

<b>State of Vermont, Agency of Human Services Department of Corrections</b>	<b>Title:</b>  <b>Inmate Visits</b>	<b>Page 1 of 15</b>
<b>Chapter:</b> Mail, Telephone & Visiting	# 327.01	Supersedes #327.01, <i>Visits</i> , dated 3/01/2002
<b>Attachments, Forms &amp; Companion Documents:</b> <ol style="list-style-type: none"> <li>1. Inmate Visitor List</li> <li>2. Visitor Dress Code</li> <li>3. Victim-Offender Visitation</li> <li>4. Offender-Victim Visitation Permission Request Form</li> <li>5. Response to Victim Permission Request Form</li> </ol>		
<b>Local Procedure(s) Required:</b> Yes <b>Applicability:</b> All staff, contractors and volunteers <b>Security Level:</b> "B" - Anyone may have access to this document.		
<b>Approved:</b>   <div style="display: flex; justify-content: space-between;"> <div data-bbox="168 783 760 856"> <hr style="width: 100%;"/> <b>Robert D. Hofmann, Commissioner</b> </div> <div data-bbox="862 783 1032 856"> <u><b>June 8, 2006</b></u>  <b>Date Signed</b> </div> <div data-bbox="1157 783 1349 856"> <u><b>June 26, 2006</b></u>  <b>Date Effective</b> </div> </div>		

## PURPOSE

The purpose of this directive is to establish rules and regulations governing visits at the correctional facilities of the Vermont Department of Corrections which reflect not only the importance of inmate visitation, but also the need for security and order.

## POLICY

It is the policy of the Vermont Department of Corrections to encourage inmates in a manner consistent with security to have regular social visits with relatives and other individuals in order to maintain close family and community ties.

## AUTHORITY & REFERENCE

28 V.S.A. § 102(c), 28 V.S.A. § 601(7), 28 V.S.A. § 803(a), 28 V.S.A. § 804, 28 V.S.A. § 805, 28 V.S.A. § 808(a); American Correctional Association Standards for Adult Correctional Institutions, 4<sup>th</sup> Edition 2003, Standards 4-4156, 4-4267, 4-4275, 4-4498, 4-4499, 4-4500, 4-4501, 4-4503, 4-4504.

## DEFINITIONS

Contact Visit: A meeting between an inmate and a visitor which is not separated by a screen or solid glass partition.

Pat Search: A search of a person that is conducted by running hands across the person's clothing to detect any hidden objects, including the examination of pockets, shoes and cap.

Non-Contact Visit: A meeting between an inmate and a visitor which is separated by a screen, solid glass partition or other partition which physically separates visitor from inmate.

Photograph Identification: A card that has been issued by a government agency bearing the holder's name, date of birth, address and photograph.

Reasonable Belief: Judgment based on information or observation deemed to be credible.

Regular Social Visit: A meeting, conducted during routine visiting hours, between an inmate and a person listed on the inmate's approved visitor list.

Security Screening: Required security checks in order to be permitted to visit.

Special Visit: A special meeting approved by the Superintendent or designee, which allows exceptions to (1) the authorized visitor list, (2) number of visitors, (3) schedule of visits and/or (4) length of visit.

Victim: A person who sustains physical, emotional or financial injury or death as a direct result of the commission or attempted commission of a crime resulting in a conviction, or act of delinquency and may also include family members of a minor, incompetent or a homicide victim. This also includes an alleged victim(s) of an inmate who has been charged with a crime and is incarcerated as a detainee.

Victim Permission to Visit: A victim may obtain this form from the Department Victim Services Director or designee, which may allow the victim to visit the inmate associated with their crime. (See Attachment 4.)

Visiting Registration Center: The place in each facility where visitors register.

## **PROCEDURAL GUIDELINES**

### **1. Regular Social Visits**

a. Scheduled Visiting Periods: Each facility will establish regularly scheduled visiting periods that **at a minimum** provide for:

- i. Day and/or evening visiting periods;
- ii. No less than six (6) hours of scheduled visiting periods per week.  
However, expanding this minimum scheduled visiting time is encouraged at all facilities.

