




Department of  
Rehabilitation & Correction

SUBJECT: <b>Inmate Visitation</b>	PAGE <u> 1 </u> OF <u> 15 </u>
	NUMBER: <b>76-VIS-01</b>
RULE/CODE REFERENCE:	SUPERSEDES: 76-VIS-01 dated 01/08/16
RELATED ACA STANDARDS: 4498, 4499-1, 4500, 4504, 4519	EFFECTIVE DATE: <b>January 7, 2019</b>
	APPROVED: 

## I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

## II. PURPOSE

The purpose of this policy is to establish procedures within the Ohio Department of Rehabilitation and Correction (ODRC) which governs visitation programs for inmates.

## III. APPLICABILITY

This policy and procedure applies to all inmates and employees of the Ohio Department of Rehabilitation and Correction (ODRC), especially to those inmates who receive visits, those staff who process visiting applications, and the visiting room staff who monitor and supervise visiting.

## IV. DEFINITIONS

**Applicant** - A status for a potential visitor depicting that the application has been sent to a potential visitor and is pending receipt and/or processing.

**Approved Visitor** - An approved visitor is a person, family or friend, who has submitted an acceptable Visiting Application (DRC2096). The inmate's visiting list will provide for up to fifteen (15) visitors, not including any listed attorney of record and/or clergy of record. The managing officer may authorize additional visitors.

**Attorney of Record** - An attorney identified by the inmate as his/her current attorney or as someone having been retained by the family for representation with verification by letter from family to attorney. All attorneys must present picture identification as well as their bar card each time they visit. Law students, legal interns, investigators, or paralegals may be permitted in accordance with Administrative Regulation 5120-9-20, Visits by Attorneys and Inmate Access to Legal Services.

**Bona Fide Identification** - A valid form of government issued photo identification.

**Child** - Any person under the age of eighteen (18) years.

**Clergy of Record** - Clergy identified by the inmate as their current outside clergy member. Clergy must complete a Visiting Application (DRC2096) and send in a letter on letterhead stating they are the clergy of record and provide proof of professional certification. Associate or staff pastors may visit in place of the clergy of record with proper application and professional verifications.

**Courtesy Visit** - A one-time visit granted by the managing officer/designee at the reception centers when a visitor's application is pending approval or when other administrative delays/changes exist.

**Guardian** - An approved visitor who has been given notarized permission to accompany a child on a visit. (Authorization for Minor Child Visitation, DRC4371). This permission may only be granted by the custodial parent or legal guardian and must specify the name of the visitor(s) accompanying the child and grant permission for the child to be photographed and searched.

**Immediate Family** - Parents, Aunt, Uncle, Husband, Wife, Children, Stepchildren, Grandchildren, Brother, Sister, Stepsiblings, Half-Siblings, Grandfather, Grandmother, and Great-Grandparents. Son-In-Law, Daughter-In-Law, Sister-In-Law, Brother-In-Law, Mother-In-Law, and Father-In-Law will only be considered immediate family while the binding marital relationship is intact. Step-Parents, Adoptive Parents and/or Foster Parents may be considered within this definition when it has been verified the inmate was raised by this individual as a result of remarriage, death, desertion, or absences of a parent (verification may include, but is not limited to, marriage certificates, court decrees, adoption orders, etc.). Common-law marriages shall only be approved if they were recognized by a court of law as commencing prior to October 10, 1991, in accordance with O.R.C. 3105.12.

**Reentry Mentor** - A volunteer who is affiliated with a community organization that has partnered with the DRC to assist the inmate in transitioning into the community.

**Service Animal** - Any dog or miniature horse individually trained to do work or perform tasks for the benefit of an individual with a disability. Service animals come in all breeds and sizes. A service animal may be trained either by an organization or by an individual with a disability, need not be certified or licensed, and provide a wide range of services that may or may not be identifiable, including but not limited to:

- assisting individuals who are blind or have low vision with navigation and other tasks;
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- pulling a wheelchair;
- assisting an individual during a seizure or alerting individuals to the presence of allergens;
- providing physical support and assistance with balance and stability to individuals with mobility disabilities; and
- helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Additional contact (prior to visit) with ODRC is required if the service animal is a miniature horse due to additional guidelines must be considered.

**Special Visit** - A visit that has been approved by the managing officer/designee for someone who may not be an approved visitor, but where significant reasons indicate such a visit would be beneficial to the offender and would not present a security concern to the institution.

**Temporary** - A status given to the list of immediate family members submitted by the inmate during the reception intake process.

