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Steven Harpe, Director Signature on File Oklahoma Department of Corrections							

#### **Visitation**

Visits are encouraged within the Oklahoma Department of Corrections (ODOC) to enable the inmate to strengthen family and community ties, increasing the likelihood of the inmate's success after release. (2-CO-5D-01, 4-ACRS-5A-16)

For the purpose of this procedure, the following terms will apply:

"Facility Head" will refer to wardens or administrators of Community Correction Centers responsible for the housing and supervision of inmates.

"Facility" includes institutions and community correction centers.

"Inmate" applies to anyone under the custody or care of a prison or community-based facility operated by or contracted with the Oklahoma Department of Corrections (ODOC).

"Offender" will apply to anyone under supervision, released from incarceration to parole, suspended or court ordered post imprisonment supervision by the ODOC.

### I. <u>Eligibility to Visit</u>

#### A. Facility Guidelines

Visitation is a privilege, not a right, in accordance with the following:

- Immediate family members are defined as: spouse, natural or surrogate parents, grandparents, father-in-law, mother-in-law, children (to include stepchildren and adopted children), grandchildren, siblings, and aunt or uncle. Inmates are permitted to have a maximum of 20 visitors on their approved visitors list. Children under the age of 18 will not count against the total number of visitors allowed. (5-ACI-7D-14)
- In the event the visitation area is at maximum capacity, the visitation officer will ask visitors, on a voluntary basis, to end their visit, beginning with the first visitors processed, until the required seating/space is available for incoming visitors. Visitors will be permitted a two-hour visitation period prior to termination due to capacity issues.
- 3. Each person will be considered as one visitor.
- 4. No more than five approved visitors will be permitted to visit at the same time.
- 5. The natural or surrogate parent(s) of the inmate's child/children may be placed on the visiting list for the purpose of bringing the inmate's child/children to visit and in accordance Section I. item E. of this procedure.
- 6. Visits by attorneys will be authorized in accordance with Section III. item C. of this procedure.

# B. <u>Hours of Visitation</u> (5-ACI-7D-14)

The hours of visitation will be established by the facility; however, the inmate's security level will dictate the number of hours they are authorized to visit. Visiting times may also be limited based on the fire marshal's rated capacity for the facility's designated visiting area(s). Inmates may be authorized hours as indicated below, but will not exceed the maximum number of hours listed:

 Halfway houses may authorize visiting not to exceed 16 hours per week, excluding holidays;

- 2. Community correction center inmates up to ten hours per week, excluding holidays;
- Minimum security inmates up to eight hours per week, excluding holidays;
- 4. Medium security inmates up to six hours per week, excluding holidays; and
- 5. Maximum security inmates up to four hours per week, excluding holidays.

### C. <u>Visiting Days</u> (5-ACI-7D-14)

- Each facility head will set the number of days that is necessary to accommodate visiting for their inmate population. Visiting days will include, but are not limited to, Saturday, Sunday and all state recognized holidays.
- State recognized holidays that fall on Monday through Friday will be a "free" visiting day. The number of hours an inmate may visit on the free visiting day will be in accordance with the inmate's level as outlined in Section I. item D. of this procedure. Holidays will not normally count toward the total number of hours per visiting privilege level, unless the holiday falls on a Saturday or Sunday, then the hours will count on the total visiting privilege level hours.

### D. Visiting Privilege Level Criteria

The length and frequency of visitation for inmates is determined by security and earned credit level as defined below.

#### 1. Maximum Security

- a. Level 1 One hour non-contact per week with individuals on the inmate's approved visiting list. Legal visits will be in accordance with Section III. items C. and D. of this procedure:
- b. Level 2 Up to two hours per week;
- c. Level 3 Up to three hours per week; and
- d. Level 4 Up to four hours per week.

#### 2. Medium Security

 Level 1 – One hour non-contact per week with individuals on the inmate's approved visiting list. Legal visits will be in accordance with Section III. items C. and D. of this procedure;

- b. Level 2 Up to two hours per week;
- c. Level 3 Up to four hours per week; and
- d. Level 4 Up to six hours per week.