### **b. Length of Visits**

- i. The maximum length of any one visit will not exceed two (2) hours;
- ii. The length of a visit may be restricted to allow others to visit during periods of high volume use.

## c. Frequency of Visits

Unless otherwise restricted by the Hearing Officer through due process, or by special status, each inmate will be allowed one (1) visit per week, in addition to legal and religious visits.

## d. Inmate Visitor List

i. Inmates are allowed a maximum of ten (10) persons on their visiting list (*Inmate Visitor List, Attachment 1*); this list may not include any victims of their charge or offense.

ii. Changes to an inmate's visitor list may be made every ninety (90) days;

iii. The name and address on the photo ID must prove that the visitor is the person on the approved list. If there is a discrepancy in the name or address, the visitor must satisfactorily explain it. Staff will document the facts in the post log.

## e. Visitor Clearance

Anyone may be approved to visit with an inmate provided that:

i. They are not the victim of the inmate's crime, or have received victim permission to visit from the Victim Services staff (*Attachment 3*). Only victims may request to visit the inmate of their offense; inmates may not put their victims on their visiting list.

ii. Their contact has not been prohibited by court order, by probation order or conditions of required Department programming.

iii. If they are a minor (under the age of 18), they are accompanied by their legal guardian, or an adult who has written permission of the guardian and is approved to visit;

iv. They are on the inmate's approved visiting list;

v. If under supervision with the Department of Corrections, they have the written approval of their assigned Probation or Parole Officer;

vi. They are not a current employee or contractor of the Department of Corrections;

- o Employees who have an incarcerated relative may be approved for visits by the facility Superintendent.

vii. If they are a former employee or contractor of the Department of Corrections, they have the permission of the facility Superintendent;

viii. They have a government-issued (state or federal) photo identification card (e.g., driver's license, state employee ID, etc.)

## f. Transferred Inmates

A visiting list will be considered active and approved for thirty (30) days when an inmate is transferred to a facility instate. After thirty (30) days, a new list must be submitted to the inmate's new facility.

## g. Media: Representatives of the media are considered visitors and subject to the visiting rules of the facility.

- A separate departmental directive on media visits or interviews governs media contact with inmates.

2. Visiting Rules

## a. Contraband

A sign will be posted at the entry of each facility, both in the facility lobby/reception area and the main access road to the facility stating:

*"You are entering a correctional facility. All visitors and vehicles are subject to search by Department of Corrections' personnel. Bringing weapons, drugs or alcohol on to this property is a crime punishable by imprisonment, fine or both. Violators shall be prosecuted."*

## b. Notification of Rules

Each correctional facility will prominently post general visiting rules, visiting schedules and a list of contraband in the lobby/entrance way of their facility. Additionally, each facility will produce for distribution to the visiting public a publication outlining:

- i. Visiting days and hours of operation;
- ii. Visiting rules, including
  - acceptable forms of visitor identification
  - search procedures
  - acceptable attire.
- c. General Visiting Rules – The following are applicable at all facilities in addition to those noted above.
  - i. An inmate who has been convicted of a crime involving the abuse of a child may not receive a visit from a minor without the approval of the Superintendent;
  - ii. All visits will be contact visits except where noted below in section #4, h;
  - iii. A maximum of three (3) visitors will be allowed to visit an inmate at any one time;
  - iv. Visitors are prohibited from bringing tobacco products into any facility;
  - v. Visitors are prohibited from conveying any item, including money, jewelry, photographs, papers, etc, to an inmate during a visit;
    - Visitors may bring legal papers for the inmate to sign with permission of the Superintendent or designee.

- vi. Attire – Each visitor will dress with modesty and follow the Visitor Dress Code. See *Attachment 2*.

