



Department of Juvenile Justice, Division of Operations  
Standard Operating Procedure for Institutions

<b>SOP VOL IV – 4.1 – 4.00</b>	<b>Statutory Authority:</b> Title 66 of the <u>Code of Virginia</u> ; BJJ, 20-102
<b>Subject:</b>  <b>FACILITY VISITATION</b>	<b>New Regulations:</b> 6VAC35-71-410; 6VAC35-71-580; 6VAC35-71-590; 6-VAC-35-71-680
	<b>Old Regulations:</b> 6VAC35-140-90; 6VAC35-51-990 <b>ACA #</b> 4-JCF-3A-18; 4-JCF-3A-19; 4-JCF-3A-20

**4.00-1.0 PURPOSE**

To ensure uniform procedures governing visitation in all Department of Juvenile Justice (DJJ) juvenile correctional centers (JCCs), including the Reception and Diagnostic Center (RDC), while providing reasonable visiting hours and visiting privileges for residents and their approved visitors in order to maintain and foster family and pro-social relationships to promote successful re-entry.

**4.00-2.0 SCOPE**

This procedure applies to all DJJ JCCs and staff assigned to the facility.

**4.00-3.0 DEFINITIONS**

*Administrator* – The superintendent or assistant superintendents and supervisory staff (e.g., counselor supervisor, chief of security, administrative security staff) serving as the designated administrator-on-call for any given week.

*Immediate Family* – Resident visitation is routinely permitted with immediate family members to include: parent(s), guardians, step-parents, maternal and paternal grandparents, spouse, children, siblings, and step-siblings.

**4.00-4.0 PROCEDURES**

**4.00-4.1 Provision of Services**

1. Each facility shall maintain a designated visiting area that permits informal communication between residents and visitors.
2. All residents shall have the right to receive visitors, subject only to the limitations necessary to maintain facility order and security.
3. Except when the safety of an individual is in question, visitation areas shall afford residents and visitors the opportunity to have informal communication and physical contact.
  - a. Physical contact between visitors and residents shall be limited.
  - b. Handshaking, embracing, and kissing on the cheek shall be permitted only at the beginning and end of visits.

- c. Infants and toddlers may sit on the lap of a resident as long as appropriate behavior is exhibited.
  - d. Facility staff shall monitor visitation for excessive physical contact, inappropriate behavior between a resident and a visitor, the passing of contraband, and any other violations of the visitation rules and responsibilities.
  - e. Any observed violations shall result in the termination of the visit by the shift commander and may result in the suspension or termination of visitation privileges for a specific period of time in accordance with section 4.9 below.
4. Resident visitation at an employee's home is prohibited.
  5. Electronic (e.g., video) visitation shall follow the requirements of this procedure.

#### **4.00-4.2 Visitation Times**

1. Each facility superintendent shall develop a visitation schedule that allows for visitation to occur, at minimum, every Sunday and one other day or evening during the week.
  - a. Residents at the initial intake facility (i.e., RDC, Bon Air) shall be eligible for visitation after staff have developed an approved visitation list, but no later than one week following admission.
  - b. The visitation schedule shall be established taking into account the size of the resident population and may stagger multiple visitation periods, as needed, in order to accommodate a high number of residents and visitors while maintaining the orderly operation of the facility.
2. Residents shall be afforded a minimum of one (1) hour visitation within the scheduled visitation period, with the following exceptions:
  - a. Emergency circumstances;
  - b. Visitors arriving with less than one hour remaining of the scheduled visitation period;
  - c. Residents who receive a loss of visitation as a result of a disciplinary sanction; and
  - d. Residents serving a disciplinary segregation sanction shall receive thirty (30) minutes.
3. If approved visitors are unable to visit during regular visitation hours, special visiting times may be arranged by contacting the resident's counselor.
4. Law enforcement officials with a legitimate reason for questioning residents and attorneys shall obtain permission from the superintendent or designee prior to visiting with a resident in accordance with SOP VOL IV-4.1-4.01 (Access to Counsel and Courts).
5. In the event a resident is hospitalized, the superintendent shall approve visitation hours and parameters, which shall conform to any applicable hospital guidelines. The superintendent or designee shall coordinate with hospital security staff prior to visitation.