**Tentatively Approved** - A status in the approval process for visitation when the applicant has returned an application for visitation, processing has been completed, and approval is pending until the initial visit.

**Video Visitation** - A method of visitation through a kiosk or JP4/5 player to individuals who have authorized JPay accounts.

## V. **POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (ODRC) that inmates in the physical custody of the ODRC be allowed visitation privileges. The visiting program is designed to enhance contact with family and other support persons that will enable the inmates to successfully re-enter society at the conclusion of their incarceration.

## VI. **PROCEDURES**

### A. **General Visiting Guidelines**

1. The ODRC General Visiting Instructions (DRC2274) and Declaration of Understanding (DRC2554) shall be made available to all staff, inmates, and visitors. Each institution has different physical facilities and programs; therefore, the managing officer at each institution shall have discretion in determining the number of visitors allowed to visit an inmate at any one time, the frequency, duration, priority of visits, and the visiting hours. Any significant changes made by the institution in the number of visitors allowed to visit an inmate at any one time, the frequency, duration and priority of visits, and the visiting hours shall be made available for the visitor and inmates to review thirty (30) days prior to the change effective date. These changes shall be displayed in the front entrance of the institution, in the visiting areas, and in the living areas of the units. However, no institutional specific policies will supersede the General Visiting Instructions (DRC2274).
2. Visitation areas shall have facilities fully accessible to disabled visitors, including restrooms and entrance ramps to the visitation area. Inmate visiting facilities shall permit opportunities for formal/informal communication. Devices that preclude physical contact shall not be used except in instances of substantiated security risk, (e.g., special management housing).

3. Staff facilitated institution programs that include family contact activities shall not count towards the number of visits an inmate is permitted to receive. Contacts of this type are categorized as formalized activities in programs facilitated by staff and are established in addition to normal visiting.
4. Each designated visiting department shall have an area designated as a Reading Room in accordance with ODRC Policy 76-VIS-04, Reading Room Programs. Reading Rooms should be “child-friendly” and contain a diverse supply of age appropriate books, learning aids, and toys that appeal to the interest of children. Procedures shall be established to ensure the safety, sanitation, and availability of the Reading Room to parents and children. In addition to scheduled readings, special activities may be planned to enrich the child’s visiting experience and foster family ties.
5. ODRC employees assigned to an area in which they have significant interaction with the public shall be provided with additional training by their institution. Each employee shall be required to participate in and complete an initial four (4) hour Front-Entry/Visitor’s Training Course. The lesson plan is maintained through the Corrections Training Academy (CTA). This training course provides each employee with a holistic view of balancing good security and public relations and once completed shall be documented in the employee’s training file. In addition to the above training, it may be necessary to provide staff in these areas with additional training in the Department’s Offender Tracking Systems (DOTS portal) and screens related to visitation.
6. Each institution shall make information about local means of public transportation to the institution available to visitors and provide a means for visitors to contact public transportation agencies for needed services.
7. Each institution shall develop local procedures aimed at balancing security concerns with opportunities for inmates and visitors to spend quality time together during the visit. These procedures shall be incorporated into the local post order.
8. Inmates may be required to wear special clothing and/or footwear during the visit as determined by the managing officer.
9. Visitors accompanied by a service animal will be granted entrance with the service animal under the following provisions:
  - a. ODRC is committed to providing service to visitors with disabilities, including those individuals with disabilities who are accompanied by a service animal, in compliance with the Americans with Disabilities Act (ADA).
  - b. ODRC may ask the person who has the animal if it is a service animal required because of a disability, and what service the animal is trained to perform. ODRC may not ask an individual with a disability for proof of his/her disability or for any information about his/her disability, nor may ODRC require proof or certification of the animal’s training or vaccination. Service animals do not always have a sign, symbol, or harness indicating they are service animals.

- c. ODRC has the right to exclude a service animal from the premises only if the animal is out of control and the animal's handler does not take effective action to control it or the animal is not housebroken. ODRC may not refuse service to an individual with a disability who may normally be accompanied by a service animal, when he/she is not accompanied by the service animal.

