



# Operating Procedure

<b>Effective Date</b> December 1, 2017	<b>Number</b> 851.1
<b>Amended</b> 9/1/18, 9/1/19	<b>Operating Level</b> Department
<b>Supersedes</b> Operating Procedure 851.1 (3/1/14)	
<b>Authority</b> COV §8.01-413, §18.2-431.1, §18.2-473, §18.2-474, §18.2-474.1 §32.1-370, §32.1-127.1:03, §53.1-30	
<b>ACA/PREA Standards</b> 4-4156, 4-4275, 4-4280, 4-4429, 4-4498, 4-4499, 4-4499-1, 4-4500, 4-4501, 4-4503, 4-4504; 4-ACRS 2A-02, 4-ACRS 5A-16, 4-ACRS-5A-17, 4-ACRS 5A-18, 4-ACRS 6A-01; 2-CO-5D-01	
<b>Office of Primary Responsibility</b> Corrections Operations Administrator	

**Subject**  
**VISITING PRIVILEGES**

<b>Incarcerated Offender Access</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Public Access</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <b>Attachments</b> Yes <input checked="" type="checkbox"/> #3 No <input type="checkbox"/>
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## I. PURPOSE

This operating procedure provides guidelines for the provision and management of offender visiting privileges at facilities operated by the Department of Corrections. The DOC encourages visiting by family, friends, clergy, and other community representatives when such visits do not pose a threat to others or violate any state or federal law. Offender visitation is a privilege, and the Facility Unit Head may restrict visiting privileges when necessary to ensure the security and good order of the facility. (2-CO-5D-01)

## II. COMPLIANCE

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

## III. DEFINITIONS

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

**Community Corrections Alternative Program (CCAP)** - A residential facility operated by the Department of Corrections to provide evidence-based programming in accordance with COV §53.1-67.7 and COV §53.1-67.8

**Community Corrections Facility** - A residential facility operated by the Department of Corrections to provide Community Corrections Alternative Programs

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

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

**Immediate Family** - Offenders' parents, step parents, grandparents, lawful spouse, biological, step or legally adopted children, and biological, half, step, or legally adopted siblings, appeals regarding an individual's status as immediate family will be decided by the Corrections Operations Administrator

**Offender** - An inmate, probationer, parolee, or post release supervisee or other person placed under the supervision (conditional release) or investigation of the Department of Corrections

**Privilege Package** - Offenders assigned to institutions will be permitted visitation in accordance with Operating Procedure 440.4, *Offender Privileges by Security Level*. Community Corrections facilities are exempted from the privilege package

**Qualified Clergy** - A member of the community who is commissioned, licensed, ordained, endorsed, or otherwise accepted as a religious authority or leader by the individual's religious organization. For purposes

of this operating procedure, this individual shall not be a family member or relative of the offender

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

**Security Level** - Facilities within the DOC are tiered for the supervision and classification of offenders on a six level system. Community facilities are operated under low security requirements

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

**VACORIS Visiting Module** - A database utilized to track visitation approvals and histories for offenders and visitors, track visitation bans and restrictions, and record visitor data for security purposes

**Visitor** - Adult family, friend, or associate who enters a correctional facility to visit with an offender; visitors may be accompanied by minors if certain conditions are met. Regular visits are for predominately social purposes (see also Special Visits)

**Visitor Ban** - A prohibition of an individual's visiting privileges, either for a set time period or permanently

**Visitor Restriction** - A limitation on an individual's visiting privileges, such as non-contact visiting

#### IV. PROCEDURE

##### A. Visitation Program

1. All regular visitors and Special Visits for immediate family members as authorized in this operating procedure must be pre-approved and listed in the VACORIS Visiting Module as approved visitors before being allowed to visit with an offender.
2. Sufficient space is provided for a visiting room or area for contact visiting and, if necessary, non-contact visiting. (4-4156)
  - a. There is adequately designed space to permit screening and searching of both offenders and visitors.
  - b. Space is provided for the proper storage of visitors' coats, handbags, and other personal items not allowed into the visiting area.
3. Visitation provides offenders with opportunities for involvement with family and participation in community activities before final release. (4-ACRS-5A-16)
4. Offenders receive approved visitors except where there is substantial evidence that the visitor poses a threat to the safety of the offender or the security of the program. (4-ACRS-5A-17)
5. Procedures for visiting privileges in special housing units are covered in Operating Procedure 861.3, *Special Housing*. (see Operating Procedure 841.4, *Restrictive Housing Units*, for visiting privileges for offenders assigned to Restrictive Housing)
6. Written policy, procedure, and practice prohibit discrimination on the basis of disability in the provision of services, programs, and activities administered for program beneficiaries and participants. (4-4429)
  - a. Offenders with disabilities will not be deprived of visitation with family members by placing them in distant facilities where they would not otherwise be housed; this does not preclude gathering groups of offenders with similar special needs (i.e. dialysis, geriatric, deaf and hard of hearing) into one or more locations where special resources can be provided to meet those needs.
  - b. Reasonable accommodations will be provided for offenders with communication disabilities to allow for effective communication with their visitor.
7. Written policy, procedure, and practice provide that offender visiting facilities permit informal communication, including opportunity for physical contact. Devices that preclude physical contact are not used except in instances of substantiated security risk. (4-4499-1)

8. Written policy, procedure, and practice provide that visitors register upon entry into the institution and specify the circumstances under which visitors may be searched. (4-4503)
9. Each facility shall develop an *Offender Visiting Information Brochure*. At a minimum, the information will include, but not be limited to, the following:
  - a. Instructions for obtaining approval to visit an offender
    - i. Instructions to complete an online visitor application
    - ii. Information pertaining to the requirement to authorize a criminal background check
  - b. Facility address/phone number, and directions to the facility (4-4499)
  - c. Information regarding any known transportation services to the facility (i.e. *Assisting Families of Inmates Transportation Program*). Facility staff should contact AFOI for scheduling and fee information for inclusion in their *Visiting Information Brochure*. (4-4499, 4-4504)
  - d. Information on Video Visitation options to include Attachment 1, *Video Visitation Visitor Centers* at participating facilities
  - e. Days and hours of visitation including any visitation allocation system (alphabetical or numerical) in use (4-4499)
  - f. Approved dress code for visitors and offenders, and identification /admission requirements for visitors (4-4499)
  - g. Special rules for minors including restrictions from visiting certain offenders and requirements for permission from parent or legal guardian for minors entering a facility with adult visitors (4-4499)
  - h. Search procedures to include the notification and request process for transgender and intersex visitors who have a preference regarding the gender of the staff member conducting the search
  - i. Items authorized in the visiting room (4-4499)
  - j. Authorized items (if any) that visitors may bring to give to offender (4-4499)
  - k. Rules for permissible behavior of visitors and offenders and consequences for rule violations
  - l. Rules prohibiting visitors and offenders from cross visiting with other offenders or offenders' visitors
  - m. Rules prohibiting visitors of one offender sending funds to or receiving funds from another offender unless they are documented members of the immediate family and have prior approval from the Facility Unit Head
  - n. Supervision of children
  - o. Special visits (for example: family emergencies) (4-4499)
  - p. Unauthorized visits or visits requiring prior approval
  - q. Number of visitors allowed based on space requirements, maximum number of visitors allowed for each offender visit (specifying adult and child if so restricted), maximum number of hours per visit, and the minimum number of hours per visit if capacity is met and procedure for how visits are terminated. (4-4498)
  - r. Visitors requiring the use of service or guide animals in the visitation area should request prior approval from the Facility Unit Head by submitting the following:
    - i. Any available documentation of the need for the service animal
    - ii. Brief description of the services that the animal provides
    - iii. Brief description of the size and type of animal
  - s. Visitors shall not bring weapons, alcohol, illicit substances, or any other illegal or prohibited items onto facility property.
  - t. Visitors who give or attempt to give drugs, firearms, or explosives to any incarcerated offender may be charged with a felony under COV §18.2-474.1. The Facility Unit Head or designee will report any such occurrence to the Special Investigations Unit or local police authorities. Any visitor found to have given or attempted to give drugs, firearms, or explosives to an incarcerated offender will lose the privilege of visitation and will be subject to prosecution.

