and those persons authorized by the Director or designee
 - C. Any person seeking to enter the interior of any state correctional facility will be subject to search of their person and effects in accordance with Operating Procedure 445.4, *Screenings and Searches of Persons*.
 1. Operating Procedure 851.1, *Visiting Privileges*, covers family, personal, clergy, and attorney visits for inmates/probationers/parolees. Operating Procedure 445.1, *Screenings and Searches of Inmate and*

CCAP Probationer/Parolee Visitors

2. Operating Procedure 022.1, *News Media Relations*, and Operating Procedure 022.2, *Inmate and CCAP Probationer/Parolee Access to the News Media*, cover news media access to inmates/probationers/parolees and correctional facilities.

- D. Any visitor under the influence of intoxicants will be denied access to a state correctional facility.
- E. When an individual is approved in accordance with this operating procedure to enter the facility, the approval must be communicated and written notification must be provided to designated facility staff to facilitate entry. Prior to denying entry for lack of written notification, the Facility Unit Head or Administrative Duty Officer (ADO) must be contacted.

III. Official Visitors

- A. Official visitors wishing to access a state correctional facility should make prior arrangements to access the facility.
 1. On the authority of the Facility Unit Head, or ADO in the absence of the Unit Head, such officials will be allowed to access the facility without prior approval.
 2. The Regional Administrator and higher authorities, as appropriate, must be notified of the official visitor's presence at the facility.
 3. Upon presentation of valid identification, official visitors will be allowed to access DOC facilities without a Virginia Criminal Information Network or other criminal records check.
- B. Official visitors will be subject to processing and to search in accordance with Operating Procedure 445.4, *Screenings and Searches of Persons*.
- C. Official visitors may tour the facility under escort or visit with inmates/probationers/parolees upon request.
- D. The taking of photographs and audio or video recording within the facility is not allowed, except upon expressed approval of the Facility Unit Head or designee.
 1. No photograph in which an inmate/probationer/parolee can be identified may be taken unless the inmate/probationer/parolee completes a *Media Consent Agreement 022_F1*.
 2. Verified requests to tape or photograph an inmate/probationer/parolee, that are made by officials of the Virginia Parole Board (VPB), the Courts, (but not private attorneys), law enforcement, or other governmental agency normally will be accommodated within security requirements and with the approval of the Regional Operations Chief or designee.
- E. The Director or his designee must approve in writing for an attorney or their legal representative to enter a facility to polygraph or conduct an assessment on an inmate or probationer/parolee; see Operating Procedure 851.1, *Visiting Privileges*.

IV. General Visitors

- A. Any person wishing to visit a state correctional facility will make a request to the Facility Unit Head. Requests should be made two weeks in advance of the intended visit.
- B. The Facility Unit Head or designee will consider the request based on the merits of the request and staff availability to supervise the visit.
- C. All visitors must show and surrender valid government-issued picture identification prior to admission for the visit. Identification cards will be returned at the end of the visit. The Facility Unit Head or designee may authorize a minor to be admitted without a picture identification card provided the minor is properly escorted and accounted for entering and exiting the facility.
- D. All visitors must be searched and processed according to Operating Procedure 445.1, *Screenings and*

Searches of Inmate and CCAP Probationer/Parolee Visitors.

- E. DOC staff will escort all visitors at all times within the security perimeter.
- F. Requests from individuals or organizations that provide parole preparation and similar services to video, audio tape, or photograph an inmate/probationer/parolee for presentation to the VPB will not be approved.

V. Facility Tours

- A. Any group wanting a facility tour will make a request to the Facility Unit Head, who will review and forward the request to the Regional Operations Chief or designee for approval.
 - 1. Requests should be made at least two weeks in advance of the intended visit.
 - 2. Requests for tours from persons related to inmates/probationers/parolees, on the visiting list of inmates/probationers/parolees, or known to visit inmates/probationers/parolees will not be approved.
 - 3. Request approvals must be copied to the Chief of Corrections Operations and the Director of Communications.
- B. Children under the age of 18 will generally not be allowed to tour correctional facilities. Exceptions must be approved on a case by case basis by the Facility Unit Head, Regional Administrator, and Regional Operations Chief.
 - 1. Children under the age of 16 will not be permitted to tour inside the secure perimeter of a state correctional facility.
 - 2. Minors 16 and older may enter the security perimeter for supervised tours of the facility only with parental consent to visit a state correctional facility.
 - 3. It is the responsibility of the sponsoring group (i.e., school, civic group, etc.) to secure parental consent for all minors under age 18.
 - 4. Schools will secure such consent in accordance with established school policy and procedure.
 - 5. Other groups must utilize the *Parental Consent to Tour Correctional Facility 025_F1*. Copies of the *Consent* must be presented to the facility prior to the tour.
- C. Tours of a state correctional facility will normally be conducted between 9:00 a.m. and 3:00 p.m. on normal business days.
- D. An appropriate staff member, as determined by the Facility Unit Head or ADO, will conduct tours.
- E. The normal tour itinerary will include representative areas of the facility with the exception of maximum security, restorative housing, medical or mental health and wellness treatment, and programming areas. The Facility Unit Head, upon special request, may grant access to restricted areas only if a legitimate need is established.
- F. A person entering a facility for a tour will have only the clothing actually being worn, vehicle or locker keys (if applicable), and a picture identification card.
 - 1. Hand-carried items of personal property, including pagers, cell phones, money, and pocketbooks, must be left in the visitor's locked vehicle or a locker in a secure area if provided by the facility.
 - 2. The visitor will be informed that the facility will not take responsibility for these personal items.
 - 3. DOC facilities are tobacco free; tobacco products and related items are prohibited.
- G. No items may be passed between visitors and inmates/probationers/parolees.
- H. In the event of a disturbance or disruption of normal activities within the facility, the Facility Unit Head or ADO may discontinue any tour in progress or suspend further tours.