## **B. Reception Center Visitation**

1. Immediate family members shall be permitted to visit an inmate housed at a reception center. The inmate shall also be permitted to identify one (1) significant support person other than a family member to be a visitor during the reception process.
2. Those individuals requesting to visit an inmate during reception shall complete a Visitor Application (DRC2096) at the time of their first visit. In addition to the application form, visitors shall sign the Declaration of Understanding (DRC2554) and the General Visiting Instructions (DRC2274).
3. An inmate may select one (1) person, not the victim of current or past crimes, to immediately be marked as "tentatively approved" on his/her visiting list at the reception center for the sole purpose of placing money on the inmate's account. The reception center shall place \$\$\$\$ in the address field in DOTS Portal – VSL screen to signify financial support. However, in order to be approved for visitation, the visitor must submit an application and be approved in accordance with ODRC Policy 76-VIS-01, Inmate Visitation. Once the visitor has completed the application process, the visiting officer/case manager shall replace the \$\$\$\$ with the visitor's current address.
4. While at reception (or a parent institution), inmates may request the mother/father of their children be added to the visiting list. They are required to follow the same application process as any other visitor and count towards the fifteen (15) person visiting list limitation. The mother/father of children provision is made to facilitate family ties between the incarcerated parent and his/her children. The visitor is permitted to visit without the child or children.
  - a. In some cases, an incarcerated parent may not be listed on the child's birth certificate. It is the inmate and/or custodial parent's responsibility to provide verification of paternity.
  - b. The inmate may provide a receipt of the "acknowledgement of paternity" form through Vital Statistics or a child support enforcement collection order may serve as verification of relationship.
5. Questionable applications may be forwarded to the managing officer's designee for resolution. The managing officer's designee may authorize a courtesy visit for those individuals. Such courtesy visits shall be clearly marked in the visitation notes in DOTS Portal.

6. Visitors must present a copy of their bona fide identification with their application. After verification, the reception center staff shall enter all required information into the DOTS Portal VISTI Screen (Visitor Details) and list the visitor as an approved (A) visitor.
7. Inmates returning to DRC within two (2) years of release from incarceration shall have their prior visiting list reviewed and updated at reception by classification specialists. This review shall include verification of victims and co-defendant(s) who may be restricted from visiting. When identified through the screening process, new victim or co-defendant visiting status must be determined on a case-by-case basis. The individuals on the visiting list in a re-approved status shall not have to repeat the application process. The reception center staff shall enter or copy and paste the old visiting list to the inmate's new visiting list in DOTS Portal.
8. Inmate visitors at reception centers shall comply with all parts of this policy with the exception that visitor applications shall be completed at the time of their first visit. Visitors may not visit an inmate at a parent institution until after receipt of a visitor application or unless already listed as an approved visitor by a reception facility.
9. Short term inmates serving ninety (90) days or less at CRC, LORCI and ORW shall be permitted visiting privileges based on their reception visiting list throughout the duration of their incarceration.

### **C. Visitor Application and Processing Procedures**

1. With the exception of attorneys and official visitors, each potential visitor must complete a Visiting Application (DRC2096). This application may be sent through the U.S. Mail, emailed, faxed or dropped off in person; however, visitation shall not be granted until the application has been processed and the visitor has been approved and notified. Visitors entering the institution shall conform to regulations in accordance with ODRC General Visiting Instructions (DRC2274). The inmate's visiting list may include up to fifteen (15) visitors, regardless of the relationship, excluding any listed attorney of record, clergy of record or children under the age of eighteen (18) years old. Inmates who had more than fifteen (15) visitors (this total includes tentatively and approved visitors) on their visiting list as of November 26, 2005 shall have all of their visitors grandfathered.
2. No visitor of inmates shall be admitted for visitation until the visitor application is received and verification of identity has been established. Visitors may be placed on more than one (1) ODRC inmate's visiting list as long as they are in good standing. The managing officer/designee may approve visitors to visit with more than one (1) inmate during a scheduled visit if all involved are immediate family members and/or approved visitors. This does not include clergy-of-record.
3. Unit staff or another designee shall conduct an electronic search of information regarding visitor applicants. At a minimum, decision makers shall search VNAMS and VADDS to determine past and current restrictions and visitation histories involving other inmates. In addition, the visitor's name should be searched through the inmate's PSI for co-defendant and/or victim status. Information shall be reviewed, and a decision based on a case-by-case basis. Checks shall be documented on the visitation application and notes.

Additionally, if warranted, they shall be recorded in Visitation Notes or the RAP6 screen in DOTS Portal.