- u. Visitors attempting to give or found to have given to any offender any items that have not been specifically approved or processed may be charged with a Class I misdemeanor in accordance with COV §18.2-474. The Facility Unit Head or designee will report any such occurrence to the Special Investigations Unit or local police authorities. Any visitor found to have given or attempted to have given any item that has not been specifically approved or processed to an incarcerated offender will lose the privilege of visitation and will be subject to prosecution.
- v. Visitors who attempt to give or convey any item to an incarcerated offender to help him escape, or in any manner attempt to aid an offender in escape, either with force or otherwise, may be charged with a felony under COV §18.2-473. The Facility Unit Head or designee will report any such occurrence to the Special Investigations Unit or local police authorities. Any visitor found to have aided, or attempted to aid, an incarcerated offender in any escape or escape attempt will lose the privilege of visitation and will be subject to prosecution.
- w. Visitors who give or attempt to give a cellular telephone to any incarcerated offender may be charged with a felony under COV §18.2-431.1. The Facility Unit Head or designee will report any such occurrence to the Special Investigations Unit or local police authorities. Any visitor found to have given or attempted to give a cellular telephone to an incarcerated offender will lose the privilege of visitation and will be subject to prosecution.

#### B. Notification Procedures

1. Offender Notification - All offenders housed in facilities will be provided written information regarding offender visitation at that facility within twenty-four hours after arrival. The information provided should include all information required for the *Offender Visiting Information Brochure*. (4-4499)
2. Visitor Notification - Facilities will make copies of the facility's *Offender Visiting Information Brochure* available to visitors. The *Brochure* should be available to visitors at the facility, and to offenders to mail to their visitors. The *Brochure* should refer visitors to the DOC Public Website for online visitor application and general visiting information.

#### C. Visitor Application - Institutions only, not applicable for Community Corrections Facilities

1. All visitors shall apply and receive approval before coming to an institution for their first visit.
  - a. Visitor applications must be completed online through the DOC Public Web site at (<https://visitationform.vadoc.virginia.gov/>).
  - b. Visitors who are unable to apply online due to age or disability may contact *Assisting Family of Inmates* (AFOI) for assistance with submitting an online visitation application.
  - c. Any visitor entering false information on a visitor application will not be approved for visiting.
2. The Central Visitation Unit in DOC Headquarters will receive and review all visitor applications. Review should include but not be limited to:
  - a. VCIN background checks on all visitors over the age of 15
  - b. Check of banned visitors
  - c. Check of VACORIS offender database
  - d. Check of gang/security threat group databases
  - e. Check of employee databases
  - f. At the discretion of the Central Visitation Unit, review by Facility Unit Head or designee where the offender is currently housed
3. Visitors should allow at least 30 days after submitting a visitor application for the review and approval process before making their first visit. Additional time may be required to review certain applications such as out-of-state visitors.
4. Visitors will receive an email informing them when they are approved to visit or explaining the reason(s) for disapproval.

5. Visitors less than 18 years of age must be accompanied by the minor's adult parent or legal guardian. For a minor to visit with an adult other than a parent or guardian, permission must be documented on a [Notarized Statement – Minor Visitor](#) 851\_F4 signed by the minor's parent/legal guardian and notarized unless there is a valid Court order directing that the child be allowed to visit the offender without the parent/legal guardian's permission.
6. The *Visitor Application and Background Investigation Authorization* will expire three years from the date it is approved in the VACORIS Visiting Module. A new, updated *Visitor Application and Background Investigation Authorization* must be submitted online prior to expiration for continued visitation.
7. Adult visitors refusing to complete the *Visitor Application and Background Investigation Authorization* and have a valid government picture identification card scanned into the VACORIS Visiting Module will be denied the visit. If the name of the visitor has been obtained, the refusal will be documented and submitted to the Facility Unit Head.
8. Non-immediate family members with a history of felony conviction(s) for drug distribution and/or possession within the last five years will not be approved to visit. Immediate family members with a history of felony conviction(s) for drug distribution and/or possession within the last five years will be reviewed and approved or disapproved on a case-by-case basis by the Corrections Operations Administrator or designee.
9. Any individual with any conviction(s) for delivering, conspiring to deliver, or attempting to deliver any item to an individual incarcerated in a local, state, or federal, adult, or juvenile correctional facility or jail will not be approved to visit.
10. Visitors will not be approved to visit more than one offender who is not an immediate family member.
  - a. Visitors who wish to visit immediate family members shall submit a *Visitor Application and Background Investigation Authorization* to the Central Visitation Unit indicating each offender and listing the family relationship.
  - b. Visitors will not be allowed to visit more than one offender at a facility unless each offender is an immediate family member.
  - c. Non-immediate family member visits can only be changed once every twelve months.
11. Former offenders and offenders on parole, probation, or post release supervision may be permitted to visit only with prior approval of the Corrections Operations Administrator or designee after consultation with the Facility Unit Head, if necessary.
  - a. The Corrections Operations Administrator or designee will review requests on a case-by-case basis and may disapprove any former offender or offender for a valid security reason.
  - b. All non-violent and violent offenders who are immediate family members should be considered for visiting approval after at least six months on supervision.
  - c. Non-violent former offenders should be approved to visit after completion of parole, probation, or post release supervision if there are no pending charges.
  - d. Violent former offenders should be approved to visit five years after completion of parole, probation, or post release supervision if there are no pending charges.
  - e. The Central Visitation Unit shall check VACORIS to determine if the offender is on community supervision; offenders on active probation, parole, post release, or conditional release supervision must receive advance approval to visit from the Corrections Operations Administrator or designee after consultation with both the Facility Unit Head and the Chief P&P Officer.
  - f. A person currently under any pending indictment or active pending charge may be restricted from visiting pending resolution of the charges.
12. Regardless of accompanying adult, minors will not be permitted to visit if any of the following circumstances exist:
  - a. The DOC is notified of a Court Order prohibiting visits between the child and the offender.



- b. The DOC is notified that parental rights of the offender for the child have been terminated.
  - c. The minor is a direct victim of a violent crime committed by the offender.
  - d. Restrictions of this nature should be documented as an alert in the VACORIS Visiting Module in advance of any visit if at all possible.
13. Visitors who have an existing protective order CPS/APS ruling or other no contact order prohibiting contact with the offender will not be approved to visit.
14. Offenders with any conviction requiring registration in the *Sex Offender and Crimes against Minors Registry* will not be allowed to visit with any minor until granted a sex offender visitation exemption. Exemptions may be requested by this process:
- a. Eligibility
    - i. Offenders with any conviction for a sexual offense that requires registration will only be considered for an exemption to visit with their biological, legally adopted, or step children. Offenders, with convictions for non-sexual offenses only, may be considered for an exemption to visit with any minor.
    - ii. Offenders must be at least six months infraction free.
    - iii. There must not be a Court order restricting such visits.
  - b. Offenders requiring registration in the *Sex Offender and Crimes against Minors Registry* for conviction of a sexual offense may request an exemption by completing a [Sex Offender Minor Visitation Questionnaire \(Offender\)](#) 851\_F10 available at the facility from their assigned counselor.
    - i. The facility counselor will review the [Sex Offender Minor Visitation Questionnaire \(Offender\)](#) and confirm that the offense requiring registration in the *Sex Offender and Crimes against Minors Registry* is a sexual offense.
    - ii. The counselor will instruct the offender to notify the parent or legal guardian of the minor to submit an online application for themselves and the minor for processing in accordance with this operating procedure.
    - iii. The potential visitor (non-offending parent/guardian of the minor) will also be required to complete a [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851\_F11. The offender must obtain this form from their assigned counselor and should provide it to the potential visitor. This form must be mailed directly to the offender's facility counselor after completion.
    - iv. The sex offender and parent/guardian questionnaires must be submitted to the offender's assigned counselor upon completion.
    - v. The counselor shall forward the [Sex Offender Minor Visitation Questionnaire \(Offender\)](#) 851\_F10 and the [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851\_F11 by email to [SexOffenderVisitation@vadoc.virginia.gov](mailto:SexOffenderVisitation@vadoc.virginia.gov).
    - vi. The *Sex Offender Visitation Mailbox Administrator* should assign the exemption request to an evaluator who will complete an assessment either face-to-face or by videoconference.
    - vii. A copy of the evaluator assignment will be forwarded via email to the Facility Unit Head and the Sex Offender Program Director (SOPD)
    - viii. The evaluator will forward the completed assessment, the [Sex Offender Minor Visitation Questionnaire \(Offender\)](#) 851\_F10, and the [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851\_F11 to the SOPD or designee.
      - (a) A copy of the completed assessment will be forwarded to the Medical Department to be maintained in the offender's Health Record.
      - (b) This assessment will only be released with the Sex Offender Program (SOPD) Director's approval and in accordance with the dissemination requirements in Operating Procedure 701.3, *Health Records*.
      - (c) Institutional staff, who receive a request for a copy of an offender's assessment, must notify the SOPD.
      - (d) The SOPD will review the offender's assessment, consult with the Chief of Mental Health Services to determine if the assessment is exempt from release in accordance with COV