VI. Service Personnel

- A. Service personnel having the need to gain access to a state correctional facility may do so upon approval from the Facility Unit Head or ADO.
- B. Service personnel may be searched and processed according to Operating Procedure 445.4, *Screenings and Searches of Persons*.
- C. Service personnel must be escorted within the security perimeter by correctional staff at all times. Care will be taken to safeguard all tools or equipment necessary for the task and such tools will be inventoried prior to entry and when service personnel exits. Tools and equipment not necessary for the task at hand will be left outside of the security perimeter.
- D. Service personnel will generally be escorted directly to and from the portion of the facility involved with their task.

VII. Emergency Personnel

- A. Emergency personnel will be allowed access to a state correctional facility as needed per request of facility staff.
- B. During a facility declared emergency, every effort will be made to provide emergency personnel immediate access to the state correctional facility.
- C. Correctional staff must escort emergency personnel at all times.
- D. Emergency vehicles must remain under direct supervision of a Corrections Officer at all times. All tools and equipment need to be safeguarded.
- E. The identities of emergency personnel entering a state correctional facility must be noted for recording purposes, by correctional staff at the point of entry.
- F. When no identification cards are collected at the time of entry due to the nature of the emergency, extra care is to be taken to properly identify all emergency personnel prior to them exiting the facility. Generally, the facility will be locked down and an emergency count taken and cleared prior to allowing emergency personnel to exit. Only the Facility Unit Head or ADO will make exceptions.

VIII. Access to DOC Property for Purposes of Political Activity

- A. The following political activities are prohibited on DOC property:
 - 1. Posting of political material or position statements
 - 2. Distributing political campaign material or circulating any petition, including a nominating petition
 - 3. Transporting political material in a DOC vehicle or using a government vehicle for any campaign activity
 - 4. Soliciting or receiving political contributions or services
 - 5. Using DOC time, facilities, equipment, or supplies in support of a political activity or in promoting the candidacy of someone for partisan political office
 - 6. Wearing political buttons, badges, or T-shirts on or with official DOC uniforms on or off DOC property
 - 7. Using DOC resources or equipment to provide personal DOC employee information to any person knowing that such a list will be used for the purpose of soliciting contributions, mailing political material to, or calling such employees, unless specifically requested and allowed under COV §2.2-3700 et seq., *Virginia Freedom of Information Act*.
- B. Private vehicles parked in a DOC parking lot or garage may display political bumper stickers.

IX. Access to DOC Property for Purposes of Protest and Demonstration

- A. DOC facilities are not open to the public nor are they public forums and protesters are not authorized to demonstrate on facility property.
1. When a protestor(s) is demonstrating on facility property, the Facility Unit Head or their designee will ask the protestor(s) to move to a traditional public forum such as a street, sidewalk, park etc.
 2. The Facility Unit Head or designee will notify the Virginia State Police and local law enforcement of the situation and request their assistance in allowing staff safe access to and from the facility; upon their arrival, the responding law enforcement officers will manage the situation.
 3. Facility staff will not engage with the protestor(s) unless specifically instructed to do so by the Facility Unit Head or designee.
- B. When recording equipment is available, facility staff will record the demonstration and all staff interactions with the protestor(s) and will upload the recording to the facilities digital storage folder; see Operating Procedure 030.1, *Evidence Collection and Preservation*.
- C. When a protestor attempts to breach the secure perimeter, facility staff, with approval of the Facility Unit Head or designee, may respond with force as authorized in Operating Procedure 420.1, *Use of Force*.

REFERENCES

COV §2.2-3700 et seq., *Virginia Freedom of Information Act*

COV §53.1-262, *State correctional facilities; private contracts*

Operating Procedure 022.1, *News Media Relations*

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

Operating Procedure 030.1, *Evidence Collection and Preservation*

Operating Procedure 420.1, *Use of Force*

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

Operating Procedure 445.4, *Screenings and Searches of Persons*

Operating Procedure 851.1, *Visiting Privileges*

ATTACHMENTS

None

FORM CITATIONS

Media Consent Agreement 022_F1

Parental Consent to Tour Correctional Facility 025_F1