



Virginia Department of Corrections

Offender Management and Programs

Operating Procedure 851.1

Visiting Privileges

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REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

COMPLIANCE

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

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DEFINITIONS

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

Clergy - A member of the community who is commissioned, licensed, ordained, endorsed, or otherwise accepted as a religious authority by the individual's religious organization, e.g., Minister, Priest, Rabbi, Imam, Medicine Man, etc.; this individual must not be a family member or relative of the inmate, probationer, or parolee.

Community Corrections Alternative Program (CCAP) - A system of residential facilities operated by the Department of Corrections to provide evidence-based programming as a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program; supervision upon completion*

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

Facility - Any institution or Community Corrections Alternative Program

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

Immediate Family - An inmate's, probationer's, or parolee's parents, stepparents, grandparents, lawful spouse, biological, step or legally adopted children/grandchildren, and biological, half, step, or legally adopted siblings, appeals regarding an individual's status as immediate family will be decided by the Corrections Operations Administrator

Inmate - People who are incarcerated in a Virginia Department of Corrections facility or are Virginia Department of Corrections responsible to serve a state sentence and located at a local or regional jail.

Inmate Visitor - Any person seeking contact or non-contact visiting privileges with one or more inmates housed in a Department of Corrections institution

Institution - A prison facility operated by the Department of Corrections; includes major institutions, field units, and work centers

Legal Guardian - A person who has the powers and responsibilities of a parent concerning the child's support, care, education, health, and welfare

Minor - A person under 18 years of age

Non-Contact Video Visits - Visitation conducted through facility provided devices and inmate video visiting stations when the inmate's visitor is unable to enter the institution for security reasons

Non-Contact Visitation - Visitation conducted through a physical barrier when the inmate's visitor is able to enter the facility but either the visitor or inmate is restricted from physical contact.

Probationer/Parolee - People who are placed under or made subject to community supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of Courts, paroling authorities, the Virginia Department of Corrections, or other release authority; including Community Corrections Alternative Programs.

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

Security Level - Institutions within the DOC are tiered for the supervision and management of inmates on a six level system. Community facilities are operated under low security requirements

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

VACORIS - The computer-based Virginia Department of Corrections inmate and probationer/parolee information management system

Visitor Suspension - A prohibition of an individual's contact visiting privileges for a set time period of no more than three years.



PURPOSE

This operating procedure provides guidelines for the provision and management of inmate, probationer, and parolee visiting privileges at facilities operated by the Department of Corrections (DOC).

PROCEDURE

I. Visitation Program

- A. Inmate, probationer, and parolee visitation is a privilege and the DOC encourages such visitation when these visits do not pose a threat to others or violate any state or federal law. When necessary to ensure the security and good order of the facility, the Facility Unit Head may restrict an individual's visiting privileges. (2-CO-5D-01)
- B. Each facility's visitation program must not allow for the discrimination of inmates, probationers and parolees and/or their visitors, on the basis of a person's disability, in the provision of facility services, programs, and activities administered through the visitation program. (5-ACI-5E-02)
 1. Reasonable accommodations must be provided to allow visitors who are disabled to participate in the visitation program.
 2. Search areas should be equipped with pull up bars meeting the Americans with Disabilities Act (ADA) standards to assist in the transfer of a visitor into and out of DOC-owned wheelchairs, when required. DOC staff may assist in the transfer but must not lift the visitor.
 3. Reasonable accommodations must be provided for inmates, probationers, and parolees with communication disabilities to permit effective communication with their visitor.
 4. Service or guide animals that are required for visitor use during visitation are permitted with prior approval of the Facility Unit Head.

C. Institution Visitation Program

1. Each institution's visitation program provides inmates with opportunities for involvement with family, friends, as well as other individuals through a special visit process, and allows for inmate participation in community activities before final release. (4-ACRS-5A-16[I])
2. Inmates with disabilities will not be denied visitation with family members by placing them in distant institutions where they would not otherwise be housed; this does not preclude gathering groups of inmates with similar special needs, e.g., dialysis, geriatric, deaf and hard of hearing into one or more locations where special resources can be provided to meet those needs.
3. Each institution has a visiting area for contact visiting and, if necessary, a visiting area for non-contact visiting. (5-ACI-2E-03, 5-ACI-7D-16)
 - a. Contact visiting areas permit informal communication between the inmate and their visitors and provides the opportunity for physical contact.
 - b. Non-contact visitation areas in the institution do not permit physical contact and are for use in instances of a substantiated security risk only.
4. Each institution has a visitor and an inmate processing area that provides adequate space to permit the screening and searching of both inmates and their visitors. (5-ACI-2E-03)
5. Each institution provides a space for the proper storage of visitors' coats, handbags, and other personal items not allowed into the visiting area. (5-ACI-2E-03)
6. Written information on an institution's visitation program is available to inmates and their visitor(s); see Attachment 1, *Inmate Visitor Information Brochure*.
7. The *Inmate Visitor Information Brochure* provides inmates and their visitors with information and guidance on the following:
 - a. Visitor Approval - Visitor Online Application Process for Institutions, Inmate Visiting List, Visitor



Eligibility, and Sex Offender Visitation Approval

- b. Transportation Options - Personal Vehicles, Assisting Families of Inmates (AFOI) Transportation Program, Public Transportation Services (5-ACI-7D-22)
 - c. Visiting Schedule - General Population, Restorative Housing Visitation, Special Status Inmate Visitation, Institution Specific Visitation (Specialized Populations) (5-ACI-7D-15)
 - d. Admission Requirements - Identification Requirements, Admission of Minors, Approved Visitor Attire, Authorized Items (5-ACI-7D-15)
 - e. Visitation Screenings and Searches - Inmate Visitors, Mobility Impaired Visitors, Service or Guide Animals
 - f. Visiting Room Operation - General Guidelines, Prohibited Conduct, Supervision of Minors (5-ACI-7D-15)
 - g. Alternate Visitation Methods - Video Visitation Program, Non-Contact Visitation, Non-Contact Video Visits
 - h. The visitation program varies by institution to accommodate for the structural design, operational needs, security level, and mission of the institution; the institution specific *Inmate Visitor Information Brochure* provides additional information for that institution as follows:
 - i. Information on transportation services to the institution: AFOI and Public Transportation Services (5-ACI-7D-22)
 - ii. Information on an institution's visitation allocation system, when utilized
 - iii. Maximum number of visitors allowed to visit with each inmate at one time; specifying adult and minor if so restricted based on space requirements, limits on the number of visits each inmate may have per day if applicable, total number of inmate visiting hours per month by security level (5-ACI-7D-14, 5-ACI-7D-15)
 - iv. Visiting information for Restorative Housing Units to include available days, hours of operations, and maximum number of visitors
 - v. Visiting information for other special status inmates to include available days, hours of operation, contact or non-contact visitation and video visiting, and maximum number of visitors, when applicable
 - vi. Visiting information for specialized populations e.g., Security Level S, SDTP, STAR, Death Row, etc. to include available days, hours of operation, contact or non-contact visitation and video visiting, and maximum number of visitors when applicable
 - vii. Specific hours of operation for home internet video visitation
 - viii. Address/phone number, and directions to the institution (5-ACI-7D-15)
 - ix. Procedure for how visits are terminated (5-ACI-7D-14)
 - x. Rules prohibiting visitors of one inmate sending funds to or receiving funds from another inmate unless they are documented members of the immediate family and have prior approval from the Facility Unit Head
 - xi. Process for special visits, for example: family emergencies (5-ACI-7D-15; 4-ACRS-5A-18[I])
 8. Within twenty-four hours of arrival to any institution for reception or transfer, staff must provide a copy of the institution specific *Inmate Visitor Information Brochure* to the inmate and must make additional copies of the *Brochure* available, upon request, for inmates to send to their visitors by mail. (5-ACI-7D-15)
 9. Staff must make copies of the institution specific *Inmate Visitor Information Brochure* available to visitors in the visitor entry area and upon visitor request.
- D. Community Corrections Alternative Program (CCAP) Visitation Program
1. CCAP staff will provide probationers and parolees with information on the CCAP's visitation program during orientation; see 940.4, *Community Corrections Alternative Program*.
 2. Each CCAPs visitation program provides probationers and parolees with opportunities for



involvement with family as well as other individuals through a special visit process, and allows for participation in community activities before final release. (4-ACRS-5A-16[CC])

- a. Due to the structured and short-term nature of CCAPs, certain variances are authorized.
 - b. The provisions contained in this section apply only to CCAPs.
3. Probationers and parolees may visit with immediate family members who are approved to visit with a specific probationer/parolee participating in the CCAP.
 - a. Within three days of arrival, probationers and parolees are required to submit for approval to their assigned Counselor, P&P Officer, or other designated facility staff member, a listing of those persons that the probationer or parolee requests approval for visiting privileges.
 - b. Each CCAP Facility Unit Head may place additional limits on authorized visitors based on the facility mission and visiting space limitations.
 - c. CCAPs do not use the visitor application process or VACORIS Visitation-Volunteer Module.
 4. Each Facility Unit Head will develop procedures for the effective management of probationer and parolee visiting that includes at a minimum the following requirements:
 - a. Visitation Schedule - Visitation will occur on Saturdays or Sundays, any alternating weekend visitation schedules to reduce overcrowding in the assigned visiting area, when used at the facility.
 - b. Visitation Hours - Visiting hours should be held a minimum of four hours per month and a maximum of 16 hours per month, each probationer and parolee who receives a visit will be provided a minimum of one hour of visiting per scheduled visiting day.
 - c. Special Visits - The request and approval process for special visits to include clergy, former or prospective employers, sponsors, confidential contact with attorneys and their authorized representatives, or individuals not on an approved visiting list. (4-ACRS-5A-18[CC], 4-ACRS 6A-01[CC])
 - i. The Facility Unit Head or designee must approve all special visits.
 - ii. Staff will schedule a day and time for the visits at the same time they approve the request.
- E. Adult crime victims/survivors who do not wish to participate in regular on going visitation may request a one-time facilitated meeting; see Operating Procedure 021.2, *Victim/Offender Dialogue*.