- §8.01-413(B) and §32.1-127.1:03 when necessary, and notify institutional staff of the decision.
- (e) Copying charges will apply to all offender record documents provided to offenders and the public.
- ix. A *Sex Offender Visitation Committee* composed of members appointed by the Chief of Corrections Operations will meet at least quarterly to review requests for sex offender visitation exemptions. The committee will then forward its recommendation to the Corrections Operations Administrator for approval. If denied a sex offender visitation exemption, an offender can reapply after one year.
- c. Offenders requiring registration in the *Sex Offender and Crimes against Minors Registry* for conviction of a non-sexual offense may request an exemption by completing a [Sex Offender Minor Visitation Questionnaire \(Offender\)](#) 851\_F10 available at the facility. The offender must request the sex offender questionnaire from their counselor. The questionnaire shall be submitted to their assigned counselor.
- i. The facility counselor will confirm the offense requiring registration in the *Sex Offender and Crimes against Minors Registry* is a non-sexual offense and notify the Central Visitation Unit by emailing the questionnaire to [VisitationApplications@vadoc.virginia.gov](mailto:VisitationApplications@vadoc.virginia.gov).
- ii. The counselor will instruct the offender to notify the parent or legal guardian of the minor to submit an online application for themselves and the minor for processing in accordance with this operating procedure.
15. If the visitor is a former volunteer, employee, intern, or contract employee of the Department of Corrections or a former employee of the Department of Correctional Education, visitation must be approved in writing by the Corrections Operations Administrator after consultation with the Facility Unit Head.
- a. Former volunteers, employees, interns, and contractors will not be considered for visitation with non-immediate family members until at least one year after their employment or service with the Department has ended.
- b. Determination for visitation of non-immediate family members who were formerly employed by the Virginia Department of Corrections will be done on a case by case basis.
- c. Any such person who has been terminated, who has resigned in lieu of termination, or who has been permanently barred from a facility for fraternization with an offender will not be allowed to visit in any DOC facility for a minimum period of two years.
- d. After two years, visiting privileges may be requested through the regular visitor application process.
16. If the visitor is a current volunteer, employee, intern, or contract employee of the Department of Corrections, visitation must be approved as follows:
- a. The volunteer, intern, or employee will submit a written request to the Unit Head (or supervisor if the employee is the Unit Head) of the volunteer's, intern's or employee's work place requesting permission to visit.
- b. After approving, the Unit Head of the volunteer's, intern's or employee's work place will contact the Facility Unit Head of the facility housing the offender for their input.
- c. Once both Unit Heads approve, the Unit Head who initiated the request will forward it to the Regional Operations Chief of the region (s) involved for approval in accordance with Operating Procedure 135.2, *Rules of Conduct Governing Employee Relationships with Offenders*.
- d. The Regional Operations Chief of the requesting Unit Head, after consultation with the Visitation Unit to ensure there is no additional relevant information, will issue the final written approval and copy the requesting Unit Head, the housing Facility Unit Head, and the Central Visitation Unit supervisor.
- e. When the person requesting visitation is a contract employee, the person's employer must also provide prior written approval.

- f. Employees not under the supervision of a Regional Operations Chief must be approved by their respective Chief of Corrections Operations or Deputy Director.
17. If the adult visitor is a crime victim/survivor of the offender and does not wish to participate in regular on going visitation, the victim may request a one-time facilitated meeting with the offender in accordance with Operating Procedure 021.2, *Victim/offender Dialogue*.

#### D. Identification

1. All visitors, excluding non-emancipated minors, are required to present a valid government picture identification card having an identification number, such as a driver's license, state identification card, military identification card, passport, or other bona fide government identification card.
  - a. The name and identification number on the identification card must match the approved visitor in the VACORIS Visiting Module.
    - i. If the VACORIS Visiting Module does not show an identification card associated with the visitor, the address on the identification card that the visitor provides at the time of visitation must match the address recorded in their visitor profile.
    - ii. For an established visitor (identification card in VACORIS), if the identification card indicates a different address from the VACORIS Visiting Module, the address in the VACORIS Visiting Module will be automatically updated when the identification card is scanned.
    - iii. If the name and number on the identification card does not match a currently approved visitor in the VACORIS Visiting Module facility staff should give the visitor a *Central Visitation Unit Decline Notification* (see Attachment 3).
  - b. The identification card will be scanned into VACORIS and maintained in a secure location until it is returned to the visitor at the conclusion of the visit; the visitor should be given a visitor pass in exchange for their identification card.
  - c. Emancipated minors must provide documentation of emancipation in addition to a valid picture identification card.
2. Non-emancipated minors must be accompanied by an adult who is an approved visitor.
  - a. For a person under the age of 18 to visit accompanied by an adult other than a parent or guardian, permission must be documented on a [Notarized Statement – Minor Visitor](#) 851\_F4 signed by the parent/legal guardian and notarized unless there is a valid Court Order directing that the child be allowed to visit the offender without the parent/legal guardian's permission. The adult must present the completed [Notarized Statement – Minor Visitor](#) 851\_F4 or a copy of the Court Order each time the minor is brought to visit.
  - b. By signing the [Notarized Statement – Minor Visitor](#) 851\_F4, the parent/legal guardian is certifying their status and no confirmation should be required unless there is reasonable suspicion that person is not the minor's parent or legal guardian.
  - c. The [Notarized Statement – Minor Visitor](#) 851\_F4 will expire one year from the signature date of the parent/ legal guardian, unless otherwise indicated on the *Notarized Statement*.
  - d. The [Notarized Statement – Minor Visitor](#) 851\_F4 is not valid if the notary's certification was expired at the time of signature.
  - e. When available, identification cards or photographs of authorized minor visitors should be scanned into the VACORIS Visitation Module to aid in identification.

#### E. Visitor Attire

1. All visitors, to include children, must dress appropriately for visitation
  - a. Clothing must cover from the neck to the kneecaps.
  - b. All visitors must wear underwear.
2. All visitors shall be required to wear foot wear. No bare feet are allowed.
3. Watches and all wearable technology devices (i.e. google glasses) are prohibited.



4. Clothing that resembles offender clothing other than denim is prohibited.
5. The following types of clothing are not allowed to be worn:
  - a. Tube tops, tank tops, or halter tops
  - b. Clothes that expose a person's midriff, side, or back
  - c. Mini-skirts, mini-dresses, shorts, skorts, or culottes (at or above the kneecap)
  - d. Form-fitting clothes such as leotards, spandex, leggings, and jeggings (Form-fitting clothes worn under clothing that covers from the neck to the kneecaps and otherwise meets the visitor attire requirements is permitted)
  - e. See-through clothing (Clothing that exposes the visitor's undergarments, torso, and/ or skin above the knee caps is prohibited)
  - f. Tops or dresses that have revealing necklines and/or excessive splits
  - g. Clothing that contains symbols or signs with inappropriate language or graphics, including gang symbols, racist comments, inflammatory communications, etc.
  - h. Coats, jackets, shawls, and scarves will be placed in an appropriate area designated by the facility
6. At the discretion of the facility, smock type garments may be provided for first time visitors that would not be allowed to visit due to their attire.
7. The Shift Commander or higher authority must approve any denial of visitation on the basis that the visitor is not appropriately dressed.

