



#327, Visitation

Policy Information

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Table of Contents

Purpose	3
Authority.....	3
Policy.....	3
General Procedures.....	3
A. Regular Social Visitation	3
B. Tablet Video Visitation	4
C. Incarcerated Individual’s Visitor List.....	4
D. Visitor Clearance.....	5
E. Visitor Registration and Search Procedures	6
Visitation Rules	7
A. Visitation Signage	7
B. General Visitation Rules	7
C. Operation of Visitation.....	8

Policy #327, Visitation

D. Child Visitation Rules	8
E. Response to Rule Violations	9
Non-Routine Visits	9
A. Parental Visitation	9
B. Certified Religious Visitation	9
C. Special Visitation.....	10
D. Facility Infirmary Visitation	10
E. Outside Hospital Visitation	11
F. Restrictive Housing Visitation	11
G. Non-Contact Visits	11
Denial, Termination, Or Suspension of a Visit.....	12
A. Denial or Termination of a Visit.....	12
B. Suspension of Visiting Privileges	12
C. Banning a Visitor.....	12
Incarcerated Individual Property and Funds	13
Emergency Provisions	13
Appendix A: Visitor Dress Code	14

Policy #327, Visitation

Purpose

The purpose of this policy is to establish rules governing visitation at Vermont correctional facilities. These rules reflect the importance of visitation for incarcerated individuals while balancing the need for security and order.

Authority

28 V.S.A. § 102(c), 28 V.S.A. § 601(7), 28 V.S.A. § 803(a), 28 V.S.A. § 808

Policy

The Vermont Department of Corrections' (DOC's) policy is to encourage incarcerated individuals to have visits with relatives and other community members to maintain family and community ties. The DOC values incarcerated individuals' relationships with their families and community because having collective support helps improve transitions back into the community upon release and reduce the risk of recidivism.

The DOC recognizes that it is important for incarcerated parents to have nurturing relationships with their children. The DOC acknowledges that visitation may be traumatic for the children and visitors of an incarcerated individual and therefore makes efforts to ensure the visit and environment are friendly and safe. The DOC is responsible for ensuring that visitation is as open as facility resources, program demands, and security allow.

Attorney visits are conducted in accordance with the attorney and third-party standard operating procedure (SOP).

General Procedures

A. Regular Social Visitation

1. The Superintendent, or designee, shall establish regularly scheduled visiting hours, totaling a minimum of six hours per week.
2. Whenever possible, the Superintendent, or designee, is encouraged to expand upon the minimum visiting requirement above. The Superintendent, or designee, may allow additional visiting hours around holidays or for special events.
3. The Superintendent, or designee, shall ensure the length of a visit shall not exceed two hours for one visiting period.

Policy #327, Visitation

4. If the visiting room reaches its maximum capacity, staff shall not admit additional visitors until in-progress visits end and capacity is reduced.
5. The Superintendent, or designee, shall allow every incarcerated individual one visit per week, unless otherwise restricted.
6. If the established visiting hours change, staff shall allow a one-week grace period for visitors who arrive during the previously-established visiting hours. This grace period does not apply if the visiting hours changed because of a custody level change or if the incarcerated individual was placed in segregation.

B. Tablet Video Visitation

The following provisions apply to tablet video visitation:

1. The DOC may provide incarcerated individuals with tablets for video visitation.
2. Staff shall ensure only visitors on the approved visitor list participate in video visits. Video visitors are also subject to the clearances outlined in accordance with [General Procedures Heading, Section D., Visitor Clearance](#).
3. The Superintendent, or designee, shall establish video visiting hours and notify the incarcerated individuals.
4. The visitor shall:
 - a. Pay all pre-payment costs associated with the video visit;
 - b. Preschedule the video visit during approved hours; and
 - c. Initiate the video visit with the incarcerated individual.
5. The Correctional Facility Shift Supervisor (CFSS), or designee, may terminate the video visit based on emergent facility operations. In such situations, the incarcerated individual or visitor is not entitled to a refund for the cost of the video visit.
6. Staff may review all messages, photos, or video messages. If staff determine content is inappropriate or in violation of DOC policy, staff shall not approve the content and shall not refund the visitor or incarcerated individual for any associated costs.
7. The DOC may ban any visitor from video visitation who sends inappropriate content or violates DOC policy in accordance with [Denial, Termination, or Suspension of a Visit Heading, Section C., Banning a Visitor](#).