II. Visitor Approval Process - Institutions

A. Visitor Online Application Process

1. All visitors to include minors must apply and receive approval from the Central Visitation Unit before attempting to visit with an inmate.
2. The Central Visitation Unit receives, and reviews all visitor applications for compliance with this operating procedure.
3. The Central Visitation Unit staff member review will include but is not limited to the following:
 - a. VCIN background checks on all visitors over the age of 15
 - b. Check of suspended visitors
 - c. Check of VACORIS database
 - d. Check of gang/security threat group databases
 - e. Check of staff databases
 - f. At the discretion of the Central Visitation Unit, review by Facility Unit Head or designee where the inmate is currently housed
4. Visitors who wish to visit multiple inmates who are family members must list each inmate and the family relationship on their online *Visitor Application and Background Investigation Authorization* for processing by the Central Visitation Unit:
 - a. Central Visitation Unit staff will only approve an individual to visit one inmate who is not an



immediate family member; non-immediate family member visits can only be changed once every twelve months.

- b. Central Visitation Unit staff will not approve an individual to visit more than one inmate at the same institution unless, with approval of the Facility Unit Head only, each inmate is an immediate family member of the visitor and the visitor(s) are on both inmate's *Visiting Lists*.

B. Inmate Visiting List

1. All inmates are required to complete and submit an [Inmate Visiting List](#) 851_F12 in order to receive visits while housed in a DOC institution.
 - a. Inmates newly received into the DOC must submit their initial *Inmate Visiting List* within 30 days of arrival at a reception center.
 - b. Inmates, who transfer prior to submitting their initial *Visiting List*, must submit their *List* within seven days of arrival at their first permanent institutional assignment.
 - c. The [Inmate Visiting List](#) 851_F12 must be legible and complete with name, address, and relationship. Staff will return all incomplete and/or illegible *Inmate Visiting Lists* to the inmate, and the inmate will be required to wait until the next submission period.
2. Each *Inmate Visiting List* is limited to a maximum of ten individual adult visitors to include family members and friends.
 - a. All visitors on the *Inmate Visiting List* must have a visitor application, approved by the Central Visitation Unit, on file before staff will allow a visit with the inmate.
 - b. Visitors on the *Inmate Visiting List* who do not have an approved visitor application on file must submit their application online through the DOC public website for processing and approval in accordance with this operating procedure.
 - c. Minor visitors are excluded from the maximum number of ten visitors allowed on the *Inmate Visiting List*.
 - i. In order to visit with an inmate, minor visitors must have a visitor application, approved by the Central Visitation Unit, on file and an approved adult visitor listed on the *Inmate Visiting List* must accompany the minor.
 - ii. Staff will not permit minors to visit until an application is submitted online through the DOC public website for processing approval in accordance with this operating procedure.
3. Inmates may update and submit a new [Inmate Visiting List](#) 851_F12 twice per year in the months of January and July.
 - a. If there are no changes, an inmate is not required to submit a new *Inmate Visiting List* to continue to receive visits.
 - b. Inmates may add or remove a visitor by submitting a new [Inmate Visiting List](#) 851_F12 to their assigned Counselor or designee for review and processing through the Central Visitation Unit.
 - i. The inmate's Counselor or designee will review the *Inmate Visiting List* and confirm that the *List* has no more than the maximum of ten adult visitors and that the inmate has provided the required information for each visitor.
 - ii. The Counselor or designee must return all incomplete and/or illegible *Inmate Visiting Lists* to the inmate for correction prior to submission to the Central Visitation Unit.
 - iii. The Counselor will submit all complete and legible *Inmate Visiting Lists* by email to doc-inmatevisitinglist@vadoc.virginia.gov for processing by the Central Visitation Unit. The Counselor or designated staff will upload the *Inmate Visiting List* as an external document into VACORIS under the *Visitation-Volunteer* Module.

C. Inmates on "Administrative Location"

1. Inmate visitors cannot utilize the online visitor application process through the DOC public website to apply for visitation with an inmate on "Administrative Location" status.



- a. The inmate will submit their [Inmate Visiting List](#) 851_F12 to their assigned Counselor for processing.
 - b. The Counselor will give the inmate an [Adult Visitor Application and Background Investigation Authorization](#) 851_F1, for each of the adult visitors, and a [Minor Visitor Application and Background Investigation Authorization](#) 851_F6 for each of the minor visitors for the inmate to mail to their visitors.
2. The visitor is responsible for completing the *Visitor Application* and returning it by mail to the Central Visitation Unit for processing.
 3. The Central Visitation Unit will not review, process, or hold a visitor's *Application* if the inmate has not first submitted their *Inmate Visiting List*.
- D. After the *Visitor Application* is reviewed, a Central Visitation Unit staff member will send the visitor an email notifying them of their approval and when to visit or notifying them of their disapproval and providing the reason(s) for disapproval.

III. Visitor Eligibility

- A. Visitors with any of the following considerations will not be approved to visit at an institution or a CCAP facility:
1. Conviction of COV §18.2-474.1, *Delivery of drugs, firearms, explosives, etc., to prisoners or committed persons or equivalent offenses in other jurisdictions*
 2. Conviction of COV §18.2-473, *Persons aiding escape of prisoner or child* or equivalent offenses in other jurisdictions
 3. Conviction of COV §18.2-431.1, *Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty*; or equivalent offenses in other jurisdictions
 4. An Existing protective order, CPS/APS ruling, or other no contact order prohibiting contact with the inmate, probationer or parolee
 5. Visitation with more than one inmate, probationer or parolee who is not an immediate family member
 6. Visitation with more than one inmate, probationer, or parolee at the same facility unless each inmate, probationer or is an immediate family member
- B. Visitors with the following history will only be considered for visitation with inmates, probationers and parolees who are family members; visitation with inmates, probationers and parolees who are not family members will be disapproved:
1. Visitors with felony conviction(s) for drug distribution and/or possession may be considered for visitation with immediate family members after three years since the last conviction.
 2. Visitors with felony conviction(s) for drug distribution and/or possession may be considered for visitation with non-immediate family members after five years since the last conviction.
 3. Visitors with any documented history of attempting to smuggle a controlled substance into a facility will only be considered for visitation with immediate family members and only after three years since the last conviction.
- C. The Corrections Operations Administrator or designee in consultation with the Facility Unit Head and Chief P&P Officer, when necessary, must approve for former inmates and probationer/parolees to visit with a current inmate or probationer/parolee.
1. Central Visitation Unit staff, for visitation with an inmate, will review each visitor application and check VACORIS to determine if an individual is a former inmate or on probation or parole supervision.
 2. The Corrections Operations Administrator or designee will review and, on a case-by-case basis,