#### **4.00-4.3 Eligible Visitors**

1. The initial intake facility staff shall initiate and complete an Approved Visitors List (DIS-009) and enter the list into the direct care module in BADGE in accordance with SOP VOL IV-4.1-3.21 (Intake and Orientation). The assigned counselor shall be responsible for keeping

this list up-to-date in accordance with SOP VOL IV-4.1-3.40 (Intake).

2. A copy of the visitation procedure shall be mailed, either electronically or via first class mail, to the resident's parents or legal guardians, as applicable and appropriate, and other applicable persons no later than close of the next business day after arrival at the facility, unless a copy has already been provided to the individual.
3. A resident's immediate family shall be added to the approved visitation list, once verified through the assigned probation or parole officer. An individual in these categories may be excluded from visitation for cause (e.g., under DJJ or DOC community supervision, a no contact court order, subject to a protective order, parental rights have been terminated, found to have violated the rules of visitation) in accordance with section 4.9 below.
4. Any other person interested in visiting a resident (e.g., clergy, extended family, and individuals with positive family and community relationships with the resident) may request to be added to a resident's visitation list in accordance with the following approval process:
  - a. Submit visitation requests to the resident's assigned counselor. Requests can be made in person, by telephone, by first-class mail, or by electronic mail. If the counselor is unavailable, the request shall be made to the superintendent's office.
  - b. The counselor shall request a visitor assessment from the assigned probation or parole officer (P.O.).
  - c. Following the assessment process, the superintendent may approve a one-time visit or on-going visitation. The requesting party shall be notified of the decision by the counselor within ten (10) business days of receipt of the request. Individuals approved for on-going visitation shall be added to the Approved Visitor List (DIS-009) and to BADGE.
5. All approved visitors under the age of 18 must be accompanied by an adult on the approved visitor list.
6. No more than four (4) visitors shall be allowed to visit a resident at any one time. Visitors may be rotated to ensure all visitors are able to visit with the resident within the scheduled visitation period. Any exception shall be approved by the superintendent or designee.
7. Children of residents may visit, but if brought to visitation by anyone other than their legal guardian, a notarized letter from the legal guardian must accompany the child giving the individual permission to bring the child for visitation. The notarized letter shall be maintained in the resident's file.
8. A resident's sexual abuse victim(s) or the perpetrator of sexual abuse against the resident shall not be permitted to visit without Behavioral Services Unit (BSU) recommendation and superintendent approval.

#### **4.00-4.4 General Visitation Procedures**

1. Visitation shall be held in a designated facility location (cottage or visitation area).
2. Each facility shall designate a registration area which shall be staffed by facility personnel at least thirty (30) minutes prior to and during scheduled visitation hours. Facility staff shall ensure that all visitors are properly registered and document the name of the visitor and

resident(s) being seen.

3. Sufficient staff shall be scheduled and available for visitation to ensure proper sign-in procedures, searches, and supervision.
  - a. Facility staff shall ensure all persons allowed to visit a resident are on the resident's Approved Visitors List.
  - b. Any questions or concerns regarding the status of a visitor shall be directed towards the superintendent or designee.
  - c. A counselor shall be required to assist in registration according to a schedule established by the superintendent or designee.
4. Visitors shall not be permitted to bring packages for residents. Any exception must be approved in advance by the superintendent and the approval shall be left in writing for the visitation staff.
5. Any item that a resident gives to a visitor shall be pre-approved by a facility administrator. Large items (e.g., plants, woodworking, excessive mail, post-secondary projects) shall be given to the visitors at the registration area at the conclusion of visitation.
6. Parents and legal guardians may discuss their child's overall progress with his/her counselor, therapist, and/or the facility administrator in an area that provides sufficient confidentiality.
7. Bathrooms shall be designated and available for use by visitors and shall be separate from those used by residents, where available.
8. Visitation areas shall be handicap accessible.