#### F. General Rules for Visiting Room Operation

1. Each Facility Unit Head shall develop protocols for facility visiting room operation consistent with this operating procedure.
  - a. Protocols shall identify, in writing, general visiting information that each facility will make available to offenders and the general public.
  - b. Staff selected for visitation assignments should be carefully screened for their customer service skills and thoroughly orientated to visitation procedures and practices. Supervisors should monitor the visitation process and re-train or re-assign personnel as needed.
  - c. The facility may utilize the *Offender Visiting Information Brochure* for offenders and visitors. *Brochures* should be available in the visitor entry area.
  - d. Signs, video information boards, etc. should be utilized to provide information to visitors.
2. All visitors shall be treated courteously and assisted promptly. Within available resources, facilities should provide adequate waiting areas, chairs, and protection from inclement weather for visitors waiting to be processed into the visiting area.
3. An offender must be notified of the name of the person(s) visiting prior to entering the visiting room and the offender must agree to visit with that person(s).
  - a. When an offender refuses the visit, the visitor will be notified and will not be permitted to visit. This information should be documented.
  - b. Under no circumstances will any private citizen be admitted for visitation or be permitted to visit an offender when the offender refused the visit, unless there is legal authority such as a Court order to compel the offender to do so.
4. Staff must monitor and control movement of visitors within the facility. (4-ACRS-2A-02)
5. Physical contact during contact visits is prohibited except for one brief kiss, a hand shake, and/or an embrace between an offender and each of the offender's visitors at the beginning and end of each visit. Reasonable consideration should be given to allow parents to appropriately hold their infant, toddler, or preschool children.
6. An offender shall be allowed to visit only with the visitors who signed in for a visit with that offender.

- a. A visitor shall be allowed to visit only with the offender who they have signed in to visit.
  - b. The Facility Unit Head may approve, on a case-by-case basis, immediate family members to visit at the same time with related offenders who are incarcerated at the same facility.
  7. Offenders and visitors shall be closely monitored at all times to ensure contraband is not passed and inappropriate behavior does not occur among any individuals in the visiting room.
    - a. Neither visitors nor offenders may use any signs, signals, or other behaviors related to gang identification or gang activities.
    - b. An offender and visitor may be assigned to a seat or table closest to the officer's station to permit continuous monitoring.
    - c. All offenders will be searched prior to a contact visit
      - i. Offenders in all Security Level (SL) 2 and above male institutions, Fluvanna Correctional Center for Women and Virginia Correctional Center for Women; this includes SL W and SL 1 offenders who visit inside SL 2 and above institutions will be required to change into a state issue jumpsuit, a pair of state issue socks, and state issue canvas shoes.
      - ii. Male offenders will be required to change into state issue undergarments (briefs and undershirt).
      - iii. At the conclusion of visitation, the state issue jumpsuits, undergarments, socks and shoes will be collected from the offenders and appropriately laundered (currently Virginia Correctional Enterprises, hospital process) prior to being re-issued to other offenders for use during visitation.
    - d. Visitors who need to use the restroom during visitation at SL 2 and above male institutions, Fluvanna Correctional Center for Women and Virginia Correctional Center for Women will be required to exit the visiting area and access the restrooms designated for visitor use.
      - i. Any visitor who returns to the visiting area will be required to comply with the search requirements of Operating Procedure 445.1, *Employee, Visitor, and Offender Searches* (restricted access) and this operating procedure. Priority should be given to these visitors for re-entry.
      - ii. Minor visitors who need to use the restroom during visitation must be accompanied by the adult responsible for the minor visitor.
    - e. Offenders who need to use the restroom during visitation at SL 2 and above male institutions, Fluvanna Correctional Center for Women and Virginia Correctional Center for Women shall be processed from the visiting room and escorted to a separate location where the offender will be searched prior to and after use of the restroom in accordance with Operating Procedure 445.1, *Employee, Visitor, and Offender Searches* (restricted access).
      - i. The offender will be allowed to return to the visitation area after the required search has been completed.
      - ii. Offenders are only allowed to exit one time during their visit.
  8. The adult responsible for minor visitors must maintain control and supervision of their children at all times.
    - a. Failure to maintain proper supervision of children may result in termination of visitation.
    - b. Physical discipline of any type is prohibited and will result in immediate termination of the visit.
    - c. If the responsible adult or minor exits the visiting room i.e. access the restroom, the responsible adult and minor must exit and remain together at all times.
  9. Reasonable accommodation shall be provided to allow visitation by persons who are disabled.
  10. Accommodations will be made to allow visitors to breastfeed in the visiting room in accordance with COV §32.1-370, *Right to breastfeed*.
- G. Special Visits (4-4500, 4-ACRS-5A-18)
1. Special visits may include, but are not limited to attorneys, clergy, former or prospective employers, sponsors, or parole advisers. Media visits are governed by Operating Procedure 022.1, *Mass Media Relations*, and Operating Procedure 022.2, *Offender Access to the Media*.

2. The following persons may be allowed special visiting privileges as deemed appropriate, except if the person is banned from visiting by this operating procedure. Individuals requesting a special visit are not required to submit a visitor application or be pre-approved through the Central Visitation Unit in DOC Headquarters, but must be approved by the Facility Unit Head or designee.
  - a. A member of the clergy may be required to provide written verification of their clergy status upon request of the Facility Unit Head or designee to qualify for a visit.
  - b. The official performing a marriage ceremony in accordance with Operating Procedure 801.5, *Marriage Ceremonies for Offenders*
  - c. An attorney or representative acting on the attorney's behalf on official business may qualify for a special visit with the offender based on submission and approval of a [Legal Visit Request](#) 851\_F3.
    - i. Before entering the facility, the attorney will be required to present their State Bar Association card and a representative acting on the attorney's behalf will be required to present a letter on official letterhead signed by the attorney or law firm.
    - ii. In the absence of Court documents requiring the visit, the Facility Unit Head may restrict legal visits to attorneys and representatives of law firms with a current attorney-client relationship with the offender.
    - iii. Conditions for offender visits with an attorney or bona fide representative shall maintain the confidentiality of the attorney-client conversations while ensuring proper security and sight supervision. (4-4275, 4-ACRS-6A-01)
    - iv. Conversations between attorneys and offenders will be monitored only by sight.
    - v. Visits shall occur during normal working hours of the facility unless otherwise approved by the Facility Unit Head or designee.
    - vi. Attorneys or representatives shall not give any articles directly to the offender.
      - (a) Legal documents may be given to the offender after first being inspected, not read, by the officer supervising the visit who will then hand the documents to the offender.
      - (b) Legal documents must in paper format only, no CD's, DVD's, flash drives, or other data storage formats may be given to the offender.
    - vii. There shall be no photograph, audio, or video recording made at the facility without specific prior approval.
      - (a) The person requesting the legal visit is responsible to provide documentation of the specific legal necessity to make a photograph, audio, or video recording.
      - (b) This documentation should include the specific court case or other legal authorization and attach any Court orders.
      - (c) The facility may contact the Attorney General's office for guidance in individual cases.
  - d. An official of the legislative, judicial, or executive branch of the state or federal government on official business with the offender
  - e. Re-entry supporters if they do not participate in regular visitation with the offender
3. Offenders may not actively participate in a business.
  - a. Visits from business representatives may be permitted to enable the offender to protect personal resources or financial interests.
  - b. If there are excessive requests for business visits, or if criminal or illegal activity is suspected, the matter should be brought to the attention of the Regional Administrator.
4. Re-entry visits are special extended visits by immediate family, extended family, or reentry supporters in preparation for offender re-entry. (4-4501)
  - a. These may include in-person or video visits that are supervised or mediated by DOC staff or professionals from other organizations approved by DOC to perform this function.
  - b. Re-entry visits shall occur at the discretion of the Facility Unit Head and are dependent on the consistency of the visit with the offender's needs and the facility's mission.
5. Special visits shall not be counted toward an offender's regular visiting time allowance.