- approve or disapprove for a valid security reason, visiting privileges for all former inmates, probationers, and parolees.
- a. If there are no pending charges, non-violent former inmates may be considered for approval to visit after completion of parole, probation, or post release supervision.
 - b. If there are no pending charges, former inmates with a violent history may be considered for approval to visit five years after completion of parole, probation, or post release supervision.
 - c. Non-violent and violent former inmates who are immediate family members of an inmate currently housed in an institution may be considered for approval to visit after successful completion of six months on supervision.
3. The Corrections Operations Administrator or designee will consult with both the Facility Unit Head and the Chief P&P Officer for an inmate on active probation, parole, post release, or conditional release supervision.
- D. Any individual currently under any pending indictment or any active pending charge may be restricted from visitation pending resolution of the charges.
- E. The Corrections Operations Administrator or designee, in consultation with the Facility Unit Head, must approve in writing for former staff, contract staff, volunteers, and interns of any DOC Organizational Unit to visit with an inmates, probationers and parolees.
1. Former staff, contractors, volunteers, and interns will not be considered for visitation with an inmate, probationer or parolee who is non-immediate family member for at least one year after their employment or service with the DOC has ended.
 2. Former staff, contractors, volunteers, and interns who were terminated, resigned in lieu of termination, or were barred for fraternization or suspected of fraternization with an inmate, probationer, or parolee will not be allowed to visit for a minimum period of two years after their employment or service with the DOC has ended.
 3. After the required time has passed, the individual may request visiting privileges with an inmate by submitting an online visitor application through the DOC public website. Requests for visiting privileges at a CCAP must be submitted to the Facility Unit Head.
 4. Visitor applications and requests for visiting privileges at CCAPs for non-immediate family members, formerly employed by the DOC, will be reviewed and approved or disapproved on a case-by-case basis.
- F. Prior to a current DOC staff, contract staff, volunteers, and interns submitting an online visitor application to visit with an inmate or a request to the Facility Unit Head of a CCAP, the following must occur:
1. The staff member, volunteer, or intern must submit a written request for permission to visit to their Organizational Unit Head or supervisor if the staff member is the Organizational Unit Head.
 2. If approved, the Organizational Unit Head will contact the Facility Unit Head of the facility where the inmates, probationers and parolees is located for their input.
 3. If approved by the Facility Unit Head, the Organizational Unit Head who initiated the request will forward it to the Regional Operations Chief of the region(s) involved for approval in accordance with Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Offenders*.
 4. The Regional Operations Chief, in consultation with the Central Visitation Unit, will ensure there is no additional relevant information and will issue final written approval or disapproval, and provide a copy to the requesting Organizational Unit Head, the Facility Unit Head, and the Central Visitation Unit Manager.
 5. When a contract staff member requests permission for visitation, the contractors employer must also provide prior written approval.
 6. The Chief of Corrections Operations or Deputy Director, as appropriate, must approve staff, contract

staff, volunteers, and interns not under the supervision of a Regional Operations Chief.

IV. Sex Offender Visitation

- A. Any inmate who has a conviction for an offense that would require them to register in the *Sex Offender and Crimes against Minors Registry* must request and be granted a sex offender visitation exemption before they will be permitted to visit with any minor.
1. The inmate must be at least six months infraction free to be considered for a sex offender visitation exemption.
 2. Inmates with any conviction for a sexual offense that requires registration will only be considered for an exemption to visit with their biological, legally adopted, or stepchildren.
 3. Inmates, with convictions for non-sexual registration offenses, only, may be considered for an exemption to visit with any minor.
 4. There must not be a Court Order restricting such visits.
- B. A sex offender visitation exemption can only be requested through the following process:
1. Inmates who wish to request an exemption to visit with a minor must obtain a [Sex Offender Minor Visitation Questionnaire \(Inmate\)](#) 851_F10 from their assigned Counselor.
 - a. The inmate will complete the [Sex Offender Minor Visitation Questionnaire \(Inmate\)](#) 851_F10 and return it to their assigned Counselor for processing.
 - b. The inmate's Counselor will review the inmate's *Visitation Questionnaire* and determine whether the offense requiring registration is a non-sexual or a sexual offense.
 2. If the offense is a non-sexual offense, the Counselor will notify the Central Visitation Unit by emailing the *Questionnaire* to VisitationApplications@vadoc.virginia.gov.
 - a. The Counselor will instruct the inmate to notify the parent or legal guardian of the minor to submit an online application for themselves and the minor for processing in accordance with this operating procedure.
 - b. Visitor applications received for a minor prior to an inmate's approval for a sex offender exemption will be disapproved.
 - c. The Central Visitation Unit will not hold a visitor application for a minor if the inmate has not requested a sex offender exemption.
 3. If the offense is a sexual offense, the Counselor will provide the inmate with a [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851_F11 and will instruct the inmate to notify the parent or legal guardian of the minor to submit an online application for themselves and the minor for processing in accordance with this operating procedure.
 - a. The inmate will forward the [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851_F11 to the potential visitor.
 - b. Once the completed parent/guardian *Questionnaire* is returned to the inmate's assigned Counselor, the Counselor will forward the [Sex Offender Minor Visitation Questionnaire \(Inmate\)](#) 851_F10 and the [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851_F11 by email to SexOffenderVisitation@vadoc.virginia.gov.
 - i. The *Sex Offender Visitation Mailbox Administrator* will assign the exemption request to an evaluator who will complete an assessment either face-to-face or by videoconference.
 - ii. A copy of the evaluator assignment will be sent via email to the Facility Unit Head and the Sex Offender Program Director (SOPD).
 - c. Once the assessment is complete, the evaluator will forward the completed assessment, [Sex Offender Minor Visitation Questionnaire \(Inmate\)](#) 851_F10, and the [Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851_F11 to the SOPD or designee.
 - i. A copy of the completed assessment must be sent to the Medical Department for filing in the

inmate's Health Record.

- ii. The assessment may only be released with the approval of the SOPD and in accordance with the dissemination requirements in Operating Procedure 701.3, *Health Records*.
 - (a) Institution staff, who receive a request for a copy of an inmate's assessment, must notify the SOPD.
 - (b) The SOPD will review the inmate's assessment, consult with the Chief of Mental Health Services to determine if the assessment is exempt from release, and notify the staff member of the decision.
 - (c) Copying charges will apply to all inmate record documents provided to inmates and the public.
- d. The *Sex Offender Visitation Committee* comprised of designated staff appointed by the Chief of Corrections Operations will meet at least quarterly to review inmates for a sex offender visitation exemption.
 - i. The committee will review all available information and forward their recommendation for approval or disapproval to the Corrections Operations Administrator.
 - ii. If an inmate is denied a sex offender visitation exemption, the inmate can reapply after one year.

V. Visiting Schedule - Institutions

A. Newly received inmates are not allowed visits for the first 60 days of their assignment to a reception center.

B. General Population Inmates

1. The total number of hours an inmate may visit per month will be in accordance with Operating Procedure 801.4, *Privileges by Security Level*.
2. Generally, visitation for general population inmates is held for a minimum of 6 hours each visiting day.
3. If needed due to the demand for visitation routinely exceeding visiting area capacity, institutions may use an allocation system (alphabetical or numerical) which allows visits for a portion of the inmate population each visiting day.
 - a. Visitors transported by non-profit service providers with which the DOC has an agreement such as AFOI must be allowed to visit on the visitor's scheduled transport day regardless of the institution's allocation system.
 - i. These visitors will be identified by name badges or by a list of riders provided by the transportation service provider.
 - ii. Other visitors arriving at the institution on a day not allocated to that inmate may be allowed to visit subject to space availability and approval of the Shift Commander or above.
 - b. When an inmate receives a visit on a day that is not their normal allocated visiting day, the visit will serve as the inmate's visiting day.
4. On a case-by-case basis and as approved by the Facility Unit Head or designee, inmates may request approval in advance for an extended visit based on special circumstance or need, such as infrequent visits and extreme travel distance. (5-ACI-7D-19)

C. Restorative Housing Inmates

1. Inmates assigned to a Restorative Housing Unit are limited to non-contact visits, except for visits with their attorney.
 - a. If the attorney has a current attorney-client relationship with the inmate, the Facility Unit Head or designee should approve contact visits with the attorney.
 - b. The Facility Unit Head or designee will only approve a contact visit at the request of the attorney.
2. Information on inmate visitation in Restorative Housing Units is available in Operating Procedure



841.4, *Restorative Housing Units*.

D. Special Status Inmates

1. Inmates housed in an institution's infirmary, observation beds, or in a mental health residential or acute care unit may receive visits if approved by the Facility Unit Head or designee.
 - a. The Facility Unit Head will consult with the Health Authority or Mental Health Unit Director, as appropriate, when making decision on visitation.
 - b. The location, length, and circumstances of the visit will be decided on a case-by-case basis.
2. Visits with inmates housed in off-site hospital beds will be in accordance with Operating Procedure 425.2, *Hospital Security* (Restricted).
 - a. The Facility Unit Head or designee, in consultation with the attending physician, must approve all inmate visits for inmates in off-site hospital beds.
 - i. In general, hospitalized inmates may receive visits from immediate family members only.
 - ii. The location, length, and circumstances of the visit will be decided on a case-by-case basis.
 - b. Security ward staff will manage inmate visitation in DOC operated hospital security wards.
 - c. The facility providing security at other hospitals will manage visiting with inmates.