#### **4.00-4.5 Visitor Expectations**

1. All visitors 13 years of age or older must present a form of picture identification (e.g., DMV, school). The identification of the visitor shall be verified with the picture and thereafter, if valid, the identification shall be maintained at the registration area and returned to the visitor at the conclusion of the visit. The administrator may grant exceptions to this requirement, as needed and appropriate, to ensure visitations are not hindered and security is maintained. Visitors under the age of 12 are not required to present a picture identification card; however, the accompanying adult shall verify the child's identity.
2. All visitors shall be scanned with a walk-through or hand-held metal detector and/or be given a pat down search in accordance with SOP VOL IV-4.1-2.14 (Resident, Staff, and Visitor Searches). Minors shall be searched in the presence of the accompanying adult. The facility shall provide a new diaper for infant or toddler children. The child shall be changed under staff supervision and in a location that ensures privacy. Older children and adults with diapers shall not be required to change.
3. Personal belongings, including but not limited to, purses/handbags, watches, money, umbrellas, duffle bags, diaper bags, stroller, car seat, etc. shall not be permitted in visiting areas. Visitors with infants or toddlers may only bring in one pacifier and one plastic bottle/cup of milk or juice.

4. Visitors with assistive devices:
  - a. Walkers, crutches, and canes shall be searched and permitted until the visitor is safely seated but shall be moved to a designated area of the visitation room in close proximity to the security series staff. The device(s) shall be returned to the visitor during movement.
  - b. Wheel chairs, to include motorized, shall be searched and visitors shall be permitted to remain in the wheel chair throughout the duration of the search and visit. The search behind and under the visitor shall be as thorough as possible and within the physical capabilities of the visitor.
  - c. Prosthetic devices may, for cause and reasonable suspicion, be subject to search at the discretion of the facility administrator.
  - d. Visitors requiring assistance from a service animal (e.g., physical disability, diabetes, epilepsy, panic disorder) shall be permitted.
    - 1) Visitors shall provide a copy of the animal's certification (e.g., identification card), if available.
    - 2) Visitors should provide the facility with notification of the intended visit with the service animal as soon as practicable prior to the visit. If advance notice is not received, the facility administrator shall make a determination regarding admittance into the facility.
    - 3) Additional special considerations shall be determined by the superintendent or designee.
5. All visitors shall park in the area(s) designated by the facility. Personal belongings shall be left in the vehicle with the windows up and all doors locked. The facilities are not responsible for items left unattended in vehicles.
6. Visitors shall not leave unattended minors in their vehicles during visitation.
7. Individuals waiting in the parking lot during visitation shall conduct themselves in an appropriate manner which does not cause disruption to the facility. Contact with any resident outside the approved visitation area or through the perimeter fence is prohibited. Such violations may result in the loss of visitation privileges as well as criminal prosecution.
8. Visitors shall not give anything to residents during the visit. Any items given to a resident during visitation shall be considered contraband.
9. Visitors are expected to dress in compliance with section 4.00-4.6.

#### **4.00-4.6 Visitor Dress Code**

Visitors shall wear appropriate casual clothing. At a minimum, visitors shall follow the following requirements:

1. Footwear is required at all times. Any kind of footwear is acceptable, as long as the bottom of the foot is covered.
2. Clothing that advocates or promotes drugs, alcohol, tobacco products, guns, violence, profanity, sexual promiscuity, antisocial or illegal acts, and negative racial, ethnic, or religious sayings or slurs are not permitted.
3. Halter-tops, tank-tops, spaghetti-strap tops, muscle shirts, jogging shorts, biker shorts, spandex shorts, swim trunks, and tight-fitting or revealing clothing are prohibited.

4. Shorts must cover more than half of one's thighs.
5. Visitors wearing dresses or skirts in excess of two (2) inches above the knee shall NOT be allowed to enter the facility.
6. Excessive and flashy jewelry that may cause a security risk shall not be permitted.
7. Undergarments, including a bra for female visitors, are required and shall not be visible.

Any visitor whose clothing is considered inappropriate by the facility staff shall be referred to the administrator who shall make the final decision on admittance to the visitation room. The facility shall offer alternative coverings (e.g., lab coat, etc.) to visitors not dressed appropriately. Any visitor refusing to wear the alternative covering shall be denied access to visitation.