4. Each visitor, with the exception of attorneys, must sign a copy of the Declaration of Understanding (DRC2554) and the General Visiting Instructions (DRC2274) and submit them with the visitor application prior to visiting an inmate for the first time. Case managers shall note receipt of the appropriate forms in DOTS Portal in the Visitation Notes screen. Visitor applications and supporting documents shall be electronically scanned into OnBase by designated staff. All visitors must register upon each visit and show bona fide identification. Visitors may list their e-mail address on the visitor application to facilitate communication with the case manager.
5. Amish Visitors: Those individuals identifying themselves as Amish may visit one (1) time only after which they are to be informed they must obtain one (1) of the following items and present it when they arrive for their next visit:
  - a. State identification without a picture; or
  - b. A letter from the local county sheriff, prosecutor, judge, or health department, indicating the individual is who they say they are, with the signature of the visitor notarized; or
  - c. A letter from an elected state official (e.g., congressman, representative, senator, etc.) indicating the individual is who they say they are, with the signature of the visitor notarized.

The visitor shall then sign in with the visiting officer/supervisor comparing the signature on the letter to the signature provided that day. If there is any question as to the similarity in the signatures, a supervisor must make the determination regarding the individual being able to visit.

6. Visitors shall not enter any areas of the institution except for approved visitation areas, as determined by the managing officer/designee, and approved routes to and from those areas.
7. Visitors are not permitted to deliver packages, correspondence, money, or printed materials directly to inmates. All such items shall be processed through the mail. In addition, inmates shall not be permitted to convey any property to a visitor without the written consent of the managing officer/designee.
8. Only approved or tentatively approved visitors may deposit funds to an inmate's account by utilizing the JPay system, kiosks, online or via the telephone.
9. All visitors under eighteen (18) years of age must be related to the inmate being visited or accompanied by an approved visitor who is the child's parent, legal guardian or guardian, as defined in this policy. A Visiting Application (DRC2096) for the child is required to be completed and signed by the child's custodial parent or guardian. Documentation naming the child's custodial parent or guardian must be presented in the form of a birth

certificate or custodial court order at the first visit. Once the minor child's verification is completed, he/she shall be listed as approved. This verification shall be made in the VNOTS section of DOTS indicating when the verification was made and who made the verification. The verification of the child's birth certificate may be requested by the institution as the child's physical appearance changes. This documentation shall be maintained on file by the institution for future references. The name, date of birth and address of the verified minor children of the inmate shall be entered into DOTS Portal VISTI screens. The minor children shall not count towards the fifteen (15) visitors on an inmate's visiting list.

- a. In cases where an inmate's child visits and a custodial parent or legal guardian does not accompany the child, a notarized Authorization for Minor Child Visitation Form (DRC4371) must be provided, specifying the name(s) of the guardian(s) listed on the approved visiting list who may bring the child to visit and permission for the child to be photographed and searched.
  - b. This notarized Authorization for Minor Child Visitation Form (DRC4371) may be mailed in or delivered at the time of the first visit, with the letter being electronically scanned into OnBase by assigned staff and documented in DOTS Portal. If the letter is not notarized, the child is not to enter the institution. This form expires and must be re-submitted after one (1) year. Case managers or visiting staff shall note the receipt of the appropriate form in the VNOTS section of DOTS Portal.
  - c. An incarcerated parent cannot serve as the authorizing signature on the Authorization for Minor Child Visitation Form (DRC4371).
  - d. The Authorization for Minor Child Visitation Form (DRC4371) may be revoked at any time by the custodial parent or legal guardian.
  - e. Once the minor child has reached his/her 18<sup>th</sup> birthday, a new application must be submitted.
10. Inmates may add or remove visitors by notifying their unit staff. There are no restrictions on how often an inmate may change/remove visitors.
- a. All requests to add visitors will require an application be submitted in accordance with section VI.C. of this policy.
  - b. Visitation applications may be denied in accordance with section VI.F of this policy.

#### **D. Professional, Official, and Special Visitors**

1. Each inmate may have one (1) attorney of record unless additional attorneys are required for ongoing litigation. Except when authorized in writing by the managing officer/designee, attorneys shall not be allowed to deliver packages, correspondence, money or printed materials to any inmate. The managing officer/designee may authorize the attorney to bring in recording devices, stenographs, etc.