### 3. Visitor Registration and Search Procedures

- a. Visitors will report to the facility's visiting reception desk on the scheduled visiting day and sign the Visitor Registration Log.
- b. Each visitor will present proper photo identification to the correctional officer on duty. The officer will ensure that the visitor's name appears on the Inmate Visitor List.
- c. All visitors are required to successfully pass through a metal detector before being permitted to enter the visiting room. Visitors who are unable to clear the metal detector will be asked to remove and submit for examination outer articles of clothing, belts or footwear that may have caused the high reading on the metal detector.
- d. A visitor who again fails to successfully clear the walk-through metal detector will be given the opportunity to submit to a search with a hand-held metal detector in order to gain entrance into the correctional facility. If the hand-held metal detector is activated, staff will ask the visitor to leave the facility.
- e. For those persons who cannot clear the metal detector or hand-held scanner due to a medically documented metal implant, prosthetic or pacemaker implant, a pat search will be conducted.
- f. A visitor who arrives thirty (30) minutes or less prior to the end of a visiting period will not be processed for approval to visit.

### 4. Non-Routine Visits

#### a. *Certified Religious Visits*

Religious visits will take place in the regular visiting room during normal visiting hours unless other arrangements have been made with the Superintendent and documented at least one (1) business day in advance.

- i. The inmate may have the name of one (1) certified religious visitor recorded on their Inmate Visitor List. The certified religious visitor is neither counted in the maximum ten (10) visitors an inmate is allowed to have on their list, nor counted toward the one (1) visit a week. Certified religious visitors may visit one (1) time a week.
- ii. The following procedures will be followed in order to place a certified religious visitor on an Inmate Visitor List.
  - a.) The inmate will instruct their potential religious visitor to send a copy of their ordination certificate, license or certificate of Islamic studies, etc., to the Superintendent.
  - b.) If the potential religious visitor does not have the above information, they may send a letter on official letterhead by the pastor, rabbi, imam or leader of the

religious group stating their standing as a representative of that religious affiliation.

c.) The potential religious visitor must also send a letter stating that they are willing to be the inmate's religious visitor.

d.) After receiving and verifying the required paperwork from the religious visitor, the Superintendent will notify the Visiting Registration Center in writing of the name and address of the certified religious visitor for placement on the inmate visitor record.

iii. The clergy person may bring written religious materials into the visiting room for use during the visit only after they have been inspected for contraband. The certified religious visitor will leave the visit with all religious material brought to the visit.

b. *Health Services Practitioners:* Practitioners not under contract with the Department of Corrections who are providing services (pro bono or paid) to an individual inmate must:

i. Identify themselves on arrival and state the purpose of the visit;

ii. Present their credentials to health services personnel to be kept on file in the facility health center;

- DOC Health services personnel will ensure that the inmate has given informed consent for the visit and wishes to receive the services offered.
- The Department of Corrections assumes no responsibility for validation of the practitioner's credentials or payment for services.

iii. Participate in the treatment planning meetings to determine services to be delivered;

iv. Have knowledge of any treatment plan or medical regime being provided to the inmate through approved DOC contractors, and ensure there are no contraindications to the interventions they are providing;

c. *Attorney and Legal Visits*

i. Attorneys or other legal representatives may visit the facility provided there is reasonable advance notice and that permission is granted by the Superintendent or designee.

ii. Attorneys or their legal assistants do not need to be on the inmate visitor list; however, their visit will be logged. Legal assistants must have a letter of introduction signed by the attorney on the firm's stationary. Legal assistants may not have been on their visiting list previously. The attorney's name, etc., will be posted on the back of the visiting card. They must have a current/valid photograph identification at the time of the visit.

iii. All conversations between the inmate and their legal visitor may be visually observed by supervising correctional staff, but not overheard, listened to or recorded in any manner in order to reasonably preserve the confidentiality of the attorney-client relationship.

iv. No limit will be set to the number of legal visits an inmate may receive. Legal visits will be kept within the framework and times of normal business hours whenever possible. Prior approval from the Superintendent or designee should be received for legal visits expected to exceed normal business hours.

v. Pertinent legal materials may be brought for use during the visit but must be inspected by correctional staff and must leave the institution with the legal visitor, unless other arrangements have been made.

d. *Special Visits:* The Superintendent may provide opportunities for special visits when conditions require or the visitor is not on the approved visitor list. Approved special visits will be encouraged to happen during routine visiting hours. Requests for visits during non-routine visiting hours will normally require two (2) business days notice. Such visits may include:

- A person(s) awaiting approval under extraordinary or unusual circumstances;
- A person(s) who has traveled from out of state for a one-time visit;
- A person(s) who may assist the inmate in release planning;
- A family member(s) engaged in institutional programming and/or an event.

e. *Facility Infirmarium/Medical Unit Visits*

i. Inmates housed in a facility infirmary or medical housing unit may only have bedside visits with the approval of the attending physician and the Facility Superintendent.

ii. The Facility Superintendent will determine the time and length of any such visit dependent upon the health service needs and correctional staffing requirements.

iii. Normal visitor approval provisions and search procedures will apply to facility infirmary/medical unit visits.

f. *Outside Hospital Visits*

i. Visitors must be on the inmate's approved visitor list and have the prior approval of the facility to visit the hospitalized inmate.

ii. Visits to inmates at outside hospitals by other than clergy and attorneys of record are not permitted unless:

- The inmate has been diagnosed as seriously or terminally ill;
- The period of hospitalization exceeds one (1) week; or
- The inmate is an expectant mother.

iii. Visitors must be immediate family or in the case of an expectant mother, the father of the expectant child.

iv. Visitors must comply with hospital visiting rules.

g. *Restrictive Status Visiting*

Visits to an inmate in restrictive housing status (administrative segregation or disciplinary segregation) will be as provided for in the applicable

administrative directive for restrictive housing status, *Restrictive Housing/Conditions of Confinement*.

h. *Non-contact Visits*: In facilities that have non-contact visiting areas, non-contact visits may be utilized when an inmate presents a reasonable security concern which may include, but not be limited to, the following:

- Escape risk or history of escape
- History of introduction of contraband
- History of disruptive behavior
- Security threat group activity
- Positive drug test results
- Information developed which indicates a reasonable threat of disruption or the introduction of contraband.
- Presently on Close Custody

5. Denial or Termination of a Visit

- a. An application for visitation should normally be approved unless there is reasonable belief that such authorization could jeopardize safety or security.
  - Any time a person is denied visitation or removed from an inmate's visiting list, staff will complete an incident report.
  - The person removed or denied will receive a letter outlining the reasons for such action.
  - The respective inmate will be copied on any such action.
- b. The Shift Supervisor may deny or terminate a visit under any of the following circumstances:
  - The visitor appears to be under the influence of drugs or alcohol;
  - The visitor refuses to be scanned by a metal detector;
  - The visitor refuses or fails to provide sufficient identification or falsifies the identification;
  - The visitor is under the age of 18 and is not accompanied by an adult;
  - The visitor violates visiting rules;
  - The visitor or the inmate fails to prevent their children from disturbing other persons in the visiting area;
  - Verbally or physically disruptive behavior by the inmate or visitor;
  - Excessive physical contact between the visitor and the inmate;
  - The inmate or visitor violates any rule or regulation of the institution;
  - The visitor attempts to introduce contraband into the facility, e.g., tobacco;
  - The visitor's name is not on the inmate's visiting list;
  - The visitor does not comply with the dress code;
  - An institutional emergency;
  - Another reason exists as determined and documented by the Shift Supervisor; or
  - Insufficient space or lack of staff to provide the necessary supervision.



c. Prior to the termination of a visit or suspension of visiting privileges, less restrictive alternatives will be attempted, if possible, such as warning the inmate and/or the visitor of improper conduct.

d. The Shift Supervisor who denies or terminates a visit will submit a report to the Superintendent detailing the specific reason(s) for the action. If a visit is denied or terminated and the visitor refuses to leave the facility:

- i. The police of the jurisdiction in which the facility is located will be notified, and the visitor will be treated as a trespasser;
- ii. The incident will be reported immediately to the Department Facilities Executive, and an incident report will be completed.