#### 3. Minimum Security

- a. Level 1 One hour non-contact per week with individuals on the inmate's approved visiting list. Legal visits will be in accordance with Section III. items C. and D. of this procedure;
- b. Level 2 Up to four hours per week;
- c. Level 3 Up to six hours per week; and
- d. Level 4 Up to eight hours per week.
- 4. Special Management Housing Units (5-ACI-3D-02)

Inmates housed in special management housing units will be allowed the following visiting privileges:

a. Administrative Status

Special Management housing unit inmates will be allowed a one hour non-contact visit per week to include only the following visitors: mother, father, spouse, legal, and clergy. These hours do not apply to long term segregation and inmates classified as protective custody inmates at the Oklahoma State Penitentiary (OSP), Lawton Correctional Facility (LCF) or Mabel Bassett Correctional Center (MBCC). Visiting hours will be defined in the facility's post orders as required by OP-040204 entitled "Special Management Units."

b. Disciplinary Status Inmates

Inmates serving time for disciplinary status (DU time) will not be allowed to visit while on this status with the exception of attorney/clergy visits. Inmates held in disciplinary detention exceeding 60 days will be afforded the same visiting privileges as inmates in long term administrative status and protective custody.

#### E. Additional Criteria

1. With the approval of the facility head, children under the age of 18 years may be approved to visit an inmate as outlined below.

- a. Natural or adopted children of an inmate will be accompanied by an inmate's approved visitor;
- b. All other children will be accompanied by their parent or legal guardian. The visitor will be required to provide documentation; such as a birth certificate, to reflect parentage;
- c. Visitation may be restricted if documentation is received from a court, Department of Human Services (DHS), legal guardian, district attorney, or other source showing that visitation by a child is prohibited or not in the best interest of the child;
- d. In female facilities, facility heads are authorized to develop and implement a program for allowing frequent visits between inmates that are mothers to newborn children. The child will be accompanied by an approved visitor/volunteer; and
- e. All visitors bringing children under the age of 18 to visit will provide documentation; such as a birth certificate, adoption papers, etc. to reflect parentage or guardianship. Once a child reaches 18 years of age, a visiting application will be completed in accordance with Section II. item A. of this procedure in order to be placed on the inmate's visiting list.
- 2. Family members who are under agency supervision, to include offenders supervised under PPCS/GPS, may be allowed to visit with the approval of both facility heads. Denial of visits for family members who are under supervision requires written objection by the objecting facility head.
  - Denial will be for cause with written notice being provided to the denied family member(s) by the objecting facility head;
     and
  - b. Family members under supervision may not be approved to visit if they have ever been convicted of bringing contraband into a penal institution.
- 3. Inmates who are not family members will not be allowed to visit for three years following the completion of all active sentences, whether incarcerated or supervised. Visits by former inmates/offenders require the approval of the facility head.
- 4. Under no circumstance will incarcerated inmates be allowed interfacility visits.

- 5. Volunteers may be allowed to visit incarcerated family members and friends with whom their relationship existed prior to the incarceration. The volunteer may submit the request to the facility volunteer coordinator and provide evidence of the prior relationship. The volunteer coordinator will forward the request to the facility head with their recommendation. The facility head will review and approve or deny the request. If the request is denied, the facility will forward that information, along with the reason for the denial, to the agency volunteer coordinator. Volunteers are prohibited from being placed on the visiting list of inmates that are not family or friends with whom they had a relationship prior to incarceration.
- 6. Private prison/departmental employees who discontinue employment for whatever reason (resignation, termination or retirement) will not be added to the visiting list of non-family members for a minimum of three years.
- 7. Employees may be allowed to visit family members who are inmates upon approval of both the employee's supervisor and the involved facility head. The background check may be waived by the facility head. Employees having access to the facility in this situation are subject to all the guidelines applicable to visitors.
- 8. Visitors designated as a friend will not be allowed to visit more than one inmate as a friend in any ODOC facility or private prison.
- 9. If the inmate is married or ODOC has reason to believe the inmate is married, then no additional visitors of the same gender of the spouse to which the inmate is married may be added as an approved visitor, except as defined in Section I. A. item 1. of this procedure.