2. Inmates may have one (1) person on their visiting list as their clergy of record except in the case of associate or staff pastors. In the event the clergy of record is not available, associate or staff pastors may visit in their place. This exception does not increase the number of allowable visits.
  - a. The institution chaplains are responsible for verifying all professional certifications prior to the pastor being listed on the inmate's visiting list.
  - b. Except when authorization is in writing by the managing officer/designee, clergy shall not be allowed to deliver packages, correspondence, money, or printed materials to any inmate.
3. A community organization volunteer that has partnered with the DRC to assist the inmate in transitioning into the community may be added to an inmate's approved visitor list as a reentry mentor and will count towards their fifteen (15) person visiting list limitation.
4. Inmates may request that the mother/father of their children be added to the visiting list. They are required to follow the same application process as any other visitor and count towards the fifteen (15) person visiting list limitation. The mother/father of children provision is made to facilitate family ties between the incarcerated parent and his/her children. The visitor is permitted to visit without the child or children.
  - a. In some cases, an incarcerated parent may not be listed on the child's birth certificate. It is the inmate and/or custodial parent's responsibility to provide verification of paternity.
  - b. The inmate may provide a receipt of the "acknowledgement of paternity" form through Vital Statistics or a child support enforcement collection order may serve as verification of relationship.

#### **E. Special Visits**

1. The managing officer/designee may grant special visits or professional contact visits utilizing the Special Visit Request (DRC2466) when special circumstances are present. Such special visits may be approved for hours other than those regularly scheduled for visitation as scheduling and space permits. Special visits may not be authorized more than once per inmate every three (3) month period. However, out-of-state special visitors may be permitted to visit for three (3) consecutive days with the approval of the managing officer/designee. Additional professional contact visits may be scheduled as requested and/or as needed with the approval of the managing officer/designee.
2. Circumstances that may warrant a special visit include the following:
  - a. Visitors who do not visit on a regular basis (at the managing officer's discretion);
  - b. Clergy; or
  - c. Persons significant to the inmate for purposes of crisis intervention.

3. Circumstances that may warrant a professional/official visit include the following:
  - a. Parole or probation advisors and those acting on behalf of a court of law;
  - b. Psychiatrists or other mental health professionals;
  - c. Law enforcement, judges, and other official visitors granted at the discretion of the managing officer; or
  - d. Social services professionals.

## **F. Denial and Suspension of Visitation**

1. Visitation applications may be denied for the following reasons:
  - a. The visitor's presence in the institution could reasonably pose a threat to the institution's security, or disrupt the orderly operations of the institution; or
  - b. The visitor has a past record of disruptive conduct; or
  - c. The visitor is directly related to the inmate's current or prior criminal behavior; or
  - d. The visitor will not have a positive effect on the inmate's attitude, behavior, overall adjustment, or reentry efforts; or
  - e. The visitor is under supervision and does not have the written permission of both the managing officer and the parolee's parole officer. Inmates, including family, under supervision must have written permission from his/her parole/probation officer and approval from the managing officer ~~in order~~ to visit;
  - f. The visitor is a current or past ODRC employee, volunteer, or independent contractor, and has not received written authorization from the managing officer; or
  - g. The visitor was a victim of personal injury or harm of the inmate's crime, either under the current incarceration or any previous incarceration(s), unless the managing officer/designee grants approval. The managing officer/designee may contact the Office of Victim Services (OVS) for consultation, in which case the OVS will provide a written opinion. The managing officer/designee grants final approval. Unit staff are responsible for ensuring these steps are taken prior to any victim being allowed to enter the institution for a visit; or
  - h. Required documentation has either been falsified and/or incomplete forms were returned for processing.
  - i. The visitor has been permanently restricted from visiting at any ODRC facility in the past.
2. A violation that poses a significant risk to security or injury to another person may result in an immediate and permanent restriction. Permanent removal shall only occur with the written approval of the managing officer. Delegation of permanent removal may only be assigned to the staff person acting in the managing officer's official capacity during their

absence. Any visitor who is permanently restricted shall not be permitted to visit any ODRC facility unless the permanent restriction is removed by the managing officer of the facility for which the person wishes to visit. All permanent visitor restrictions shall be forwarded to all ODRC institutions to ensure the visitor is restricted from any other inmate visiting lists.