C. Incarcerated Individual's Visitor List

1. To engage in visitation, an incarcerated individual shall submit a visitor list for approval, by following the procedures below:
 - a. The incarcerated individual:
 - i. May request a maximum of 10 people on the visitor list;
 - ii. Shall inform the Corrections Services Specialist (CSS) of any accommodation a visitor may need (e.g., accessibility, language access, etc.);
 - b. The CSS shall review the requested visitor list and:
 - i. Approve or deny each requested visitor, as outlined under [General Procedures Heading, Section D., Visitor Clearance](#), below;

Policy #327, Visitation

- ii. Approve a maximum of 10 people, in addition to one certified religious visitor;
- iii. Document the following in the contacts tab in the Offender Management System (OMS):
 - a) The approved visitors; and
 - b) Any approved accommodations or language access needs and who approved them, in the comment field in OMS; and
- iv. Inform the incarcerated individual of the approved visitors within ten business days;
- c. The incarcerated individual may request changes to the visitor list every 90 days.
- 2. When an incarcerated individual is transferred to another Vermont correctional facility, the incarcerated individual's visitor list shall remain active.

D. Visitor Clearance

- 1. The CSS shall use the following criteria to approve or deny an incarcerated individual's requested visitor:
 - a. If the requested visitor is a victim/survivor of the incarcerated individual, the CSS shall approve the victim/survivor to visit unless one of the following is present:
 - i. The CSS knows there is an active related condition of release or active protection order.
 - ii. The facts of the case indicate ongoing risk to the victim/survivor. If this is identified, the victim/survivor shall be referred to the Victim Services Unit (VSU) for a consultation.
 - iii. The CSS is unsure if the facts of the case indicate ongoing risk. If this is the case, the CSS may review the facts of the case with the VSU to make a determination.
 - b. If the requested visitor is under supervision of DOC, the CSS shall only approve the visitor if the visitor has written approval to visit the incarcerated individual from:
 - i. The assigned Probation Parole Officer (PPO); and
 - ii. The Superintendent, or designee, of the facility in which the incarcerated individual is housed.
 - c. If the requested visitor has been prohibited from having contact with the incarcerated individual by a court order, probation order, or condition of required risk-intervention services, the CSS shall not approve the requested visitor.
- 2. In all the following situations, the CSS shall notify the Superintendent, or designee, who shall approve or deny the requested visitor:
 - a. When the requested visitor is a current or former employee, contractor, volunteer, or grantee staff of DOC.
 - b. When the requested visitor is a child, and the incarcerated individual has a conviction or pending charge involving the abuse of a child. If approved,

Policy #327, Visitation

- the Superintendent, or designee, may choose to place appropriate restrictions on contact with the child.
- c. When the requested visitor is known to have pending criminal charges or presents a risk to the security of the facility.
 3. Staff shall admit visitors to the correctional facility, provided all the following factors are met:
 - a. The visitor is on the incarcerated individual's approved visitor list;
 - b. The visitor has identification (ID) issued by a state or federal government (e.g., driver's license, state employee ID, or passport, or, if an individual is under the age of 16, a birth certificate). The ID must have a photo (except for a birth certificate). The ID cannot be a photocopy. The Superintendent, or designee, may approve an exception to the required forms of ID listed above, when appropriate.
 - c. There is not a reasonable belief:
 - i. The visit could jeopardize safety or security, or
 - ii. Contact between the visitor and incarcerated individual is prohibited by a court order or conditions of release.
 4. If the visitor is a minor, under the age of 18:
 - a. The visitor shall be accompanied by:
 - i. The minor's legal guardian; or
 - ii. An adult who has written permission from the legal guardian that includes:
 - a) Permission from the parent or legal guardian for the minor to visit the incarcerated individual; and
 - b) The name of the person who will accompany the minor during the visit; and
 - b. The visiting minor and the accompanying adult shall both be on the incarcerated individual's approved visitor list.
 5. Media representatives are considered visitors and shall follow this policy and the policy on media access.

E. Visitor Registration and Search Procedures

1. Visitors shall report to the facility's visiting reception desk on the scheduled visiting day and sign the visitor registration log.
2. Staff shall not process visitors who arrive less than 30 minutes before the end of the scheduled visiting period.
3. Each visitor shall present the proper ID to the Correctional Officer (CO) on duty.
4. The CO shall complete the following:
 - a. Check the visitor's ID to ensure it matches the name and birth date on the incarcerated individual's approved visitor list. If there is a discrepancy, the visitor must satisfactorily explain it to be permitted to visit.
 - b. Log the visit into OMS, in accordance with the OMS technical guide.