E. Specialized Population Inmates

1. The Chief of Corrections Operations has granted the Facility Unit Head the authority to restrict and grant visiting privileges as incentives for appropriate inmate behaviors at designated facilities and/or for specialized populations.
2. Visitation for inmates assigned to a specialized population setting e.g., Security Level S, Secure Diversionary Treatment Program (SDTP), Steps to Achieve Reintegration (STAR) Program, Death row, etc. is institution specific and can be found in the institution's *Inmate Visitor Information Brochure* subject to the following requirements:
 - a. Inmates, classified as Security Level S, will be limited to non-contact visits, except for contact visits with their attorney provided the attorney has a current attorney-client relationship with the inmate. Contact visits will be approved at the request of the attorney only.
 - b. Inmate housed in death row are authorized contact and non-contact visits with immediate family members and one non-family member approved by the Director.
 - i. The Facility Unit Head or Assistant Facility Unit Head may approve extended visitation periods on a case-by-case basis; the inmate must request the extended visit in advance. (5-ACI-7D-19)
 - ii. Contact visits with an attorney require approval of the Facility Unit Head or designee.
 - c. All inmate visitors must submit an online application and be pre-approved and listed in VACORIS as an approved visitor prior to being allowed to visit with an inmate unless otherwise exempted in this operating procedure.
 - d. All visitors and inmates are expected to follow all rules in the *Inmate Visitor Information Brochure* and this operating procedure.

VI. Admission Requirements

A. All visitors must register upon entry into the facility and will be subject to a search of their person, belongings, and vehicles by electronic scanning and detection devices, pat-down frisk searches, and contraband detection canines. (5-ACI-7D-21)

B. Identification Requirements

1. All adult visitors and emancipated minors must submit a valid government issued picture identification card to be maintained in a secure location until the visitor leaves the facility.
2. Visitors to an institution will have their government issued identification card scanned into VACORIS.



- a. The name and identification number on the identification card must match the approved visitor's profile information in VACORIS.
 - b. If VACORIS does not show an identification card associated with the approved visitor, the address on the identification card provided at the time of visitation must match the address recorded in their visitor profile.
 - c. If VACORIS shows an identification card associated with the approved visitor but indicates a different address, the address in VACORIS updates automatically when the identification card is scanned.
 - d. If the name and number on the identification card does not match the profile information of a currently approved visitor in VACORIS, the visitor will be given a copy of Attachment 2, *Central Visitation Unit Decline Notification*.
3. Emancipated minors must provide documentation of their emancipation in addition to a valid picture identification card.

C. Admission of Minors

1. Minors must be accompanied by their parent, legal guardian, or other adult who is an approved visitor listed on the inmate's or probationer's/parolee's visiting list.
2. A [*Notarized Statement – Minor Visitor*](#) 851_F4, signed by the minor's parent/legal guardian and notarized, is required for any minor(s) to visit with an inmate or probationer/parolee, unless there is a valid Court Order directing that the child be allowed to visit the inmate or probationer/ parolee without the parent/legal guardian's permission.
 - a. The parent, legal guardian, and any accompanying adult must present the completed *Notarized Statement* or a copy of the Court Order each time the minor is brought to visit.
 - b. By signing the *Notarized Statement*, the parent/legal guardian is certifying their parental status and no further confirmation will be required unless there is reasonable suspicion that person is not the minor's parent or legal guardian.
 - c. The [*Notarized Statement – Minor Visitor*](#) 851_F4 will expire one year from the signature date of the parent/ legal guardian, unless otherwise indicated on the *Statement*.
 - d. The *Notarized Statement* is not valid if the notary's certification was expired at the time of signature.
3. Regardless of accompanying adult, minors will not be permitted to visit if any of the following circumstances exist:
 - a. The DOC is notified of a Court Order prohibiting visits between the child and the inmate or probationer/parolee
 - b. The DOC is notified that the parental rights of the inmate or probationer/parolee for the child have been terminated
 - c. The minor is a direct victim of a violent crime committed by the inmate or probationer/parolee
 - d. The inmate, probationer or parolee is required to register in the *Sex Offender and Crimes against Minor Registry* for conviction of a sexual offense and the minor is not the inmate's or probationer's/parolee's biological, legally adopted, or stepchild
4. Restrictions of this nature, if at all possible, will be documented as an alert in the VACORIS Visitation-Volunteer Module in advance of any visit.
5. When available, identification cards or photographs of authorized minor visitors will be scanned into the VACORIS Visitation-Volunteer Module to aid in identification.

D. Visitor Attire

1. All visitors, to include minors, must dress appropriately for visitation in institutions and CCAP facilities or their visit will be denied for that day's visitation



- a. Clothing must cover from the neck to the kneecaps.
- b. All visitors must wear underwear.
- c. All visitors must wear footwear, bare feet are not allowed.
- d. Watches and all wearable technology devices (i.e. google glasses) are prohibited.
- e. Clothing that resembles inmate or probationer/parolee clothing other than denim is prohibited.
- f. Form-fitting clothes such as leotards, spandex, leggings, and jeggings must be worn under clothing that covers from the neck to the kneecaps and otherwise meets the visitor attire requirements.
- g. The following types of clothing are not allowed to be worn:
 - i. Tube tops, tank tops, or halter tops unless covered by garments that meet the visitor attire requirements
 - ii. Clothes that expose a person's midriff, side, or back
 - iii. Mini-skirts, mini-dresses, shorts, skorts, or culottes (at or above the kneecap)
 - iv. See-through clothing (Clothing that exposes the visitor's undergarments, torso, and/ or skin above the knee caps is prohibited.)
 - v. Tops or dresses that have revealing necklines showing cleavage and/or excessive splits at or above the kneecap
 - vi. Clothing that contains symbols or signs with inappropriate language or graphics, including gang symbols, racist comments, inflammatory communications, etc.
2. The Shift Commander or higher authority must approve any denial of visitation on the basis that the visitor is not appropriately dressed.
3. Visitors may wear hats, caps, scarves and other head coverings coats, jackets, rain gear, shawls, and scarves into visitation or they may place them in a designated location available in the visiting area.
4. Umbrellas are not permitted and must be left in the vehicle.
5. All property brought by the visitors into the visiting area and left in the facility provided designated area is the responsibility of the visitor, neither the DOC nor the facility is responsible for any loss, theft, or damage that may occur.

VII. Visitation Screening and Searches

- A. All inmate, probationer and parolee visitors are subject to search by electronic scanning and detection devices, pat-down frisk searches, and contraband detection canines in order to enter the facility for visitation; see Operating Procedure 445.1, *Employee, Visitor, and Offender Searches* (Restricted).
- B. Inmate, Probationer and Parolee Visitor Searches (5-ACI-7D-21)
 1. Visitors will be required to remove coats, jackets, and excess layers of outer clothing to allow an effective pat-down frisk search.
 2. Visitors will be required to turn all clothing pockets inside out, if the garment construction allows and remove their shoes, as approved by the Regional Operations Chief
 3. Transgender or intersex visitors who have a preference regarding the gender of the staff member conducting the search must notify staff and request that a staff member of their preferred gender conduct the search; this notification and request must be made at each visit.
 4. Visitors may wear hats, caps, scarves and other head coverings into the visiting area
 - a. All hats, caps, scarves and other head coverings will be subject to search prior to the visitor entering the visiting room.
 - b. Visitors who wear a head covering for religious purposes will be required to remove the covering for search and then be allowed to wear the covering in the visiting room.
 - c. Female visitors who wear scarves or veils as a face covering for religious reasons will be allowed to remove the veil in a private area in the presence of a female officer to identify positively the



visitor prior to entry into the visiting room and prior to exiting the facility after visitation.

- d. Visitors who wear wigs or other hair pieces will not be required to remove the hairpiece for search except when there is reasonable suspicion that a further search is necessary as authorized by the Shift Commander.

C. Mobility Impaired Visitors

1. Visitors with mobility impairments should contact the facility before visiting to ensure accommodations are in place.
2. Due to the difficulty of thoroughly searching such devices, visitors requiring the use of walkers or wheelchairs to access the visiting area will be required to use a DOC-owned wheelchair for the visit.
3. Search areas should be equipped with pull up bars meeting ADA standards to assist in transfer into and out of DOC-owned wheelchairs. DOC staff may assist in the transfer but must not lift the visitor.
4. Specialized wheel chairs may be allowed after a reasonable search. These would include chairs that are medically required for a visitor without use of their extremities (e.g. quadriplegic) and or those who are unable to stand at all.

D. Service or Guide Animals

1. Visitors requiring use of a service or guide animal in visitation should request prior approval from the Facility Unit Head by submitting
 - a. Available documentation of need
 - b. Description of services provided by the animal
 - c. Description of the size and type of animal.
 2. The Administrative Duty Officer (ADO) may admit service or guide animals not previously approved at their discretion.
 3. Search of Service Animals
 - a. Staff must not separate the visitor and their service animal during the search process.
 - b. Staff conducting the search will explain the search steps and request cooperation of the visitor in the search process.
 - c. Staff will visually search and may be frisk search, when a visual search is not sufficient to detect contraband e.g. long, fluffy coats, all service animals.
 - d. Any pockets, flaps, etc. on the harness or collar will be thoroughly searched.
 - e. If staff must remove the harness for the search, staff should replace the harness very quickly since removal indicates to the animal they are off duty.
 4. Service or guide animals may be attentive and “on guard” but must not be aggressive or barking excessively. The visitor will be required to leave the visitation area if the animal’s behavior is aggressive or disrupting.
 5. Food and/or other treats are not allowed in the visiting room.
 6. Service animals are working and must not be petted.
- E. Visitors who decline to submit to any search required for entry into a facility, is unable to clear a metal/cell phone detector, an anomaly was detected, and/ or a canine alerted and are unable to enter the institution that day for visitation will be provided the opportunity to participate in a 55-minute video visit.