6. Special visits will usually be scheduled during normal working hours on business days. The Facility Unit Head or designee may make exceptions for special circumstances.
7. The Facility Unit Head will approve requests for visits with offenders from diplomatic representatives of their country of citizenship. (4-4280) The Director, Chief of Corrections Operations, and Regional Administrator will be notified of approval.
8. Immediate family based on special circumstances or need may be granted a special visit by the Facility Unit Head or Administrative Duty Officer and should be granted only in exceptional circumstances such as family members who have unexpectedly traveled long distances (200 miles or more) or when an offender's death is imminent.
  - a. The visitor must complete the online [Adult Visitor Application and Background Investigation Authorization](#) 851\_F1, [Spanish](#) 851\_F1S, [Minor Visitor Application and Background Investigation Authorization](#) 851\_F6, or [Spanish](#) 851\_F6S.
  - b. Facility staff will notify the Central Visitation Unit of the exception and request that the visitor be entered into the VACORIS Visiting Module.
  - c. Central Visitation Unit staff shall enter the application information, conduct a criminal record check, and associate the visitor with the offender.
  - d. The criminal record check must be conducted by the Central Visitation Unit before the visitor is admitted
  - e. The visit must be recorded in the VACORIS Visiting Module and will be counted toward an offender's regular visiting time.
  - f. Special visits for immediate family based on special circumstances should be scheduled during normal visiting days.
  - g. The Facility Unit Head or Administrative Duty Officer may approve a special visit during normal working hours on business days only in the event of the offender's imminent death.

#### H. Visiting Schedule

1. Newly received offenders to the DOC will generally not be allowed visits in the first 60 days in a reception center.
2. The visiting schedule for general population offenders will be on Saturday, Sunday, and all recognized state holidays excluding any "extra" days given to state employees by the Governor. Facilities may use a visitation allocation system (alphabetical or numerical) which allows visits for a portion of the population on each visiting day if needed due to visitation demand routinely exceeding capacity.
3. Generally, visiting will be held at facilities a minimum of 6 hours each visiting day.
4. Each offender will be permitted a minimum of one hour and a maximum of 4 hours per visiting day with visitors on those days designated for that offender to visit. On a case-by-case basis and as approved by the Facility Unit Head or designee, offenders may request approval in advance for an extended visit based on special circumstance or need, such as infrequent visits and extreme travel distance.
5. The length of each visit will be determined by visiting room staff depending on the number of visitors, space, and staffing.
6. Each Facility Unit Head will designate the number of visitors allowed to visit each offender at one time and the number of visits each offender may receive each visiting day.
7. The total number of hours an offender may visit per month will be in accordance with Operating Procedure 440.4, *Offender Privileges by Security Level*.
8. Visitors transported by non-profit service providers with which the DOC has a Memorandum of Understanding, such as *Assisting Families of Inmates*, will be allowed to visit on the day of the transportation service's approved scheduled arrival regardless of the visitation allocation system (alphabetical or numerical) in place at the facility.

- a. These visitors will be identified by name badges or lists of riders provided by the transportation services provider.
- b. When an offender receives a visit on a day that is not normally their visiting day, the visit will constitute the offender's weekly visit.

#### I. Admission and Search Procedures

1. Visitors must park in designated areas and secure and lock unattended vehicles.
  - a. Visitors may not have weapons, ammunition, alcohol, or un-prescribed drugs in their vehicles on DOC property.
  - b. Children shall not be left in a vehicle or parking area without adult supervision.
2. Each visitor must comply with identification and search requirements of Operating Procedure 445.1, *Employee, Visitor, and Offender Searches* (restricted access).
  - a. All visitors (excluding non-emancipated minors) are required to present a valid government picture identification card.
  - b. All visitors are subject to search by electronic scanning and detection devices, pat-down frisk searches, and contraband detection canines.
    - i. Visitors will be required to remove coats, jackets, and excess layers of outer clothing to allow an effective pat-down frisk search.
    - ii. Visitors will be required to turn all clothing pockets inside out, if the garment construction allows and remove their shoes, as approved by the Regional Operations Chief
    - iii. Transgender or intersex visitors who have a preference regarding the gender of the staff member conducting the search must notify staff and request that the search be conducted by a staff member of their preferred gender; the notification and request must be made at each visit.
    - iv. If, after the initial search, it is believed that an additional search is necessary, a further consensual search, i.e. strip search or body cavity search, may be conducted with the approval of the Administrative Duty Officer.
      - (a) If no contraband is found, the offender visitor will be limited to and provided a non-contact visit, unless the visitor claims the item detected is a surgical implant or piercing. (added 9/1/19)
      - (b) When the visitor claims that the item is a surgical implant or piercing, the visitor may be considered for a contact visit provided the visitor has medical documentation confirming the surgical implant/piercing in accordance with Operating Procedure 445.1, *Employee, Visitor, and Offender Searches* (restricted access).
    - v. If a visitor refuses a search, visitation will not be authorized for that day and approval for future visits may be revoked.
  - c. Accessibility for mobility impaired visitors
    - i. Visitors with mobility impairments should contact the facility before visiting to ensure accommodations are in place.
    - ii. Due to the difficulty of thoroughly searching such devices, visitors requiring the use of walkers or wheelchairs to access the visiting area will be required to use a DOC-owned wheelchair for the visit. Search areas should be equipped with pull up bars meeting ADA standards to assist in transfer into and out of DOC-owned wheelchairs. DOC staff may assist in the transfer but should not lift the visitor.
    - iii. Specialized wheel chairs may be allowed after a reasonable search. These would include chairs that are medically required for a visitor without use of their extremities (e.g. quadriplegic) and or those who are unable to stand at all.
3. Visitors are not allowed to bring property, packages, food, cash money, checks, money orders, lottery tickets, negotiable items, or any other item through visitation, unless specified otherwise in this operating procedure. Visitors who attempt to give such items to offenders will have their visit terminated and may lose their visiting privileges.
4. Visitors may be permitted to bring in documents that require an offender's review and signature such



- as divorce papers, tax forms, etc., with prior approval of the Facility Unit Head or designee.
5. Facilities may permit each adult visitor to bring a maximum of \$20.00 (\$30.00 at SL W & 1) in coins (no paper money) into the visitation area for the purchase of items from vending machines. Such coins may only be in denominations that will be accepted by the vending machines at the facility. Change making machines should be provided for the convenience of staff and visitors.
  6. Visitors will not give any coins directly to offenders. Upon their departure from a visiting area, visitors must take any coins not spent in the vending machines out of the visiting area. No offender will be permitted to take any item from the visiting room, including money or food items purchased during visitation.
  7. Visitors will not take any items into the visiting area except the following:
    - a. Their visitor's pass
    - b. A maximum of \$20.00 in coins (no paper money) per adult visitor; maximum of \$30.00 at SL W & 1 facilities
    - c. Personal vehicle key only (“keyless” keys are not authorized)
    - d. DOC locker key (if applicable)
    - e. Essential items for infant feeding to include one nursing cover for breastfeeding, as applicable and defined by the facility *Offender Visiting Information Brochure*, and the clothing actually worn
    - f. All other property should be locked in the visitor's vehicle or a locker in a secure area if provided by the facility.
    - g. A check area for coats, umbrellas, and rain gear may be provided. A disclaimer of liability for loss, theft, or damage should be conspicuously posted if such an area is provided.
  8. Visitors must dress appropriately to conform to the *Visitor Attire* Section of this operating procedure.
  9. Visitors may wear hats, caps, scarves and other head coverings into the visiting area
    - a. All headgear shall be subject to search prior to the visitor entering the visiting room.
    - b. Visitors who wear a head covering for religious purposes should be required to remove the covering for search and then be allowed to wear the covering in the visiting room.
    - c. Female visitors who wear scarves or veils as a face covering for religious reasons should be allowed to remove the veil in a private area in the presence of a female officer to positively identify the visitor prior to entry into the visiting room and prior to exiting the facility after visitation.
    - d. Visitors who wear wigs or other hair pieces shall not be required to remove the hair piece for search except when there is reasonable suspicion that a further search is necessary as authorized by the Shift Commander.
  10. Service or Guide Animals
    - a. Visitors should request and receive prior approval for service or guide animals needed in the visitation area, but such animals may be admitted with the approval of the Administrative Duty Officer based on the specific circumstances.
    - b. Service or guide animals should be attentive and “on guard” but should not be aggressive or barking excessively. The visitor may be barred from entering or removed from the visitation area if the animal’s behavior is aggressive or disrupting. No animal may be left unattended in a vehicle.
    - c. Service animals are working and should not be petted.
    - d. Food or treats for the service animal should generally not be required or allowed during the visit.
    - e. Search of service animals
      - i. The service animal and the person must not be separated during the search. The staff conducting the search should explain the search steps and request cooperation of the person in the search process.
      - ii. Any pockets, flaps, etc. on the harness or collar should be thoroughly searched.
      - iii. If the harness must be removed for the search, it should be replaced very quickly since removal