Policy #327, Visitation

5. Staff shall retain the ID in exchange for a numbered visitor pass. At the end of the visit, the visitor shall receive the ID back in exchange for the numbered visitor pass.
6. Staff shall ask all visitors to walk through a metal detector before permitting them to enter the visiting room, in accordance with the policy on searches.
7. If a visitor is wearing religious headwear, staff shall search the headwear, in accordance with the policy on searches.
8. When searching children, staff shall communicate and engage in an age-appropriate manner.
9. If a visitor has a metal implant or pacemaker and cannot clear a metal detector nor be searched with a handheld device, the visitor shall bring medical documentation. Staff shall conduct a clothed search, in accordance with the policy on searches.

Visitation Rules

A. Visitation Signage

All visitors shall be notified of the visiting rules through posted signage. The Superintendent, or designee, shall ensure the correctional facility:

1. Posts the following:
 - a. A sign notifying individuals they are entering a correctional facility:
 - i. In the lobby or main entrance area; and
 - ii. On the main access road.
 - b. General visiting rules, in accordance with [Visitation Rules Heading, Section B., General Visitation Rules](#) below, visiting schedules, and a list of contraband in the lobby or entrance area; and
2. Makes the visiting days and hours available to incarcerated individuals and the public. When visiting hours change or are cancelled, the Superintendent or designee, shall ensure the Constituent Services Unit (CSU) is notified.

B. General Visitation Rules

1. Visitors and incarcerated individuals shall follow all directions given by staff.
2. An incarcerated individual may receive a maximum of three visitors at one time, unless otherwise approved or prohibited by the CFSS.
3. Visitors are prohibited from bringing any items into the visiting room. Lockers are provided for storage of coats, jackets, keys, and other small items. Staff may allow exceptions for visitors to bring in:
 - a. Legal papers for the incarcerated individual to sign, with the permission of the Superintendent, or designee;
 - b. Items for infants, in accordance with the [Visitation Rules Heading, Section D., Child Visitation Rules subsection 6](#), below; or
 - c. Essential medications prescribed to the visitor (e.g., nitroglycerin, inhaler).

Policy #327, Visitation

4. Visitors shall dress in a manner that adheres to the visitor dress code outlined in [Appendix A: Visitor Dress Code](#) of this policy.
5. Staff shall not permit entry to a visitor who:
 - a. Appears to be under the influence of drugs or alcohol; or
 - b. Brings weapons, drugs, or alcohol on the premises.
6. Visitors shall not leave children or animals unattended on State property.

C. Operation of Visitation

1. Staff shall not allow incarcerated individuals into the visiting room before their visitor(s).
2. Incarcerated individuals and visitors shall:
 - a. Keep the volume to a respectful level;
 - b. Not engage in disruptive behavior;
 - c. Not pass any items to each other;
 - d. Keep hands on the table and feet under the table; and
 - e. Not physically contact one another, except for one embrace at the beginning and end of each contact visit.
 - i. The hands of both the incarcerated individual and visitor shall always be above the waistline and visible during an embrace; and
 - ii. Kissing and other types of contact are prohibited.
3. If an incarcerated individual leaves the room for any reason, staff shall terminate the visit.
4. If a visitor needs to use the restroom, the visitor shall be rescreened by security, in accordance with [General Procedures Heading, Section, E., Visitor Registration and Searches Procedures, subsection 6](#), before returning to the visit.

D. Child Visitation Rules

1. A child 11 years old or younger may sit on the same side of the table as the incarcerated parent.
2. A child who is five years old or younger may sit on the incarcerated parent's lap.
3. Visitors shall ensure that children are not excessively loud or disruptive.
4. Visitors and incarcerated individuals shall not physically discipline a child in the facility.
5. Incarcerated individuals shall not change a child's diaper.
6. If the visitor has an infant, staff shall permit the visitor to only have a pacifier, one clear bottle or sippy cup, and a blanket in the visiting room. Staff shall not permit car seats, strollers, toys, diapers, or wipes into the secure portion of the building.
7. If a visitor asks to breastfeed during a visit, staff shall:
 - a. Escort the visitor to an appropriate area in which the visitor may breastfeed once there are sufficient staff present in the visiting area; and

Policy #327, Visitation

- b. Extend the time allotted for the visit so that the time missed during breastfeeding does not shorten the visit, as facility, security, and staffing needs allow.

E. Response to Rule Violations

1. If an incarcerated individual does not follow the visitation rules, staff shall:
 - a. Terminate the visit; and
 - b. Issue the appropriate disciplinary report (DR).
2. If possible, security staff shall attempt less restrictive alternatives prior to terminating a visit or issuing a DR, such as warning the incarcerated individual or the visitor to stop improper conduct. If a child does not follow visitation rules, staff shall ask the accompanying adult visitor to address the behavior.
3. Any visitor directed to leave or denied visitation shall immediately leave State grounds. If a visitor does not leave immediately, staff shall contact the local law enforcement agency and request a trespass warning or citation to be issued.
4. Facility management or the Security and Operations Supervisor (SOS) may place any visitor who does not follow the visitation rules on a banned visitor list, which restricts the visitor from all Vermont correctional facilities.