VIII. Visiting Room Operation

A. General Guidelines

1. Each Facility Unit Head will develop protocols for facility visiting room operation consistent with this operating procedure.



- a. Within available resources, adequate waiting areas, chairs, and protection from inclement weather for visitors waiting to be processed into the visiting area will be provided.
 - b. Security Supervisors will carefully screen Corrections Officers before their assignment to visitation.
 - i. Corrections Officers will be screened for their customer service skills and knowledgeable about visitation procedures and practices.
 - ii. Supervisors must monitor the visitation process and re-train or re-assign Corrections Officers as needed to ensure that all visitors are treated courteously and assisted promptly.
 - c. The Facility Unit Head will use signs, video information boards, etc. to provide information to visitors.
2. Inmates, probationers and parolees must be notified and agree to the visit(s) prior to a visitor entering the visiting room.
- a. Under no circumstances will any private citizen be admitted for visitation or be permitted to visit an inmate or probationer/parolee when they refused the visit, unless there is legal authority such as a Court Order to compel the inmate or probationer/parolee to meet with the visitor.
 - b. When an inmate or probationer/parolee refuses the visit, facility staff will notify the visitor and will not permit the visit; this refusal to visit will be documented.
3. Facility staff will monitor and control the movement of all visitors within the facility. (4-ACRS-2A-02)
4. Inmate, Probationer and Parolee Visitation Searches
- a. All inmates, probationers and parolees will be searched prior to contact visitation.
 - b. Inmates housed in or participating in visitation at Security Level 2 and above institutions will be required to change into a state issue jumpsuit, a pair of state issue socks, and state issue canvas shoes.
 - i. Male inmates will be required to change into state issue undergarments (briefs and undershirt).
 - ii. At the conclusion of visitation, the state issue jumpsuits, undergarments, socks and shoes will be collected from the inmates and appropriately laundered prior to being re-issued to other inmates for use during visitation; currently laundered through Virginia Correctional Enterprises, hospital process.
 - c. Inmates who need to use the restroom during visitation at Security Level 2 and above institutions will be processed from the visiting room and escorted to a separate location where the inmate will be searched prior to and after use of the restroom.
 - i. The inmate will be allowed to return to the visitation area after the required search has been completed.
 - ii. Inmates are only allowed to exit and return to the visiting area one time during their visit.
5. Accommodations will be made to allow visitors to breastfeed in the visiting room in accordance with COV §32.1-370, *Right to breastfeed*.

IX. Alternate Visitation Methods - Institutions

A. Assisting Families of Inmates (AFOI) - Video Visitation Program

1. In partnership with Global Tel Link (GTL) and the DOC, AFOI offers Home Internet Video Visitation and Visitor Center Video Visitation at all institutions.
 - a. Inmates must meet the following eligibility requirements to be considered for Home Internet Video Visitation and Video Visitation Center visits:
 - i. Initial Reception Inmates are not eligible for video visits
 - ii. Security Level W, 1, 2, and 3 - No restrictions on video visits
 - iii. Security Level 4 and 5 - 6 months infraction free for video visits
 - iv. Security Level S - IM0, IM1, IM2



- (a) IM0 - 1 video visit per month, 6 months infraction free
- (b) IM1 - 1 video visit per month, 12 months infraction free
- (c) IM2 - 2 video visits per month, 18 months infraction free
- v. Security Level 6-IM - Closed (Phase 1 and Phase 2) & IM Re-Entry (Phase 1 and Phase 2)
 - (a) IM SL6 Closed & IM Re-Entry Phase 1 - 3 video visits per month, 18 months infraction free
 - (b) IM SL6 Closed & IM Re-Entry Phase 2 - 4 video visits per month, 18 months infraction free
- vi. Security Level S- SM0, SM1, SM2
 - (a) SM0 - Not eligible for video visits
 - (b) SM1 - 1 video visit per month, 6 months infraction free
 - (c) SM2 - 2 video visit per month, 18 months infraction free
- vii. Security Level 6- Step Down Phase 1 and Phase 2, SM Re-Entry, Secure Integrated Pod (SIP), & Secure Allied Management (SAM)
 - (a) SL6, Phase 1 & SM Re-Entry - 3 video visits per month, 18 months infraction free
 - (b) SL6, Phase 2 - 4 video visits per month, 18 months infraction free
- viii. Steps to Achieve Reintegration (STAR) Program
 - (a) STAR Program - 4 video visits per month
 - (b) STAR Step 2 - 3 video visits per week
 - (c) STAR Step 3 - 4 video visits per week
- b. The *Video Visitation Program* provides visitors unable to participate in contact visitation with the opportunity to visit with an eligible inmate through video.
 - i. Video visitation on the weekends between 9:00 a.m. to 2:00 p.m. is for video visits conducted through video visitation centers, only.
 - ii. Video visitation is not to be used for legal visits, as there is no guarantee of confidentiality.
 - iii. All video visits are monitored and recorded.
 - (a) GTL will maintain all video recordings for six months.
 - (b) If there is a violation of DOC operating procedure, that resulted in inmate disciplinary action or a referral for visitation suspension, facility staff must make a copy of the video visit recording to document the violation; the recording must be uploaded in accordance with Operating Procedure 030.1. *Evidence Collection and Preservation*.
- c. Inmates who are or who are potentially required to register on the *Sex Offender and Crimes against Minors* registry are not eligible to participate in the *Video Visitation Program* unless the inmate has been approved as follows:
 - i. AFOI Video Visitation Centers
 - (a) Inmates who wish to visit with a minor through one of the AFOI Video Visitation Centers must be approved by the *Sex Offender Visitation Committee* and have an approved sex offender visitation exemption.
 - (b) If approved, the video visits with a minor will only take place through one of the AFOI Video Visitation Centers.
 - (c) Only adult and minor visitors approved by the Central Visitation Unit may participate in the visit.
 - ii. Home Internet Video Visitation
 - (a) At-home internet video visits are not permitted for registered Sex Offenders and inmates potentially required to register for a sexual offense on the *Sex Offender and Crimes against Minors* registry.
 - (b) Inmates who are required or potentially required to register on the *Sex Offender and Crimes against Minors* registry for a non- sexual offense may be granted a video visitation exemption to participate in home internet video visitation.
 - (c) Eligible inmates who wish to request an exemption must obtain a *Home Video Visitation Exemption Questionnaire 851_F13* from their assigned Counselor.
 - (d) The inmate will complete the *Home Video Visitation Exemption Questionnaire* and return it to their Counselor for processing.

- (e) If there is a Potential Registry alert in VACORIS, the Counselor will review the *Home Video Visitation Exemption Questionnaire*, make a recommendation as to whether the offense requiring registration is a non-sexual offense, scan, and email a copy to the Sex Offender Registry contact, at the institution, who will determine if registry is required and will update VACORIS accordingly.
 - (f) The Counselor will forward a scanned copy of the *Home Video Visitation Exemption Questionnaire* to VideoVisits@vadoc.virginia.gov and shred the original questionnaire.
 - (g) Sex Offender Screening and Assessment Unit staff will review the questionnaire and approve or disapprove the exemption documenting their decision in VACORIS alerts.
 - (h) Sex Offender Screening and Assessment Unit staff will add the alert indicating approval or disapproval and will upload a copy of the approved *Home Video Visitation Exemption Questionnaire* in VACORIS
 - (i) Once the decision is made, a Sex Offender Screening and Assessment Unit staff member must notify the inmate's Counselor who will inform the inmate of the decision.
- d. A staff member authorized by the Facility Unit Head and trained on the video visitation system will print the *Visitation Activity Report* each night after the last video visitation session is complete for the next day.
- i. The staff member, after selecting the facility and AFOI Visitor Centers from the *Visitation Activity Report*, will print copies of the *Daily Report* and will post a copy of this report in each housing unit.
 - ii. Prior to the visit, a Corrections Officer must confirm the inmate's identity.
 - (a) A Corrections Officer will remain in the area to supervise the inmate's video visit at Security Level W-5 institutions.
 - (b) Security Level Security Level 6 and S, Intensive Management (IM), Special Management (SM) and Step Down inmates must be under constant sight supervision during the visit.
 - iii. The inmate must be on time to participate in their video visitation session; the visit cannot be extended due to the inmate or visitor not being on time for the visit.
 - (a) The video visit will begin at the exact time scheduled, if a visit does not begin on time due to no fault of the inmate, staff must enter a note in the video visitation system as to the reason.
 - (b) GTL will only consider a refund when the inmate or the visitor is not able to participate due to no fault of the visitor or inmate, i.e., internet connectivity, equipment failure, etc. GTL will refer to the notes made in the system by staff when considering a refund.
- e. Visitors who engage in inappropriate behavior during a video visit will be referred to the Facility Unit Head for a possible suspension of visiting privileges for a set period of no more than three years.
- i. Minor violations will result in a suspension of video visitation for a set period of no more than six months.
 - ii. Serious violations will result in a suspension of video visitation for a set period of no more than three years.
2. Home Internet Video Visitation
- a. Home internet video visitation allows visitors to video visit with eligible inmates at any DOC institution using their personal electronic devices, e.g., desktops, laptops, tablets, and android smartphones; IOS system is not supported.
 - b. The specific hours of operation for home internet video visitation varies by institution as provided in the *Inmate Visitor Information Brochure*. The minimum number of hours that home internet visitation will be made available is as follows:
 - i. Security Level W, 1, 2, and 3 - 12 hours per day, 7 days a week
 - ii. Security Level 4 and 5 - 8 hours per day, 5 days per week to include weekends
 - iii. Security Level 6 and S, IM, SM and Step Down - Inmates have limited video visit access.
 - c. Inmates must meet the following eligibility requirements to be considered for home internet video

visits:

- i. Inmates who are (or are potentially) required to register on the *Sex Offender and Crimes against Minors* registry for a sexual offense are not eligible to participate.
- ii. Inmates in general population will have unlimited access during the institution's designated hours of operation.
- iii. Access for inmates assigned to non-general population housing is based on the inmate's internal status.
- d. Visitors who wish to schedule a home internet video visit must register through GTL's website at <https://vadoc.gtlvisitme.com/app>. Once registered, visitors can schedule home internet video visits with eligible inmates through *GTL - Schedule Visits (1 of 2)* and *GTL - Internet Visits (2 of 2)*.
- e. A visitor's use of video visitation and acceptance of the rules are both consent to the audio/video recording as well as agreement to the visitation rules.

3. Video Visitation Centers

- a. Video visitation centers provide video visitation with inmates housed at all institutions; see Attachment 3, *Video Visitation Visitor Centers*, for available visitor center locations.
- b. Inmates who wish to request a Video Visitation Center visit will contact their Counselor or institutional designee to obtain a [Video Visiting List 851_F5](#); visitors may obtain a [Video Visiting List 851_F5](#) from the DOC public website.
- c. The visitor must agree to and sign Attachment 4, *Video Visitation Rules and Dress Code*.
- d. The completed *Video Visiting List*, signed *Video Visitation Rules and Dress Code*, and required fee must be mailed to AFOI for processing and to schedule the visit.
- e. Prior to approving a video visit, AFOI staff will contact the Central Visitation Unit for the following:
 - i. Confirmation that each requested visitor is currently registered in VACORIS.
 - ii. Determination on whether the inmate has a potential registry offense or is required to register as a sex offender.
- f. AFOI will review their video visitation system to determine if the inmate or the visitor has been suspended from video visitation. If either is suspended, the video visit will be disapproved.
- g. Once the [Video Visiting List 851_F5](#) is approved, AFOI will contact the institution and the visitor to confirm the date and time of the video visit.

B. Non-Contact Visitation

1. Non-Contact Visitation

- a. The Facility Unit Head may restrict an inmate to non-contact visits in any of the following circumstances:
 - i. It is in the best interest of the inmate due to health or mental health treatment needs as recommended by the Physician or Psychology Associate. The Facility Unit Head makes the final decision on such restrictions.
 - ii. The inmate was found guilty of a disciplinary offense related to a contact visit or an offense related to the inmate's contact (mail, phone, visiting) with certain visitors.
 - (a) If the disciplinary offense is related to contact visitation, the inmate may be limited to non-contact visitation for a set period of no more than 180 days.
 - (b) If the disciplinary offense is related to mail or phone contact with a specific visitor, the inmate may be limited to non-contact visiting with that visitor for a period not to exceed 180 days.
 - iii. The inmate is under an enhanced penalty for repeated violations of Category I offense or the inmate is under visiting restrictions imposed for convictions of a 122a, 122b, 122c, 122d, 122e, 122f, or a 198a, 198b, 198c to these offenses; see Operating Procedure 861.1, *Offender Discipline, Institutions*.
 - iv. The inmate's visitor is caught carrying or is detected attempting to carry contraband into the

visiting room.

- (a) First Incident: Non-contact visits with immediate family only for six months
 - (b) Second Incident: Non-contact visits with immediate family only for one year
 - (c) Third Incident: Non-contact visits with immediate family only for two years
 - (d) Fourth Incident and any additional incidents: Non-contact visits with immediate family only for five years
 - (e) If an additional incident occurs while the inmate is on non-contact visiting status for a previous incident, the inmate will not be required to complete the previous period of non-contact visiting; the new non-contact visiting period will be imposed from the date of the latest incident.
- v. It is for an approved programmatic purpose to include but not limited to Cognitive Therapeutic Community Program, SDTP, STAR, Restorative Housing Units, Security Level S, etc.
 - vi. The Facility Unit Head determined that safety and security could not be maintained otherwise.
- b. Visits between an inmate and an attorney who has a current attorney-client relationship with the inmate cannot be restricted to non-contact, contact visits must be provided when requested by the attorney.
 - c. Institutions that do not have permanent non-contact visiting areas must have sufficient portable non-contact visiting booths to accommodate inmates restricted to non-contact visiting.
 - i. Non-contact visiting will be scheduled based on the operational needs of the institution; the Facility Unit Head will allocate a day, time, and location for non-contact visits.
 - ii. The *Inmate Visitor Information Brochure* must identify the day, time, location, maximum length of the visit, the number of visits, and visitors allowed per day for non-contact visiting.
- 2. Non-Contact Video Visitation
 - a. Non-contact video visitation allows a visitor, who for security reasons is unable to enter the institution that day for visitation the opportunity to participate in a 55-minute video visit.
 - b. Due to the limited number of inmate video visiting stations, visitors may be required to wait until a station is available as non-contact video visits are held on the same inmate stations as all other video visits.

X. Special Visits (5-ACI-7D-17; 4-ACRS-5A-18)

A. Eligibility and Approval

- 1. The Facility Unit Head or designee will establish a process for the review and approve of all special visit requests consistent with the requirements of this operating procedure.
 - a. Facility specific information on the process for special visits must be included in the *Inmate Visitor Information Brochure* for institutions or provided during orientation for CCAP facilities.
 - b. Special visits can include, but are not limited to visits with attorneys, clergy, former or prospective employers, sponsors, and parole advisers as deemed appropriate by the Facility Unit Head or designee as well as any official of the legislative, judicial, or executive branch of the state or federal government on official business with the inmate or probationer/parolee.
 - c. Media visits are not special visits; see Operating Procedure 022.1, *News Media Relations*, and Operating Procedure 022.2, *Offender Access to the News Media*, for guidance on media visits.
- 2. Submission of an online visitor application and pre-approval through the Central Visitation Unit is not required for a special visit.
- 3. The Facility Unit Head will not approve a contact visit through the special visit process for any person suspended from visitation during the period of their suspension.
- 4. Special visits will usually be scheduled during normal working hours on business days.
 - a. The Facility Unit Head or designee may make exceptions for special circumstances.
 - b. Special visits will not be counted toward any visitation allowance.



B. Legal Visits

1. An attorney or representative acting on the attorney's behalf on official business may qualify for a legal visit with an inmate or probationer/parolee.
 - a. An attorney or the attorney's legal representative may request to visit with an inmate or probationer/parolee by submitting a [Legal Visit Request](#) 851_F3 to the Facility Unit Head or designee. (5-ACI-3D-02; 4-ACRS-6A-01)
 - i. In the absence of Court documents requiring the visit, legal visits will be limited to attorneys and legal representatives of law firms with a current attorney-client relationship with the inmate or probationer/parolee.
 - ii. The [Legal Visit Request](#) 851_F3 must be submitted with reasonable advance notice, normally 48 hours but not less than 24 hours, of the intended visit.
 - iii. Visits will occur during normal working hours of the facility unless otherwise approved by the Facility Unit Head or designee.
 - iv. The Facility Unit Head or designee will review the *Request* and notify the attorney or attorney's legal representative of the decision.
 - b. A Court Order is required to take an inmate's or probationer's/parolee's deposition in a facility; video depositions will never be required nor will they be allowed.
 - c. A Court Order is required for an expert to evaluate an inmate or probationer/parolee for a Court proceeding, unless the evaluation is initiated by the DOC or the Office of the Attorney General.
 - d. Attorneys and their legal representatives will be required to present a government-issued identification card in order to enter the facility for a scheduled legal visit.
 - i. An attorney must also present their State Bar Association card.
 - ii. Legal representatives must present a letter on official letterhead signed by the attorney or law firm authorizing the representative to visit on the attorney's behalf.
 - e. Conditions for inmate or probationer/parolee visits with an attorney or a legal representative must maintain the confidentiality of the attorney-client conversations while ensuring proper security and sight supervision. (5-ACI-3D-02; 4-ACRS-6A-01)
 - i. Conversations between attorneys and an inmate or probationer/parolee are monitored only by sight.
 - ii. Attorneys and legal representatives must not give any articles directly to the inmate or probationer/parolee.
 - (a) Legal documents must be searched, not read, by the Corrections Officer supervising the visit who will then hand the documents to the inmate or probationer/parolee.
 - (b) Legal documents must in paper format, no CD's, DVD's, flash drives, or other data storage formats will be given to the inmate or probationer/parolee.
 - f. All photographs and audio or video recordings made at the facility in connection with a legal visit must be requested in advance of the legal visit and approved by the Facility Unit.
 - i. The attorney or attorney's legal representative is responsible to provide documentation of the specific legal necessity to make a photograph, audio, or video recording.
 - ii. This documentation must include the specific court case or other legal authorization and attach any Court Orders.
 - iii. The Facility Unit Head or their designee may contact the Office of the Attorney General for guidance in individual cases.