indicates to the animal they are off duty.

- iv. Visual inspection should be adequate for short-haired animals; a frisk search may be required for animals with long, fluffy coats.

## J. Visits for Special Status Offenders

### 1. Special Health Needs

- a. Offenders who are housed in infirmary or observation beds at the facility may receive visits if approved by the Facility Unit Head or designee in consultation with the Facility Health Authority. The location, length, and circumstances of the visit shall be decided on a case-by-case basis.
- b. Visits with offenders who are housed in off-site hospital beds shall be managed in accordance with Operating Procedure 425.2, *Hospital Security* (restricted access).
  - i. Visiting with offenders in DOC operated hospital security wards shall be managed by the security ward staff.
  - ii. Visiting with offenders in other hospitals shall be managed by the facility providing security at the hospital.
  - iii. In general, hospitalized offenders may receive visits from immediate family members only.
  - iv. All visits must be approved by the Facility Unit Head or designee, in consultation with the attending physician.
  - v. The location, length, and circumstances of the visit shall be determined on a case-by-case basis.
- c. Offenders housed in mental health residential or acute care beds may receive visits if approved by the Facility Unit Head or designee in consultation with the Mental Health Unit Director.

### 2. Security Level S, Segregation, Death Row

- a. The following offenders shall be limited to non-contact visits, except for contact visits with an attorney at the request of the attorney:
  - i. Offenders classified as Security Level S
  - ii. Offenders classified to Special Housing (see Operating Procedure 861.3, *Special Housing*) or a Restrictive Housing Unit (see Operating Procedure 841.4, *Restrictive Housing Units*)
- b. Offenders housed in death row are authorized contact and non-contact visits with immediate family members and one non-family member (non-family member must be approved by the Director).
  - i. All visitors must submit an online application and receive approval prior to coming for visitation.
  - ii. Contact visitation will be conducted every Friday for one hour and 30 minutes. Visitors shall call the Office of the Assistant Facility Unit Head on Wednesdays for an available appointment for Friday.
  - iii. Non-Contact Visitation will be conducted on Saturday, Sundays, and holidays. Scheduling of visitation during holiday periods is subject to change.
  - iv. The Assistant Facility Unit Head may approve extended visitation periods on a case-by-case basis. Offenders must request extended visits. (4-4501)
  - v. All visitors and offenders are expected to follow all rules in the *Offender Visiting Information Brochure* and this operating procedure.
  - vi. Contact visits with an attorney at the request of the attorney and approval of the Assistant Facility Unit Head or designee.

### 3. Suspension of Visiting Privileges Due to Offender Conduct

- a. Loss of visiting privileges may be imposed as a penalty for disciplinary infractions in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions*, or as a sanction for a violation in accordance with Operating Procedure 940.4, *Community Corrections Alternative Program*.
- b. Offenders who are assigned to disciplinary segregation as the result of a disciplinary offense may not have visits while serving the penalty. (see Operating Procedure 861.3, *Special Housing*) The offender should be provided the opportunity, with staff assistance if needed, to notify his visitors that his visiting privileges have been suspended.

- c. Attorney contact visits shall be allowed at the request of the attorney while an offender is serving a penalty restricting visiting privileges.
- d. The Facility Unit Head has the discretion to grant visiting privileges on a case-by-case basis in special circumstances during the period that the offender is serving the penalty.

#### K. Non-Contact Visiting

1. The Facility Unit Head may limit an offender assigned to any security level to non-contact visits. Non-contact visitation for any of the following circumstances may be scheduled according to the facility's needs and is not required to be held on regular visiting days:
  - a. The offender is visiting with any visitor who is subject to visitor restriction.
  - b. Non-contact visiting is determined to be in the offender's best interest due to health or mental health treatment needs as recommended by the Physician or Qualified Mental Health Provider. The Facility Unit Head will make the final decision.
  - c. Based on a review of a Hearings Officer's finding of guilt of a disciplinary offense that is related to a contact visit or the offender's contact (mail, phone, visiting) with certain visitors.
    - i. When an offender is found guilty of a disciplinary offense that is related to a contact visit, the Facility Unit Head may limit the offender to non-contact visiting for a period not to exceed 180 days.
    - ii. If an offender has been found guilty of a disciplinary offense related to mail or phone contact with a specific visitor, the Facility Unit Head may limit the offender to non-contact visiting with that visitor for a period not to exceed 180 days.
  - d. Non-contact visiting is imposed as an enhanced penalty for repeated violations of Category I offenses or a visiting restriction is imposed for convictions of 122a, 122b, 122c, 122d, 122e, 122f, or a 198a, 198b, 198c to these offenses in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions*.
  - e. The offender's visitor is caught attempting to circumvent the search process and carry contraband into the visiting room.
    - i. First Incident: Non-contact visits with immediate family only for six months
    - ii. Second Incident: Non-contact visits with immediate family only for one year
    - iii. Third Incident: Non-contact visits with immediate family only for two years
    - iv. Fourth Incident and any additional incidents: Non-contact visits with immediate family only for five years
    - v. If an additional incident occurs while the offender is still on non-contact visiting status for a previous incident, the offender will not be required to complete the previous period of non-contact visiting; the new non-contact visiting period will be imposed from the date of the latest incident.
  - f. Approved programmatic purposes, such as Therapeutic Community program, Structured Living Units, transitional housing units, orientation, or Privilege Incentive Programs
  - g. The Facility Unit Head determines that safety and security of visitors, staff, and offenders cannot be maintained otherwise.
2. Facilities that do not have permanent non-contact visiting areas must have sufficient portable non-contact visiting booths to accommodate offenders limited to non-contact visiting, and should allocate a day, time, and location for non-contact visits as necessary. The facility should identify in the *Offender Visiting Information Brochure* maximum length of the visit, the number of visits, and visitors allowed per day.
3. Non-contact visits may be conducted through video visitation.