6. Suspension of Visiting Privileges

a. An inmate's visiting privileges may be suspended:

i. As part of a formal disciplinary sanction; and

ii. Upon the written order of the Superintendent detailing the reason and scope of the suspension; (e.g., all visits are suspended except immediate family.) The Superintendent will forward a copy of the documentation to the Department Facilities Executive.

b. The Superintendent may suspend a person from visiting for a designated or indefinite period of time when there is evidence that such visits would jeopardize the safety and security of the institution.

c. The Superintendent will ban any visitors convicted of introducing weapons, drugs or escape paraphernalia.

d. When a Superintendent suspends a visitor's privileges, written notice of the suspension will be sent to the visitor, the inmate and the Director of Security Operations and Audits. A copy will also be filed in the core file of the inmate who was visited. The notice will include:

i. A statement of the reasons for the suspension to the extent that this does not jeopardize the security of the institution or the safety of any person;

ii. The time frame or duration of the suspension;

iii. A statement that the person who has had visiting privileges suspended is prohibited from visiting any inmate in any facility of the Department as long as the suspension remains in effect; and

iv. A statement advising the visitor that they may appear before the Superintendent or designee to petition to have visiting privileges restored.

e. If the visitor appears before the Superintendent or designee to petition to have visiting privileges restored, the Superintendent will document, in writing, a summary of the meeting and the final decision. The Superintendent will maintain a copy of the summary and decision, give the visitor a copy and forward a copy to the Facilities Executive.

7. Inmate Property and Funds

a. Receipt: No inmate property or funds will be accepted by facility personnel in connection with an inmate visit.

b. Outgoing Property: Inmates will be allowed to dispose of excess personal property by sending it out with a visitor. Each facility will develop its own procedures regarding disposal of inmate property on a visiting day.

8. Quality Assurance: Adherence to the provisions of this directive will be monitored by the Security and Operations Audit Unit.

### INMATE VISITOR LIST

Inmate Name: \_\_\_\_\_ Facility: \_\_\_\_\_

1. Visitor Name \_\_\_\_\_ DOB \_\_\_\_\_  
Relationship \_\_\_\_\_  
Home Address \_\_\_\_\_  
Mailing Address (if different) \_\_\_\_\_

2. Visitor Name \_\_\_\_\_ DOB \_\_\_\_\_  
Relationship \_\_\_\_\_  
Home Address \_\_\_\_\_  
Mailing Address (if different) \_\_\_\_\_

3. Visitor Name \_\_\_\_\_ DOB \_\_\_\_\_  
Relationship \_\_\_\_\_  
Home Address \_\_\_\_\_  
Mailing Address (if different) \_\_\_\_\_

4. Visitor Name \_\_\_\_\_ DOB \_\_\_\_\_  
Relationship \_\_\_\_\_  
Home Address \_\_\_\_\_  
Mailing Address (if different) \_\_\_\_\_

5. Visitor Name \_\_\_\_\_ DOB \_\_\_\_\_  
Relationship \_\_\_\_\_  
Home Address \_\_\_\_\_  
Mailing Address (if different) \_\_\_\_\_

**See back for 5 more names and addresses.**

*A visitor's address on their photo identification card must match the address on the visiting list or the discrepancy be satisfactorily explained.*

*Changes to an inmate's visiting list may be made every ninety (90) days.*



## ATTACHMENT 2

### VISITOR DRESS CODE

Visitors to any facility are **prohibited** from wearing:

- Clothes with holes, rips, tears, or the pockets torn so as to allow access beneath the garment (Clothing must be completely intact.)
- Clothing which closely resembles correctional officer or law enforcement uniforms (police, sheriffs, marshals, etc.)
- Sweat suits
- Hats, headbands and/or hooded clothing
- See-through clothing of any kind
- Tight-fitting clothing
- Low cut and/or V-neck sweaters, blouses, shirts
- Shirts or blouses too short to tuck in; shirts or blouses which expose the midriff
- Tank, halter and/or tube tops
- Skirts, dresses, and/or shorts with slits that reach two inches or more above the knee
- Clothing which, in the opinion of the staff person registering the visitor, appears provocative or inappropriate (such as, shirts that fail to conceal inflammatory tattoos or convey anti-social messages)
- Metal hair ornaments

Exceptions: Children ten (10) years old and younger may be allowed to visit if wearing shorts, skirts and/or dresses shorter than mid-thigh, rompers, sleeveless shirts, etc. The discretion of the staff person registering the visitor will prevail.