C. Guidance on other Special Visits

1. Clergy Visits

- a. The Facility Unit Head or designee may require a member of the clergy to provide written verification of their clergy status to qualify for a visit.
- b. A member of the clergy or other official may be approved to perform a marriage ceremony; see



Operating Procedure 801.5, *Marriage Ceremonies for Offenders.*

2. Re-entry Visits

- a. Re-entry visits are special extended visits by immediate family, extended family, or re-entry supporters to assist in re-entry preparation. (5-ACI-7D-19)
- b. Re-entry visits may include in-person or video visits that are supervised or mediated by DOC staff or professionals from other organizations who have been approved by DOC to perform this function.
- c. Re-entry visits will occur at the discretion of the Facility Unit Head and are dependent on the inmate's or probationer's/parolee's needs and the facility's mission.
- d. To be eligible for consideration for a special visit, re-entry supporters must not participate in regular visitation with the inmate or probationer/parolee.

3. Business Representative Visits

- a. Special visits from business representatives may be permitted to enable an inmate or probationer/parolee to protect personal resources or financial interests.
- b. Inmates or probationer/parolees may not actively participate in a business. If there are excessive requests for business visits, or if criminal or illegal activity is suspected, the matter will be brought to the attention of the Regional Administrator.

4. Diplomatic Representative Visits

- a. Inmates or probationers/parolees who are foreign nationals must have access to the diplomatic representative of their country of citizenship through the special visit process; see Operating Procedure 866.3, *Offender Legal Access*. (5-ACI-3D-07)
- b. The Director, Chief of Corrections Operations, and Regional Administrator must be notified of approval.

D. Immediate Family for Special Circumstances - Institutions

1. The Facility Unit Head or designee may grant a special visit for immediate family based on special need or exceptional circumstances such as family members, who have unexpectedly traveled long distances (200 miles or more), or when an inmate's death is imminent.
 - a. Special visits for immediate family, in exceptional circumstances, will be scheduled during normal visiting days.
 - b. In the event of an inmate's imminent death, only, a special visit for immediate family during normal business days and working hours may be scheduled.
2. The family member(s) must complete and submit the online [Adult Visitor Application and Background Investigation Authorization](#) 851_F1 and/or [Minor Visitor Application and Background Investigation Authorization](#) 851_F6.
3. Institutional staff will contact Central Visitation Unit and notify them of the approval for a special visit.
 - a. Institutional staff will request that Central Visitation Unit enter the application into VACORIS.
 - b. Central Visitation Unit staff will enter the application information, conduct a criminal record check, and associate the visitor with the inmate.
 - c. The visitor must not be allowed to enter for visitation until the criminal record check conducted by the Central Visitation Unit is complete.
4. The special visit must be recorded in VACORIS and counted toward the inmate's visitation allowance.

XI. Visitation Denials, Terminations, Suspensions, and Inmate Restrictions

A. Visitation Denials and Terminations



1. Visitors will be denied entry into the facility or, if already in the facility, the visit will be immediately terminated for the following: (5-ACI-7D-14)
 - a. The inmate or probationer/parolee declines the visit.
 - b. The visitor declines to complete the visitor application and/or have their identification card scanned into VACORIS, when required. If the name of the visitor is known then the incident will be documented and the Facility Unit Head notified.
 - c. The inmate or probationer/parolee or visitor appear to be intoxicated or under the influence of a controlled substance.
 - d. The DOC is notified that the inmate's or probationer's/parolee's parental rights for a visiting minor have been terminated.
 - e. Reliable information is received that the visitor or the inmate or probationer/parolee is expected to commit an illegal act. The facility's Regional Administrator must be notified when a visit is denied or terminated for this reason.
 - f. The inmate or probationer/parolee or visitor fails to comply with visiting rules, DOC and facility procedures.
 - g. The visitor is verbally abusive towards staff, other inmates, probationers/parolees, or other visitors.
 - h. The inmate or probationer/parolee commits a disciplinary violation in the visiting room.
 - i. The visitor, inmate or probationer/parolee imposes physical punishment to discipline a minor.
 - j. The demand for visitation exceeds visiting room capacity, overcrowding.
 - i. The visit that began first will be terminated first provided the visit has met the minimum of one hour.
 - ii. The Facility Unit Head may grant an exception to individuals traveling great distances or who have other extenuating circumstances. (5-ACI-7D-19)
 2. If circumstances permit, a Supervisor will verbally explain, at the time of the incident, the reason for denying or terminating a visit.
 - a. If the denial or termination is the result of the visitor's conduct, the visitor will not be allowed to visit for the remainder of that day/weekend and may be subject to a suspension of visiting privileges.
 - b. If the inmate's or probationer's/parolee's conduct results in the denial or termination of a visit:
 - i. The inmate should be given a *Disciplinary Offense Report* for any violation(s) committed and may be subject to a visiting restriction.
 - ii. Probationer/parolee conduct will be addressed utilizing a [Probationer/Parolee Conduct Report 940_F15](#) or [CCAP Violation Report 940_F16](#), as appropriate; see Operating Procedure 940.4, *Community Corrections Alternative Program*.
 - c. The incident will be documented, and depending on the severity of misconduct, an appropriate incident report completed; see Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*.
- B. Visitor Visitation Suspension
1. Inmates or probationers/parolees are permitted to visit with their approved visitors except where there is substantial evidence that the visitor poses a threat to the safety of the inmate or probationer/parolee or the security of the visitation program or facility. (4-ACRS-5A-17)
 - a. The Facility Unit Head may suspend a visitor's contact visiting privileges for a set period of no more than three years for any conduct that compromises the safety of others and security of the facility; the length of the suspension will be based on the seriousness of the violation.
 - i. Minor violations will result in a suspension of contact visiting privileges for a set period of no more than six months.
 - ii. Serious violations will result in a suspension of contact visiting privileges for a set period of no more than three years.

- b. A Headquarters or Regional Office staff member may initiate a visitor suspension for a set period of no more than three years based on visitor activities affecting more than one facility.
 - c. A visitor's contact visiting privileges will be suspended for a maximum period of three years and the visitor will not be allowed to access DOC property if any of the following occur:
 - i. The visitor's conduct compromises the safety of others or security of the facility.
 - ii. The visitor smuggles, conspires to smuggle, or attempts to smuggle contraband into the facility.
 - iii. The visitor assaults staff or others, or threatens them with physical harm.
 - iv. The visitor conspires to assist an inmate to escape or conspires to assist a probationer or parolee to abscond from a CCAP program.
 - v. The visitor has a pending felony or misdemeanor charge or has been found guilty of a felony or misdemeanor that occurred in connection with a visit.
 - vi. The visitor provides false information related to visiting rules or procedures.
 - vii. The visitor damages or attempts to damage DOC property or engages in disruptive behavior while on DOC property.
 - viii. The visitor removes or attempts to remove any item from the facility without authorization.
 - ix. The inmate, probationer or parolee or visitor touches or exposes the breast, unless breastfeeding, buttocks, or genital area during a visit, or engages in any other inappropriate physical or obscene behavior during a visit, including signs, signals, or other behaviors related to gang identification or gang activities.
 - x. The visitor falsifies any information on the visitor application, when applicable.
 - d. The maximum three year period of suspension will be imposed in the following circumstances:
 - i. The visitor smuggles, conspires to smuggle, or attempts to smuggle a cell phone, controlled substance, firearm, or other weapon into a facility.
 - ii. The visitor assaults staff or others resulting in serious physical injury.
 - iii. The visitor assists or attempts to assist an inmate escape.
 - iv. The visitor is convicted of a felony for any behavior that resulted in the suspension.
 - e. Suspension of a visitor's contact visiting privileges for conduct that compromises the safety of others and security of the facility does not have to occur in connection with a visit. Any visitor who conspires, attempts, plans, and/or aides an inmate or probationer/parolee by telephone, mail, or other method in the commission of such conduct may be suspended for a set period of no more than three years.
2. In addition to visiting suspensions specified above, possible Court proceedings may be initiated against a visitor who violates the law such violations include but is not limited the following:
 - a. Visitors who give or attempt to give a cellular telephone to any inmate may be charged with a felony under COV §18.2-431.1, *Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty*
 - b. Visitors who attempt to give or convey any item to an inmate to help them escape, or in any manner attempt to aid an inmate in escape, either with force or otherwise, may be charged with a felony as specified in COV §18.2-473, *Persons aiding escape of prisoner or child*
 - c. Visitors attempting to give or found to have given to any inmate any items that have not been specifically approved or processed may be charged with a Class I misdemeanor in accordance with COV §18.2-474, *Delivery of articles to prisoners or committed person*
 - d. Visitors who give, attempt to give or conspire to give drugs, firearms or explosives to any inmate may be charged with a felony as specified in COV §18.2-474.1, *Delivery of drugs, firearms, explosives, etc., to prisoners or committed persons*
 3. When the Facility Unit Head suspends a visitor's contact visiting privileges, the Facility Unit Head must provide a written explanation to the visitor and the inmate or probationer/parolee involved to include notification of the length of suspension.
 4. When a Headquarters or Central Office staff member suspends a visitor's contact visiting privileges,