3. An approved visitor may be denied access to visit for reasons including, but not limited to:
  - a. A visitor refuses to show appropriate and bona fide identification;
  - b. A visitor refuses to submit to a search;
  - c. A visitor appears to be under the influence of an intoxicating substance;
  - d. There is insufficient space for visiting (terminations of earlier visits are to occur before denying a visit due to lack of space) or prior reservations were not secured when required;
  - e. Possession of contraband that is prohibited by department policy and/or state law;
  - f. Inappropriate dress, as defined by the managing officer/designee. Refer to the General Visiting Instructions (DRC2274);
  - g. Any circumstance that presents a threat to the security of the institution, staff, visitor and/or inmates.
4. Only the managing officer/designee (the supervisor in charge of the visiting area) may terminate visits. Reasons for termination of a visit shall include, but not be limited to, inappropriate conduct or a violation of visiting rules.
5. Whenever a visit is denied or terminated, an Incident Report (DRC1000) shall be prepared by the official taking the action. A copy of the report shall be forwarded to the managing officer/designee. The statement of reasons completed by the reporting officer shall provide details of the visitor(s) and/or inmate's inappropriate actions and be documented in DOTS Portal visitation notes.
6. If contraband is found in the possession of a visitor, the contraband shall be confiscated, and the visitor may be referred to law enforcement officials for possible felony prosecution. If the visitor refuses to be detained until the arrival of law enforcement officials, force shall not be used; however, vital information (i.e., the visitor's name, address, telephone number, automobile make and model, description, license plate number and state where issued) shall be documented and forwarded immediately to the shift supervisor who in turn shall notify the appropriate local authorities.
7. Only the managing officer/designee may suspend visitation privileges. Only the managing officer may, at his/her discretion, suspend all of the inmate's approved visitors, except attorneys and clergy of record unless they are personally involved, for any misconduct involving the inmate and/or visitor. Upon determining that visitation shall be suspended, the managing officer/designee shall provide a written notice of the time period of suspension to the inmate, all suspended visitors, and visitation staff, as documented on the Termination of Mail/Visiting Privileges (DRC2199) and Decision on Termination of Mail/Visiting Privileges (DRC2200). Suspension from an institution serves as a suspension from all facilities. The statement of reasons may be limited to the extent it

would jeopardize the security of the institution or the safety of any individual. All suspensions and/or changes in a visitor's status shall be entered into the DOTS Portal Screen (VISTI) and a brief explanation for the suspension noted into the DOTS Portal Screen (VSNOT) within twenty-four (24) hours of the decision to suspend. Institution staff documenting the visiting suspension shall notify all other institutions where the visitor is documented as a visitor on an inmate's visiting list. This notification shall be in writing and directed to the managing officer's administrative assistant or investigator.

8. The administrative assistant to the managing officer shall be responsible for processing all visiting suspensions that are the result of any disposition imposed by the Rules Infraction Board (RIB) and shall enter the suspension into the appropriate DOTS Portal screen (VRIB). Restrictions entered at a reception center must be thoroughly reviewed upon receipt at the parent institution.
9. Visitor suspensions shall be progressive in nature in accordance with the ODRC Guidelines for Mail and Visiting Restrictions. Based on the severity of the incident, the managing officer has the discretion to suspend or restrict visitation on the first offense for all rules violated (attached exclusions may range from denial of visiting for that day, suspension of visiting privileges for a specific period of time, or permanent removal from the approved visiting list). Visiting privileges may be suspended for reasons including, but not limited to:
  - a. Upon reviewing a denial or termination report, the managing officer/designee determines that suspension is warranted;
  - b. The visitor repeatedly violated visiting rules;
  - c. The visitor continually failed to control children;
  - d. Sexual physical contact;
  - e. The visitor refused to submit to a search, in which case he/she may be restricted from visiting at any DRC institution;
  - f. Falsifying information on the visitation application; or
  - g. The visitor exhibits other behavior and actions which the managing officer/designee, at their discretion, determines may jeopardize the security of the institution.
10. If a visitor is arrested on the grounds of the correctional facility, his/her visitation privileges shall be suspended until disposition of the case. The suspension may continue for the duration of any court sentence, including terms of probation, incarceration and post release supervision, up to permanent suspension as determined by the managing officer.
11. In all instances where inmates test positive for or are in possession of illegal drugs or refuses to comply with a request for a drug screen, in addition to appropriate Rules Infraction Board (RIB) disciplinary actions, the managing officer/designee may modify the inmate's visits according to the following:
  - a. First Offense – All visits may be suspended for up to three (3) months.
  - b. Second and Subsequent Offenses – All visits may be suspended for up to six (6) months. Progressive disciplinary action will apply for subsequent offenses.

This section does not affect attorney and clergy visits unless that person is involved in the drug violation.

12. Visitors may appeal or request a review of the suspension or termination within seven (7) days of the date the Termination of Mail/Visiting Privileges (DRC2199) was completed. All appeals shall be in writing and submitted to the Operation Support Center (OSC). A final decision will be made on the Decision on Termination of Mail/Visiting Privileges (DRC2200) which is not appealable.