#### II. Establishment of Visitors List

#### A. Temporary Approval

Inmates arriving at their initial facility as a new arrival from Lexington Assessment and Reception Center (LARC) or Mabel Bassett Assessment and Reception Center (MBARC) without an approved visiting list will have their visitors (family) submit a "Visitor Request Form" (DOC 030118B, attached). Prior to return of the visiting forms (via mail) to unit staff, family members listed in the inmate's field file will be allowed one visit within 30 days. After the visit, family members will not be allowed to visit until the visiting form has been approved, unless the visit is approved by the facility head or duty officer.

# B. <u>Approved Visitor</u> (4-ACRS-5A-17)

To become an approved visitor, the individual will complete a visitor's application to visit "Visitor Request Form" (DOC 030118B, attached) and

submit a copy of a state issued photo I.D or driver's license. The visitation form and state issued photo I.D. or driver's license will be stored in section 4 of the inmate's field file. The visitor's rap sheet will not be stored in the field file and will be disposed of after use in accordance with FBI guidelines. An OSBI and FBI criminal records check will be conducted using the "Oklahoma Department of Corrections Request for Record" (DOC 090211B) and a check of the Office of the Inspector General (OIG) Visitor Alert system.

- 1. Upon clearance through this system, the individual may be added to the inmate's approved visiting list. Approval is good for a period of three years. Prior to the end of the three year approval period, the visitor will submit a new application to visit.
- 2. A visitor's list will be maintained for each inmate, providing the name, address, and relationship of those person(s) authorized to visit the inmate.

The list will be prepared upon arrival at their initial facility from the assessment and reception center utilizing the Offender Management System (OMS) and maintained throughout the inmate's period of incarceration.

### C. Modification of Visitors List

The approved visitor's list will be entered on the OMS. Inmates will be notified of any changes to their approved visiting list.

### D. <u>Temporary and Permanent Visitation Restriction</u> (4-ACRS-5A-17)

- 1. To ensure consistency of visitation, sanctions taken against any visitor(s) or inmate by an agency, facility, or private prison holding ODOC inmates will be enforced system wide in accordance with "Visitors Rules of Conduct/Violations/Sanctions" (DOC 030118C, attached).
- 2. Visits may be temporarily suspended by the facility head. Temporary suspension of a visitor requires written notification to the inmate and visitor with the length of time the restriction will be enforced, reason(s) for the proposed suspension and an opportunity for response by the visitor and/or inmate.
- 3. Visitors may be permanently restricted from visiting any inmate for documented cause.
  - a. When imposing a permanent restriction, the affected inmate and visitor will be given written notice of the reason(s) for the proposed permanent restriction and an opportunity to respond; and

- b. Procedures outlined on the "Visitors Rules of Conduct/Violations/Sanctions" (<u>DOC 030118C</u>, attached) will identify the process for the temporary or permanent visitation restrictions of visitors, which will include an opportunity to respond, and documentation to the field file and a case note in OMS.
- 4. Inmates may have visits restricted as a sanction imposed as part of the disciplinary process. Length and conditions of restriction will be in accordance with <a href="OP-060125">OP-060125</a> entitled "Inmate/Offender Disciplinary Procedures." An inmate will not have the privilege of visitation permanently restricted, but a visitor may be permanently restricted from visiting an inmate.
- Visitation action taken against any visitor(s) and/or inmate will be documented on the "Visitor Alert" (<u>DOC 030118D</u>, attached). A copy of the completed form will be submitted to the OIG and a copy of the written notification correspondence will be placed in section 6 of the inmate's field file. Additionally, if a visitor from an attorney visit is temporarily or permanently restricted from visiting one or more inmates, a copy of the completed form will be submitted to the office of the General Counsel.
- 6. Any modification(s) of the action will be documented on the original filed "Visitor Alert." (DOC 030118D, attached) A copy of the original "Visitor Alert" (DOC 030118D, attached) and any subsequent modifications will be submitted to the OIG for entry into the computerized security system.
- 7. When an inmate transfers to a different facility the inmate will not lose their visiting level privilege, if it is in the best interest of the facility and the inmate.
- 8. Additions or removals from the inmate's visiting list will be discussed during the 120-day review process.
- 9. Inmates who request a visitor to be removed from their approved list cannot have that visitor placed back on the visiting list for a period of 120 days.
- 10. Visitors cannot be removed from an inmate's visiting list and placed on another inmate's visiting list for a period of one year. This will apply regardless of the facility to which the inmate is assigned.