#### L. Restricted/Disallowed/Banned/Terminated Visits

1. Terminated Visits
  - a. Visits may be terminated based on visiting room overcrowding. If this occurs, the visit that began

first shall be terminated first, provided the visit has lasted for at least one hour. Exceptions may be granted by the facility for individuals traveling great distances or having other extenuating circumstances. (4-4501)

- b. A visit will not occur, or shall be terminated, for any of the following reasons:
    - i. The offender does not want to visit.
    - ii. The offender or visitor appears to be intoxicated or under the influence of a controlled substance.
    - iii. The offender or visitor fails to comply with all DOC and facility procedures and visiting standards.
    - iv. The visitor is verbally abusive towards staff, offenders, or other visitors.
    - v. The offender commits a disciplinary violation in the visiting room.
    - vi. Reliable information has been received indicating that the visitor or the offender is expected to commit an illegal act. The facility's Regional Administrator shall be advised whenever a visit is disallowed or terminated for this reason.
    - vii. The DOC is notified that parental rights of the offender for the child have been terminated.
    - viii. Anytime the visitor or offender imposes physical punishment to discipline a minor child.
  - c. If circumstances permit, supervisory staff shall verbally explain, at the time it occurs, the reason for terminating or disallowing a visit.
  - d. If the visitor is involved in conduct for which the visit is terminated or disallowed, the visitor shall not be allowed to visit for the remainder of that day/weekend and may be subject to a restriction of all visits. An appropriate *Incident Report* (see Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*) or *Internal Incident Report*, depending on the type of misconduct, shall be completed to document the event.
  - e. If the offender is involved in conduct for which a visit is terminated or disallowed, the offender may be given a *Disciplinary Offense Report* for the violation(s) committed.
2. Restrictions and Bans of a Visitor's Visiting Privileges
- a. Visitors who fail to abide by the visiting rules and procedures may be refused admission to the facility or restricted to non-contact visits by the Facility Unit Head.
    - i. Generally, violations of a minor nature will result in a ban of visiting privilege for a period of from three to six months.
    - ii. Serious violations will result in the permanent ban of visiting privileges.
  - b. When a visitor's privileges are banned, the Facility Unit Head shall provide a written explanation to the visitor and offender involved, including notice of the length of ban.
    - i. Facility staff shall enter the ban in the VACORIS Visiting Module.
    - ii. If the visitor desires, they may submit a written request for reconsideration to the Facility Unit Head within thirty days providing additional information and extenuating circumstances if applicable. The Facility Unit Head may allow a meeting with the banned visitor to address the reconsideration issue.
    - iii. If the visitor is not satisfied with the Facility Unit Head's response, the visitor may request a review of the decision by the Regional Administrator within 30 days of the Facility Unit Head's response. The Regional Administrator's decision will be final.
  - c. Non-contact visits may be required at the discretion of the Facility Unit Head upon re-instatement of visiting privileges.
  - d. A visitor's privilege to visit shall be banned if any of the following occur: (This does not have to occur in connection with a visit i.e., a person who leaves illegal contraband in another area of the facility grounds for an offender to pick up, mails contraband to an offender, or discusses escape plans or other criminal activity with an offender over the telephone may be subject to non-contact visits or to a visitor suspension)
    - i. The visitor smuggles, conspires to smuggle, or attempts to smuggle any item in or out of the facility. Staff will ensure that the Special Investigations Unit is notified if the item is proved to be illegal contraband.

- ii. The visitor assaults staff or others, or threatens them with physical harm.
  - iii. The visitor assists, conspires to assist, or attempts to assist an offender to escape.
  - iv. The visitor has a pending felony or misdemeanor charge or has been found guilty of a felony or misdemeanor that occurred in connection with a visit. The ban may, at the discretion of the Facility Unit Head or designee, be removed if the visitor provides written documentation that the charge has been dismissed or that the charge has resulted in a non-guilty finding.
  - v. The visitor provides false information related to visiting rules or procedures.
  - vi. The visitor damages or attempts to damage DOC property or engages in disruptive behavior while on DOC property.
  - vii. The visitor removes or attempts to remove any item from the facility that is not authorized by the facility.
  - viii. The offender or visitor touches or exposes the breast, buttocks, or genital area during a visit, or engages in any other inappropriate physical or obscene behavior during a visit, including signs, signals, or other behaviors related to gang identification or gang activities.
  - ix. The visitor falsifies any information on the *Visitor Application and Background Investigation Authorization*.
- e. A visitor's visiting privileges will be permanently banned in the following circumstances:
- i. Smuggling, conspiracy to smuggle, or attempt to smuggle a controlled substance or a firearm into a facility
  - ii. Assault on staff or others resulting in serious physical injury
  - iii. Assisting or conspiring or attempting to assist an offender to escape
  - iv. A felony conviction for the behavior by the offender or visitor that resulted in the visitor ban
  - v. A visitor banned under this section cannot request that visiting privileges be restored for at least five years from the date of the ban.
- f. Visitor restrictions and bans are data-entered in the VACORIS Visiting Module.
- i. Bans are entered based on the visitor or the offender and marked as permanent or temporary (with start and end dates) with a reason selected and comments entered to document the reason for the ban.
  - ii. Restrictions i.e., non-contact visits, should be entered as a visitation alert with an end date selected for the restriction.
- g. Regional or Central office units may initiate a visitor ban based on visitor activities affecting more than one facility.
- i. When a visitor's privileges are banned, the unit initiating the ban shall provide a written explanation to the visitor, including notice of the length of suspension.
  - ii. If the visitor desires, they may request a review of the decision by the Corrections Operations Administrator within 30 days of the written notice. The Corrections Operations Administrator's decision will be final.
3. Once a visitation ban or the required waiting period has expired, the visitor may apply through the regular visitation application process to have visitation privileges restored.
4. The Corrections Operations Administrator shall review each application from a visitor requesting restoration of visitation privileges and consult with relevant facility staff as needed before approving the visitor application.
5. Restrictions/Suspensions of an Offender's Visiting Privileges
- a. The Regional Administrator, upon request of the Facility Unit Head, may restrict visits to non-contact for a specified period of time not to exceed 2 years for an offender who is convicted or found guilty of any of the following:
    - i. A felony or misdemeanor that occurred during a visit
    - ii. Escape, attempted escape, or conspiracy to escape
  - b. The Regional Administrator may, upon request of the Facility Unit Head, permanently restrict visits



to non-contact for an offender who is:

- i. Convicted of a felony that occurred during a visit
  - ii. Committed an escape, attempted escape, or conspiracy to escape associated with a visit
- c. The Regional Administrator shall ensure that the Facility Unit Head is notified of the determination, and that a restriction Alert is entered into the VACORIS Visiting Module.
- d. The Facility Unit Head shall ensure the offender is notified of the Regional Administrator's determination.
- e. If an offender's visits have been restricted to non-contact, contact visits may be allowed with attorneys, authorized attorney representatives, or approved and qualified clergy.
- f. The Regional Administrator may remove a visitation restriction upon written request of the Facility Unit Head or the restricted offender, subject to the following:
- i. A restriction shall not be considered for removal until at least five years after imposition of the restriction by the Regional Administrator, if it is based on a felony that occurred during a visit, or if it is based on an escape, attempted escape, or conspiracy to escape associated with a visit.
  - ii. A restriction shall not be considered for removal until at least two years after imposition of the restriction by the Regional Administrator, if it is based on convictions for two or more drug related disciplinary offenses.
6. Legal Penalties - In addition to visiting restrictions specified above, possible Court proceedings may be initiated against a visitor who violates the law. Some such violations are as follows:
- a. Visitors who attempt to give or convey any item to an offender to help him escape, or in any manner attempt to aid an offender in escape, either with force or otherwise, may be charged with a felony as specified in COV §18.2-473.
  - b. Visitors attempting to give or found to have given to any offender any items that have not been specifically approved or processed may be charged with a Class I misdemeanor in accordance with COV §18.2-474.
  - c. Visitors who give, attempt to give or conspire to give drugs, firearms or explosives to any offender may be charged with a felony as specified in COV §18.2-474.1.
  - d. Visitors who give or attempt to give a cellular telephone to any incarcerated offender may be charged with a felony under COV §18.2-431.1.
7. Appeals and Complaints
- a. Offenders housed at institutions may address complaints related to visitation through the Operating Procedure 866.1, *Offender Grievance Procedure*.
  - b. Visitors may address complaints related to visitation to the Corrections Operations Administrator and may appeal the Corrections Operations Administrator's decision to the Chief of Corrections Operations.

#### M. Privilege Package Allowances

1. Visiting privileges and conditions vary based on the facility's security level designation in accordance with Operating Procedure 440.4, *Offender Privileges by Security Level*.
2. The Chief of Corrections Operations has granted selected institutions the authority to restrict and grant visiting privileges as incentives for appropriate offender behaviors.

#### N. Records Documentation

Every facility must maintain a record of each visit, showing offender name, number, visitor name(s), date, and time of every visit. Institutions shall utilize the VACORIS Visiting Module for documentation.