Non-Routine Visits

A. Parental Visitation

1. The Superintendent, or designee, may establish extended visiting programs for incarcerated parents.
2. If such a program is developed, it shall be established by a written local procedure.

B. Certified Religious Visitation

1. Certified religious visits shall take place in the regular visiting room during normal visiting hours unless the Volunteer Services Coordinator (VSC) makes other arrangements, and documents the approval, at least one business day in advance.
2. The incarcerated individual may have the name of one certified religious visitor recorded on the approved visitor list, in addition to the incarcerated individual's maximum of 10 approved visitors.
3. To add a religious visitor to the visitor list, the incarcerated individual shall instruct the potential religious visitor to send the VSC:
 - a. A copy of the religious visitor's ordination certificate, license, certificate of Islamic studies, or other similar documents, and a letter stating the individual is willing to be the incarcerated individual's religious visitor; or
 - b. If the potential religious visitor lacks the required information, the pastor, rabbi, imam, or leader of the religious group must provide a letter on

Policy #327, Visitation

official letterhead confirming the religious visitor's status as a representative of that religious affiliation and the religious visitor's willingness to be the incarcerated individual's religious visitor.

4. After receiving and verifying the required paperwork from the religious visitor, the VSC shall notify the CSS, in writing, of the name, birth date, and address of the religious visitor for inclusion on the incarcerated individual's approved visitor list.
5. The VSC may approve the religious visitor to bring written religious material to the visit. If approved:
 - a. Staff shall inspect the materials for contraband prior to entering the visiting room; and
 - b. The religious visitor shall leave the visit with all materials brought to the visit.

C. Special Visitation

1. The Superintendent, or designee, may provide opportunities for special visits when conditions require or if the visitor is not on the approved visitor list. Such visits may include:
 - a. An individual who traveled from out of state for a one-time visit;
 - b. An individual who may assist the incarcerated individual in release planning; or
 - c. An individual engaged in institutional programming or an event.
2. The Superintendent, or designee, may require a minimum of two business days' notice prior to a special visit.
3. Staff are encouraged to hold special visits during routine visiting hours.
4. When an incarcerated individual has a critically ill relative, or has experienced the death of a relative, the Superintendent, or designee, may authorize special accommodations, consistent with facility operations, and conducted in accordance with DOC policy. This may include:
 - a. On-site visits outside of normal visiting hours or with specified accommodations;
 - b. Remote visits; or
 - c. Escorted off-site visits, in extraordinary circumstances and as resources allow.

D. Facility Infirmary Visitation

The following rules apply to visits occurring in the facility infirmary or medical unit:

1. Staff shall follow the standard visitor approval and search process.
2. Staff shall only allow these visits when the incarcerated individual:
 - a. Is bedridden or unable to go to the visiting room; and
 - b. Has the approval of the attending physician and Superintendent, or designee.
3. The Superintendent, or designee, shall determine the time and length of these visits, depending on the health needs and facility staffing requirements.

Policy #327, Visitation

E. Outside Hospital Visitation

1. The Superintendent, or designee, may approve visits for an incarcerated individual who is hospitalized, only in the following situations:
 - a. The visitor is:
 - i. On the approved visitor list;
 - ii. A certified religious visitor or the incarcerated individual's attorney of record; or
 - iii. Otherwise approved by the Superintendent, or designee, to visit; and
 - b. The incarcerated individual:
 - i. Has been diagnosed as seriously or terminally ill;
 - ii. Has been hospitalized for more than one week; or
 - iii. Is expected to be in labor or is still hospitalized postpartum.
2. Staff may terminate a hospitalized incarcerated individual's visit in accordance with [Visitation Rules Heading, Section E., Response to Rule Violations](#).

F. Restrictive Housing Visitation

Staff shall follow the policy on restrictive housing status, conditions of confinement for direction on visits for an incarcerated individual on a restrictive housing status (e.g., administrative segregation, disciplinary segregation).