**FAILURE TO COMPLY WITH THIS DRESS CODE MAY RESULT IN  
DENIAL OF VISITS**

**ATTACHMENT 3**

**VICTIM AND OFFENDER VISITATION**

The Department of Corrections has established a policy that prohibits visitation between an offender and the individual and/or individuals who were harmed by the crime for which they have been detained or have been convicted.

This policy is intended to limit an offender's contact with the person to whom they caused harm and to make sure that victims are visiting voluntarily and are not being intimidated or coerced. The policy recognizes that not all circumstances are the same and allows for permission to visit to be granted in cases where a victim is making the request voluntarily and where the visit poses no harm to the victim, his or her children or the case in which they are involved.

To make a formal Request for Permission to Visit, the victim must complete the following *Offender-Victim Visitation Request Form*, and submit it to:

The Department of Corrections Victim Services Program  
103 South Main Street, Waterbury, Vermont 05671-1001  
or fax it to (802) 241-2377.

A staff member will be in contact with you by phone within ten (10) days of receiving your request to discuss it further with you, and a decision will be made when all appropriate information has been considered. A response will be mailed to you directly.

Please note that if the offender is participating in programming where there are visitation restrictions, a visitation permission will not be granted.

**ATTACHMENT 4**

**OFFENDER-VICTIM VISITATION PERMISSION REQUEST FORM**

Date of request: \_\_\_\_\_

Name of person requesting permission to visit: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number (Please indicate where you would like to be contacted.)

(daytime) \_\_\_\_\_  (evening) \_\_\_\_\_

May we leave a message?  No  Yes

Alternate contact name and number: \_\_\_\_\_

Name of Offender: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Facility where offender is incarcerated: \_\_\_\_\_

Charges of the offender you wish to visit: \_\_\_\_\_

Your relationship to the offender: \_\_\_\_\_

Would children be included in the visits?  No  Yes

If yes, names and ages of the children: \_\_\_\_\_

Were any of these children a victim of the crime?  No  Yes

Are the children related to the offender?  No  Yes

If yes, how? \_\_\_\_\_

Is the Dept. of Children & Families involved in this case?  No  Yes

Was a States Attorney's Victim Advocate involved in your case?  No  Yes Name: \_\_\_\_\_

Please indicate below why you wish to visit this offender. Please include any questions or concerns you might have:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(You may continue on the back of this page)

Is there anyone else we may talk to (friend, family member, advocate) who could give us information about you and this case that would be helpful? (Please give name and telephone number and best time to make contact.):

\_\_\_\_\_  
\_\_\_\_\_

A DOC Victim Services Staff member will be in touch with you to discuss your request within ten (10) days of receiving your application. If you have any questions please call the Victim Services Program Coordinator at (802) 241-2338.

I understand that I am requesting to be granted permission to visit with the offender noted above and that a representative from the Vermont Department of Corrections Victim Services Program will be contacting me to talk about this request. I understand that the only interest that the Victim Services Program has is that I am not being coerced or intimidated into visiting the offender and that a visit with my offender will not harm me, my children or the case in which I am involved. I understand that the Victim Services Program will base their decision to grant me permission on information they get from me and from others involved in this case.

\_\_\_\_\_  
Signature of person making request Print name Date: \_\_\_\_\_

**Note: This is confidential information. This form will be kept in the Victim Services office and not placed in an inmate's file.**

**ATTACHMENT 5**

**RESPONSE TO VICTIM REQUESTING PERMISSION TO VISIT  
OFFENDER**

TO:

FROM: (Victim Services Staff)

RE: Your request to visit the offender of your crime

DATE:

We have received your request to be placed on the Visiting List of the following offender in order to visit him/her during regular visiting hours.

Offender's Name and Date of Birth \_\_\_\_\_

Date of your request: \_\_\_\_\_

Your request has been approved.

Your request has not been approved. (See attached letter.)