#### O. Video Visitation Program

1. The DOC has entered into an agreement with *Assisting Families of Inmates* (AFOI) to make long distance video visitation available with selected facilities through Video Visitation Visitor Centers (see

- Attachment 1 for participating facilities and available visitor center locations).
2. Visitors must meet the following eligibility requirements in order to participate in video visitation:
    - a. Must be currently registered in the VACORIS Visiting Module
    - b. Visitors that are not currently registered in the VACORIS Visiting Module must apply online.
    - c. With the approval of the Facility Unit Head and the Central Visitation Unit staff, certain persons not allowed to visit in person (i.e. prior felony convictions, visitor ban/restriction, etc.) may be allowed to participate in video visitation.
  3. Offenders must meet the following eligibility requirements in order to be considered for a video visit:
    - a. Security Level W, 1, 2, 3 - No restrictions on video visits
    - b. Security Level 4 and 5 - 6 months infraction free for video visits
    - c. Intensive Management (IM)
      - i. Security Level S-IM0, IM1, IM2
        - (a) IM0 - 1 video visit per month, 6 months infraction free
        - (b) IM1 - 1 video visit per month, 12 months infraction free
        - (c) IM2 - 1 video visit per month, 18 months infraction free
      - ii. Security Level 6-IM - Closed (Phase 1 and Phase 2) & IM Re-Entry (Phase 1 and Phase 2)
        - (a) IM SL6 Closed & IM Re-Entry Phase 1 - 2 video visits per month, 18 months infraction free
        - (b) IM SL6 Closed & IM Re-Entry Phase 2 - 2 video visits per month, 18 months infraction free
    - d. Special Management (SM)
      - i. Security Level S- SM0, SM1, SM2
        - (a) SM0 - Not eligible for video visits
        - (b) SM1 - Not eligible for video visits
        - (c) SM2 - 1 video visit per month, 18 months infraction free
      - ii. Security Level 6- Step Down Phase 1 and Phase 2; SM Re-Entry, Secure Integrated Pod (SIP) & Secure Allied Management (SAM)
        - (a) SL6, Phase 1 & SM Re-Entry - 2 video visits per month, 18 months infraction free
        - (b) SL6, Phase 2 - 2 video visits per month, 18 months infraction free
  4. Offenders at participating facilities or their visitors may request a video visit by completing a [Video Visiting List](#) 851\_F5.
    - a. Offenders who wish to request a video visit should contact their counselor or facility designee to obtain a [Video Visiting List](#) 851\_F5.
      - i. The completed Video Visiting List must be submitted to the Institutional Program Manager (IPM) or designee for review and approval.
      - ii. Facility staff shall confirm that each requested visitor is currently registered in the VACORIS Visiting Module.
      - iii. Once all visitors are registered and approved, the IPM or designee should sign the *Video Visiting List* and return it to the offender.
      - iv. The offender shall complete and sign the *Video Visitation Rules and Dress Code* (see Attachment 2) and mail it (at offender expense) with the approved *Video Visiting List* to their visitor. Note that each Visitor Center requires a separate *Video Visiting List* and *Video Visitation Rules and Dress Code*.
    - b. Visitors who wish to request a video visit may obtain a [Video Visiting List](#) 851\_F5 from the DOC Public Website.
      - i. Visitors must print the offender's name and number on the [Video Visiting List](#) 851\_F5 and submit the completed *Visiting List* directly to AFOI at the address listed on the form.
      - ii. The visitor must complete and sign the *Video Visitation Rules and Dress Code* and mail it with the *Video Visiting List* and appropriate fee to AFOI to schedule a visit. The fee covers expenses at the Visitor Center (none of the fee comes to DOC). The visitor may arrange subsequent video visits by submitting the necessary fee to AFOI.

- iii. AFOI will mail a copy of the *Video Visiting List* to the offender to obtain the offender's signature.
  - iv. AFOI will confirm with the Central Visitation Unit that each requested visitor is currently registered in the VACORIS Visiting Module.
  - c. Once the [Video Visiting List](#) 851\_F5 is approved, AFOI will contact the facility and the lead visitor to confirm information, date, and time of the video visit.
  - d. The Facility Unit Head may restrict offender access to video visits and regular visits on the same day.
5. Visitors who engage in inappropriate behavior during a video visit will be suspended from video visitation for a period of one year.

## V. COMMUNITY CORRECTIONS FACILITY PROCEDURES

Due to the structured and short-term nature of community facility programs, certain variances are authorized. The following provisions apply only to Community Corrections facilities.

- A. Visitors are defined as immediate family members who have been approved to visit a specific offender participating in the Community Corrections Alternative Program.
  1. Within three days of arrival at a Community Corrections facility, offenders are required to submit for approval to their assigned Counselor, Probation Officer, or to Security Staff a listing of those persons whom the offender requests to have approved for visitation privileges.
  2. Each Community Corrections facility may place additional limits on authorized visitors based on the facility mission and visiting space limitations.
  3. Community Corrections facilities do not use the Visitor Application forms or the VACORIS visiting module.
- B. Visiting should be held, at a minimum period of up to 4 hours per month and a maximum of 16 hours per month at Community Corrections facilities. Visiting will occur on Saturdays or Sundays. Each facility may devise those visiting management procedures which aid in the effective management of offender visiting to include, but not limited to, alternating weekend schedules of visitation to reduce overcrowding in the assigned visiting area. Each offender should be permitted a minimum of one hour of visiting per scheduled visiting day. Each facility will establish procedures for the hours of visiting.
- C. The Facility Unit Head or designee may authorize special visits. Special visits may include clergy, former or prospective employers, sponsors, attorneys, or individuals not on an approved visiting list. The approving authority should set times for these special visits at the time of the request's approval.
- D. Offenders may not actively participate in a business while housed at a community corrections facility. Visits from an offender's business representative may be permitted in order to enable the offender to protect their resources or financial interests. These visits will be treated as special visits and approved by the Facility Unit Head or designee.
- E. Offenders and visitors who want to appeal any adverse decision or render a complaint regarding visitation at Community Corrections facilities may appeal to the Facility Unit Head who will be the final level of appeal. Offenders housed at community facilities may address complaints through Operating Procedure 866.2, *Offender Complaints, Community Corrections*.

## VI. REFERENCES

- Operating Procedure 021.2, *Victim/offender Dialogue*  
Operating Procedure 022.1, *Mass Media Relations*  
Operating Procedure 022.2, *Offender Access to the Media*  
Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*  
Operating Procedure 135.2, *Rules of Conduct Governing Employee Relationships with Offenders*

Operating Procedure 425.2, *Hospital Security*  
Operating Procedure 440.4, *Offender Privileges by Security Level*  
Operating Procedure 445.1, *Employee, Visitor, and Offender Searches* (restricted access)  
Operating Procedure 801.5, *Marriage Ceremonies for Offenders*  
Operating Procedure 841.4, *Restrictive Housing Units*  
Operating Procedure 861.1, *Offender Discipline, Institutions*  
Operating Procedure 861.3, *Special Housing*  
Operating Procedure 866.1, *Offender Grievance Procedure*  
Operating Procedure 866.2, *Offender Complaints, Community Corrections*  
Operating Procedure 940.4, *Community Corrections Alternative Program*

VII. FORM CITATIONS

[Adult Visitor Application and Background Investigation Authorization](#) 851\_F1, [Spanish](#) 851\_F1S  
[Legal Visit Request](#) 851\_F3  
[Notarized Statement – Minor Visitor](#) 851\_F4  
[Video Visiting List](#) 851\_F5  
[Minor Visitor Application and Background Investigation Authorization](#) 851\_F6, [Spanish](#) 851\_F6S  
[Sex Offender Minor Visitation Questionnaire \(Offender\)](#) 851\_F10  
[Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851\_F11

VIII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years after the effective date.

*The office of primary responsibility reviewed this operating procedure in December 2018 and necessary changes have been made.*

*Signature Copy on File*

*10/19/17*

A. David Robinson, Chief of Corrections Operations

Date