G. Non-Contact Visits

1. A non-contact visit involves a physical barrier that prevents any contact from occurring or is conducted via closed-circuit television.
2. In facilities that have non-contact visiting areas, the Superintendent, or designee, may restrict an incarcerated individual to non-contact visits when a contact visit may present a reasonable security concern, including:
 - a. A risk to public safety or other visitors;
 - b. Escape risk or history of escape;
 - c. Disciplinary history of introducing contraband;
 - d. Disciplinary history of disruptive behavior;
 - e. Security threat group activity;
 - f. Non-medical positive drug test results;
 - g. Threat of disruption to the facility;
 - h. Threat of introduction of contraband; or
 - i. Currently housed in a close custody unit.
3. The Superintendent, or designee, shall decide whether to restrict an incarcerated individual to non-contact visits and when to reassess the incarcerated individual's placement on non-contact visits.

Policy #327, Visitation

Denial, Termination, Or Suspension of a Visit

A. Denial or Termination of a Visit

1. The CFSS may deny or terminate a visit under any of the following circumstances:
 - a. An institutional emergency;
 - b. Other significant security and safety concerns as determined and documented by the CFSS;
 - c. Insufficient space; or
 - d. Lack of staff to provide the necessary supervision.
2. If the CFSS, or designee, denies or terminates a visit, the CFSS, or designee, shall complete an incident report detailing the specific reason(s), in accordance with the policy on incident reporting.

B. Suspension of Visiting Privileges

Staff, with the approval of the Superintendent, or designee, may suspend an incarcerated individual's visiting privileges as a sanction for a DR related to visiting behavior. When doing so, the hearing officer shall detail the reason for, scope of, and duration of the suspension (e.g., "because of contraband introduction, all visits are suspended except immediate family for one month").

C. Banning a Visitor

1. The SOS, with approval from the Superintendent, or designee:
 - a. May ban a person when there is evidence the person would jeopardize the safety and security of the institution; and
 - b. Shall ban any visitors who attempt to introduce weapons, drugs, or escape paraphernalia.
2. When the SOS bans a visitor:
 - a. The SOS shall:
 - i. Provide written notice of the suspension to the visitor, the incarcerated individual, and the designated Facility Operations Manager. If necessary, the written notice shall be provided with the appropriate language access or disability accommodation; and
 - ii. Upload a copy of the notice into the incarcerated individual's OMS record.
 - b. The notice shall include:
 - i. The reasons for the ban, provided this information does not jeopardize the safety or security of the institution or individuals;
 - ii. The length of the ban;
 - iii. A statement indicating the banned individual is prohibited from visiting any incarcerated individual in any Vermont correctional facility and/or via video visits while banned; and

Policy #327, Visitation

- iv. A statement advising the banned individual that the individual may petition the Superintendent, or designee, in writing to restore visiting privileges.
3. If the banned individual petitions the Superintendent, or designee, the Superintendent, or designee, shall document the final decision in writing and:
 - a. Maintain a copy of the decision;
 - b. Give the banned individual and incarcerated individual a copy; and
 - c. Forward a copy to the designated Facility Operations Manager.

Incarcerated Individual Property and Funds

1. Staff shall not accept incarcerated individual property or funds in connection with a visit.
2. Staff shall allow incarcerated individuals to dispose of excess personal property by sending it out with a visitor, in accordance with the policy on property.

Emergency Provisions

1. In the case of an institutional emergency, staff shall take the safety of the visitors into consideration.
2. The Superintendent, or designee, shall ensure the facility emergency plans include provisions to safely evacuate visitors in cases of emergency, in accordance with the policy on emergency preparedness.
3. The Superintendent or incident commander, or designee, may cancel visitation because of an emergency. When possible, staff shall notify incarcerated individuals so they may inform visitor(s) of the cancellation.

Policy #327, Visitation

Appendix A:

Visitor Dress Code

Visitors to Vermont correctional facilities shall not be admitted if they wear any of the following:

- Open-toed shoes;
- Coats or jackets, these items shall be left in the visitor's vehicle or in a locker;
- Clothes with holes, rips, tears, or the pockets torn to allow access beneath the garment (clothing must be completely intact);
- Clothing that closely resembles correctional or law enforcement officer uniforms (e.g., police, sheriff, marshals);
- Sweat suits, or clothing resembling that of incarcerated individuals;
- Hats, headbands, or hooded clothing, except for religious headwear;
- Clothing that reveals the shoulders, chest, back, or midriff and clothing that reaches two inches or more above the knee. This includes see-through or transparent clothing, that exposes the stated areas above;
- Clothing or uncovered tattoos that have vulgar language, nudity, hate speech, socially inflammatory language, or are related to security threat groups (STGs);
or
- Removable hair ornaments.

Exception: Staff may use discretion in permitting children who are 11 years old or younger to visit when wearing clothing otherwise prohibited.

**FAILURE TO ADHERE TO THIS DRESS
CODE SHALL RESULT IN DENIAL OF
VISITATION**