the visitor must be provided a written explanation to include notice of the length of suspension.

- a. If the visitor disagrees with the suspension, the visitor may request a review of the decision by the Corrections Operations Administrator within 30 days of the written notice.
 - b. The Corrections Operations Administrator's decision will be final.
5. Suspended visitors will be allowed to reapply for reinstatement of their contact visiting privileges following the expiration of the suspension.
- a. The visitor may resume contact visitation at the end of the suspension period if their visitor application is still valid and they are on the inmate's *Visiting List* or the approved list of visitors for a probationer or parolee.
 - b. If the visitor application has expired at the end of the suspension period, the visitor must complete a new application through the DOC public website, when required. A new visitor application will not be considered until the suspension period has expired.
 - c. If the visitor is not on the inmate's or probationer's/parolee's visiting list at the end of the suspension period, the visitor will not be allowed to visit until the inmate adds them to their *Visiting List* during the next update period or the probationer/parolee updates their approved list of visitors, as appropriate.

C. Inmate Visiting Restrictions - Institutions

1. Loss of all visiting privileges to include contact, non-contact, and video visiting may be imposed as a penalty for conviction of a disciplinary infraction; see Operating Procedure 861.1, *Offender Discipline, Institutions*.
 - a. The Facility Unit Head has the discretion to grant visiting privileges on a case-by-case basis in special circumstances during the period that the inmate is serving the penalty.
 - b. When an inmate is serving a disciplinary penalty restricting visiting privileges, contact legal visits must be allowed provided the attorney has a current attorney-client relationship with the inmate. Contact visits will only be approved at the request of the attorney.
2. The Facility Unit Head may restrict an inmate to non-contact visitation in accordance with this operating procedure
3. The Regional Administrator, upon request of the Facility Unit Head, may restrict an inmate's visiting privileges to non-contact as follows:
 - a. Any inmate who is convicted or found guilty of the following may be restricted to non-contact visiting for a set period of no more than two years:
 - i. A felony or misdemeanor that occurred during a visit
 - ii. Escape, attempted escape, or conspiracy to escape
 - b. Inmates may be restricted to non-contact visiting permanently for the following:
 - i. A felony conviction for an incident that occurred during a visit
 - ii. An escape, attempted escape, or conspiracy to escape associated with a visit
 - c. The Regional Administrator will ensure that the Facility Unit Head is notified of the decision, and that the decision is entered into VACORIS. The Facility Unit Head must ensure the inmate is notified of the Regional Administrator's determination.
4. If an inmate's visits have been restricted to non-contact, contact visits will be allowed with attorneys and their authorized representatives, when requested by the attorney, provided there is a current attorney-client relationship with the inmate.
5. If an inmate's visits have been restricted to non-contact, contact visits may be allowed with clergy as approved by the Facility Unit Head.

XII. Documentation

- A. Every facility must maintain a record of each visit, showing inmate or probationer/parolee name, DOC



number, visitor name(s), date, and time of every visit. Institutions will utilize VACORIS for documentation.

- B. All visitor suspensions and inmate visiting restrictions must be data-entered into VACORIS at institutions.
1. Institution staff will enter the visitor suspension and length of the suspension in VACORIS. Suspensions will be entered based on the visitor and marked with a start and end date of no more than three years, with a reason selected and comments entered to document the reason for the suspension.
 2. Inmate visiting restrictions will be entered as a visitation alert with an end date selected for the restriction.

XIII. Appeals and Complaints

- A. If a visitor disagrees with a suspension of their visiting privileges, the visitor may submit a written appeal for reconsideration to the Facility Unit Head within 30 days of receipt of the written notice.
1. The appeal should provide any additional information or extenuating circumstances, if applicable.
 - a. If the suspension is the result of a pending felony or misdemeanor charge, the visitor must provide written documentation that the charge was dismissed or that the charge has resulted in a non-guilty finding.
 - b. The Facility Unit Head may require a meeting with the suspended visitor prior to making a decision on reinstatement of visiting privileges.
 - c. If visiting privileges are reinstated, non-contact visits may be required in institutions at the discretion of the Facility Unit Head.
 2. If the visitor is not satisfied with the Facility Unit Head's response, the visitor may request within 30 days of the Facility Unit Head's response, that the Regional Administrator review the decision. The Regional Administrator's decision will be final.
- B. The Facility Unit Head or the inmate may submit a reconsideration request to the Regional Administrator who may remove an inmate's visiting restriction subject to the following:
1. The reconsideration request will not be considered for at least five years after imposition of the restriction if the restriction is based on a felony that occurred during a visit, or if it is based on an escape, attempted escape, or conspiracy to escape associated with a visit.
 2. The reconsideration request will not be considered for at least two years after imposition of the restriction if the restriction is based on convictions for two or more drug related disciplinary offenses.
- C. Inmates may address their complaints related to visitation through Operating Procedure 866.1, *Offender Grievance Procedure*.
- D. Probationers/parolees and visitors who want to appeal any adverse decision or render a complaint regarding visitation at CCAP facilities may appeal to the Facility Unit Head who will be the final level of appeal. See Operating Procedure 866.2, *Offender Complaints, Community Corrections*, for additional information on probationer and parolee complaints.

REFERENCES

COV §18.2-431.1, *Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty*

COV §18.2-473, *Persons aiding escape of prisoner or child*

COV §18.2-474, *Delivery of articles to prisoners or committed person*

COV §18.2-474.1, *Delivery of drugs, firearms, explosives, etc., to prisoners or committed persons*

COV §32.1-370, *Right to breastfeed*



COV §53.1-67.9, Establishment of community corrections alternative program; supervision upon completion

Operating Procedure 021.2, *Victim/Offender Dialogue*

Operating Procedure 022.1, *News Media Relations*

Operating Procedure 022.2, *Offender Access to the News Media*

Operating Procedure 038.1, *Reporting Serious or Unusual Incidents*

Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Offenders*

Operating Procedure 425.2, *Hospital Security (Restricted)*

Operating Procedure 445.1, *Employee, Visitor, and Offender Searches (Restricted)*

Operating Procedure 701.3, *Health Records*

Operating Procedure 801.4, *Privileges by Security Level*

Operating Procedure 801.5, *Marriage Ceremonies for Offenders*

Operating Procedure 841.4, *Restorative Housing Units*

Operating Procedure 861.1, *Offender Discipline, Institutions*

Operating Procedure 866.1, *Offender Grievance Procedure*

Operating Procedure 866.2, *Offender Complaints, Community Corrections*

Operating Procedure 866.3, *Offender Legal Access*

Operating Procedure 940.4, *Community Corrections Alternative Program*

ATTACHMENTS

Attachment 1, *Inmate Visitor Information Brochure*

Attachment 2, *Central Visitation Unit Decline Notification*

Attachment 3, *Video Visitation Visitor Centers*

Attachment 4, *Video Visitation Rules and Dress Code*

FORM CITATIONS

[Adult Visitor Application and Background Investigation Authorization](#) 851_F1

[Legal Visit Request](#) 851_F3

[Notarized Statement – Minor Visitor](#) 851_F4

[Video Visiting List](#) 851_F5

[Minor Visitor Application and Background Investigation Authorization](#) 851_F6

[Sex Offender Minor Visitation Questionnaire \(Inmate\)](#) 851_F10

[Sex Offender Minor Visitation Questionnaire \(Parent/ Guardian\)](#) 851_F11

[Inmate Visiting List](#) 851_F12

[Home Video Visitation Exemption Questionnaire](#) 851_F13

[Probationer/Parolee Conduct Report](#) 940_F15

[CCAP Violation Report](#) 940_F16