#### **G. Video Visitation**

1. Video visitation using the JPay kiosks installed in housing units throughout the DRC is designed to increase visiting opportunities and reduce burdens on family and friends. Therefore, assisting in facilitating these visits is an important role at all facilities. All video visits will be subject to screening criteria as outlined in the JPay contract.
2. Video visits shall be available in general population housing units at all Level 1, 2 and 3 prisons seven days a week. Video visits may be restricted in limited privilege housing units. Level 4 and ERH prisons have the flexibility to set the hours to meet specific operational needs but should make every effort to make video visiting available seven days a week and in the evenings.
3. Video visits shall be available in the morning, afternoon and evening at all Level 1, 2 and 3 prisons. Each facility shall set a minimum of three (3) hours in the morning, three (3) hours in the afternoon and three (3) hours in the evening where video visits will be available, for a total of nine (9) hours each day.
4. All kiosk locations shall have a sign containing the following information posted next to the kiosk: "All electronic communications are subject to monitoring and recording".
5. Facilities shall not be required to constantly live monitor video visits; however, they shall be required to have the video visits monitored in a control center (or other area of their choice which is staffed during video visiting hours) where the staff member can periodically look at the screen and terminate a visit if they see something inappropriate or if they receive notification from another party there is a problem.
6. Any live monitoring of video visits shall be without sound unless approved by a supervisor. Any time live visits are listened to, it shall be in a manner where members of the general public, or parties not associated with the monitoring, cannot hear.
7. The review of a recorded visit shall only be authorized by a supervisor, and designees authorized to review recorded visits, at the discretion of the managing officer.
8. Housing unit officers shall be advised of the video visiting process and all of the rules associated. All post orders in housing units shall be updated to include information on whom to contact in the facility when the housing unit officer determines a video visit is causing disruption in the unit or becomes aware of a rule violation.

9. If a housing area has more than one kiosk, only one shall be designated for video visitation. Any kiosk designated for video visitation shall have the hours when video visiting is available posted beside the kiosk.
10. Inmate visitors shall be required to make video visit reservations twenty-four (24) hours in advance. All institutions shall designate an individual or post responsible daily for checking all video visits scheduled for the day and sending notification to the housing units where the video visit is scheduled. In addition, this designated person/post shall also provide the post responsible for monitoring/terminating video visits with a schedule of video visits for the day.
11. The maximum number of video visits per site at a single time shall be four.
12. The requirements of video visiting at Level 4 and ERH prisons is at the discretion of the managing officer based on the operational need and capacity of the facility.

#### **H. Video Visitation Rules**

1. All individuals requesting a video visit shall be approved or tentatively approved visitors according to this policy.
2. All incoming and outgoing videograms must be from/to approved visitors only.
3. Inmates must be dressed in the uniform of the day when recording the videogram.
4. All visitors must adhere to all applicable visiting rules as if they were visiting in person to include those rules pertaining minors participating in visits. Minor children should not participate in video visitation or videograms unless the person initiating the visit has complied with paragraph (C) (10) of this policy. At no time shall a minor initiate video visitation or videograms. Such violations shall result in a suspension of an inmate's video visitation/videogram privileges. The suspension may be temporary or permanent depending on the nature of the violation and the managing officer's discretion.
5. Video Visit/Videograms rules include restrictions on inappropriate clothing including overly revealing clothing, form-fitting clothing, and clothing that display offensive, illegal or gang-related messages.
6. There shall be no displays of nudity, pornography, sexual acts, sexual poses, violence, drug use, gang signs, weapons, general gang activity (including clothing) or any other illegal activity during a video visit/videogram.
7. All video visits/videograms are monitored and recorded. Visits may be terminated for any violation of the rules listed herein. In addition, restrictions/suspensions may be issued which affect not only video visits/videograms but visiting in person (including the ability to send money).
8. Inmates will not be reimbursed any costs associated with video visits/videograms in accordance with section VI.H.5 of this policy.

9. Recording of the video visitation or videogram session by the visitor is strictly prohibited and may lead to loss of video visitation privileges.
10. Even if a visit is not terminated during the actual visit, a review of a recorded visit which reveals violations of prison rules may result in suspension or termination of visiting privileges after the fact. There is no statute of limitations as to how far back a review of a previous visit can be used to suspend/terminate current visiting privileges.
11. Video visits do not count against the number of regularly allowed in-person visits.
12. Attorneys and clergy may video visit if they are on the approved visiting list. Audio recording cannot be disabled. Therefore, when private communication is required in-person visiting is recommended because all video visits are subject to being monitored and privacy rules do not apply.
13. Video visits do not count against the number of kiosk sessions allowed per day.