#### **4.00-4.7 Resident Expectations**

1. All residents shall report for visitation in clean state-issued clothing. Residents may be required to wear designated clothing for visitation at the discretion of the superintendent.
2. Residents may not bring any unauthorized items to visitation nor shall they be allowed to accept any personal item from a visitor. With superintendent or designee permission, residents may bring certificates and other similar items to visitation to give to their visitor to take home.
3. Residents shall be strip searched at the conclusion of visitation in accordance with SOP VOL IV-4.1-2.14 (Resident, Staff, and Visitor Searches).

#### **4.00-4.8 Handling of Contraband**

1. Visitors attempting to give or found to have given contraband to a resident shall have their visit immediately terminated and reviewed for a possible loss of visitation privileges.
2. In accordance with VOL IV-1.7-01 (The Roles, Functions, and Responsibilities of the Investigative Unit and Personnel Reporting Responsibilities), the superintendent or designee shall contact the Investigative Unit for possible criminal prosecution for any of the following incidents:
  - a. A visitor gives or attempts to give drugs, drug paraphernalia, firearms, or explosives to a resident; or
  - b. A visitor gives or attempts to give or convey any item(s) to a resident to help the resident to escape or in any manner attempt to aid a resident in escape either with force or otherwise.
3. A serious incident report shall be completed in accordance with SOP VOL IV-4.1-1.01 (Incident Reports), as applicable.

#### **4.00-4.9 Suspension or Termination of Visitation Privileges**

1. Administrators reserve the authority to use discretion in denying visiting privileges.
2. A visitor may be denied the privilege of visiting a resident, either for a short period of time or for the duration of a resident's commitment, if the visitor is considered to be any of the following:

- a. Detrimental to the resident (e.g., perpetrator of sexual abuse against the resident, victim of sexual abuse by the resident, no contact court order, subject to a protective order, parental rights have been terminated);
  - b. A threat to institutional security;
  - c. Does not comply with facility procedures (e.g., found to have violated the rules of visitation); or
  - d. Under investigation by Child Protective Services for allegations relating to the resident.
3. A resident's visitation privileges may be suspended on a temporary basis in accordance with SOP VOL IV-4.1-1.16 (Resident Discipline).
  4. Parents shall be notified in writing by the counselor of any visitation suspension or a termination with a copy to the assigned P.O. no later than the next business day following the determination. If there is not sufficient time (three business days) to notify parents via mail (e.g., weather-related, disciplinary sanctions), the counselor shall document contact with the parent via telephone.

#### **4.00-5.0 RESPONSIBILITY**

The Superintendent shall have primary responsibility for ensuring compliance with this Operating Procedure.

The Assistant Superintendent shall have secondary responsibility for implementing this procedure and shall assign necessary supervisory and monitoring responsibilities.

#### **4.00-6.0 INTERPRETATION**

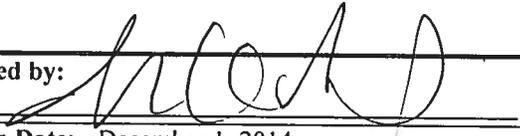
The DJJ Deputy Director of Operations shall be responsible for interpreting and granting any exceptions to this procedure.

#### **4.00-7.0 CONFIDENTIALITY**

All procedures and bulletins are DJJ property and shall only be used for legitimate business purposes. Any redistribution of the documents or information contained in the procedures or bulletins shall be in accordance with applicable state and federal statutes and regulations and all other DJJ procedures. Any unauthorized use or distribution may result in disciplinary and/or criminal action, as appropriate and applicable.

## 4.00-8.0 REVIEW DATE

This procedure shall remain in effect until rescinded or otherwise modified by the appropriate authority.

Approved by: 	Date: <u>10/24/2014</u>
Effective Date: December 1, 2014	Office of Primary Responsibility: Deputy Director of Operations Superintendent – Juvenile Correctional Center
Supersedes: SOP 300 (Facility Visitation) April 24, 2000	Forms: Approved Visitors List (DIS-009); Visitation Rules and Privileges Manual
IOP Required: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Resident Access: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>