### **I. Variations from Policy**

Based upon the circumstances of a requested visit, an exception to this policy may be made by the managing officer. In such cases, written documentation signed by the managing officer/designee must be scanned to OnBase indicating the reasons for the exception and must have the managing officer/designee's signature of approval.

#### **Attachment:**

ODRC Guidelines for Mail & Visiting Restrictions

#### **Related Department Forms:**

Incident Report	DRC1000
Visiting Application	DRC2096
Termination of Mail/Visiting Privileges	DRC2199
Decision on Termination of Mail/Visiting Privileges	DRC2200
General Visiting Instructions	DRC2274
Special Visit Request	DRC2466
Declaration of Understanding	DRC2554
Authorization for Minor Child Visitation Form	DRC4371

## Mail & Visiting Restriction Guidelines

Rule(s) Violated		Type of Restriction		Length of Restriction			
		General Visitation	Video Visitation	3 months	6 months	1 year	Perm
<b>A</b>	<b>Possession/Conveyance of Contraband</b>						
1	Any act that constitutes a violation of ORC 2921.36: The illegal conveyance, or attempt to convey, (1) any deadly weapon or dangerous ordinance as defined by ORC 2923.11, or any part of, or ammunition for use in such a deadly weapon or dangerous ordinance; (2) any drug of abuse as defined by ORC 3719.001; (3) any intoxicating liquor as defined by ORC 4301.01; (4) money, cellular telephones, two way radios and other electronic communication devices	X					1 <sup>st</sup>
2	Authorized or prescribed medication that is defined as a drug of abuse under ORC 3719.011 (concealed)	X				1 <sup>st</sup>	2 <sup>nd</sup>
3	Unauthorized or non-prescribed medication that is not defined as a drug of abuse under ORC 3719.01 (not concealed)	X			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
4	Unauthorized or non-prescribed medication that is not defined as a drug of abuse under ORC 3719.01 (concealed)	X				1 <sup>st</sup>	2 <sup>nd</sup>
5	Possession or conveyance of a pocket-knife (less than 3 inches long).	X				1 <sup>st</sup>	2 <sup>nd</sup>
6	Possession of Tobacco products in any form (concealed)	X			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
7	Nuisance Contraband (i.e., Hemp Bracelets, Jewelry, unapproved items)	X		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
<b>B</b>	<b>Inappropriate Behavior/Relationships</b>						
1	Engaging in Sex Acts (Masturbation, Oral Sex, Intercourse) during a personal visit	X					1 <sup>st</sup>
2	Excessive physical contact with a child for sexual gratification or use of a child to block observation in the commission of a sex act	X	X	Visitors present during violation restricted permanently. If found guilty by RIB or outside court, then inmate is restricted from receiving visits for one (1) year			
3	Excessive physical contact (out of anger or other) while on a visit that could or does result in a Rules Infraction Board conviction. Based on the severity of the event, a permeant restriction may be given on the first violation.	X			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
4	Any displays of nudity, pornography, sexual acts, sexual poses, violence, drug use, gang signs, weapons, general gang activity (including clothing) or any other illegal activity during a personal visit.	X			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
5	Attempting to visit while intoxicated, and exhibits uncooperative or disruptive behavior	X				1 <sup>st</sup>	2 <sup>nd</sup>
6	Attempting to visit while intoxicated, and exhibits cooperative and non-disruptive behavior	X		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
7	Engaging in any behavior that is disrespectful or disruptive to staff, other visitors, or inmates while visiting an inmate (loud arguing, screaming across the visiting area, using profanity loudly with or without directing it at an individual). Based on the severity of the event, a permeant restriction may be given on the first violation.	X		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
8	Any displays of nudity, pornography, sexual acts, sexual poses, violence, drug use, gang signs, weapons, general gang activity (including clothing) or any other illegal activity during a video visit		X	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
<b>C</b>	<b>Violation of Visitation Processes/Procedures</b>						
1	Falsification of information on a visiting application or using false identification to visit an inmate.	X			1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
2	Failure to follow dress code	X		3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>
3	Failure to comply with established shakedown procedures, including an authorized strip search	X				1 <sup>st</sup>	2 <sup>nd</sup>
4	Failure to stay within a designated area of the institution.	X		1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>

(Revised 8/09/17)