#### E. Persons Prohibited from Visitation

Any employee or volunteer who worked for the ODOC or in a facility that contracts with the ODOC may be prohibited from visiting. These visits may

be prohibited if the person's separation from employment occurred through resignation, termination or retirement after the initiation of or during an investigation through the OIG where information received indicated or alleged the possibility of prohibited activities or relationships in accordance with <a href="OP-110215">OP-110215</a> entitled "Rules Concerning the Individual Conduct of Employees."

### F. Video Visitation

Video visitation will help reduce security risks and contraband introduction at the facility, increase inmate morale and behavior and will reduce the strain on correctional staff, while providing an alternative means of communication for inmates and their approved visitors.

Video visitation allows for tracking of video visits, recording of all visits and provides correctional staff with the ability to live monitor any video visit while in progress. All video visits will be recorded and maintained by a system not owned or maintained by the department. Facility designated correctional staff will have access to recordings. Designated correctional staff will be able to monitor live or review recorded visits for compliance with this procedure and facility rules/processes. Video visits will be terminated for violations or misconduct.

Any violations of the visitation procedure, rules or regulations will result in temporary suspension or permanent termination of the video visitation account holder.

#### III. Standards for Visiting Procedures

#### A. Inmate Orientation (5-ACI-7D-15)

Inmate orientation will be uniform throughout the system. In accordance with <a href="OP-060201">OP-060201</a> entitled "Initial Reception of Inmates," written procedures governing visitation will be made available to inmates within 24 hours after arrival at the facility. At a minimum, the information will include but is not limited to:

- 1. Facility address/phone number, directions to the facility, and information about local transportation; (5-ACI-7D-15 b#1)
- 2. Days and hours of visitation; (5-ACI-7D-15 b#2)
- Approved dress code for visitors as indicated on the "Unauthorized Apparel for Visitors" (DOC 030118A, attached) and identification requirements for visitors 5-ACI-7D-15 b#3)
- 4. Items authorized in visiting room/area; (5-ACI-7D-15 b#4)
- 5. Special rules for children; (5-ACI-7D-15 b#5)

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- 6. Authorized items that visitors may bring in to give to the inmate, if any; and (5-ACI-7D-15 b#6)
- 7. Special/extended visits as defined in Section III. item D. of this procedure. (5-ACI-7D-15 b#7)

### B. Regular Visits (5-ACI-7D-16)

Visits will be structured to allow informal communication between the inmate and the visitor, as well as the opportunity for physical contact, such as a brief kiss and embrace at the beginning and end of the visit. Devices that preclude physical contact are not used except in instances of substantiated security risk in accordance with their assigned level and with facility head approval.

### C. Attorney Visits (5-ACI-3D-02, 4-ACRS-6A-01)

Attorney visits are visits that occur between the inmate and their attorney or paralegal, investigator, law student, or expert witness working for the attorney representing the inmate. Inmates will be allowed the same general visiting privileges during an attorney visit as what is permitted for regular visits. Attorneys may be required to present an Oklahoma Bar Association membership card upon their arrival at the facility. Paralegals, investigators, law students, or expert witnesses appearing for an attorney visit may be required to present a letter on the attorney's letterhead stating that the paralegal, investigator, law student, or expert witness is working for the attorney on the case involving the inmate who is also the attorney's client.

Attorneys are encouraged to visit their clients during normal visiting hours of the facility. With advance notice, and approval of the facility head, attorney visits may occur during non-visiting hours; however, such attorney visits will normally be restricted to normal business hours and the date, time and duration of the visit may be set by the facility head. With approval of the facility head, attorney visits may be barrier free, contact visits. Facility heads may approve an attorney, paralegal, investigator, law student, or expert witness to bring a computer or tablet to the visit, if necessary for document review by the inmate or for testing that requires software/technology. Each facility head will develop procedures for attorney visit requests and approval of attorney visits and will address all other matters that require approval of the facility head. Attorney visits may be visually observed by staff but are not to be audio recorded or occur in a location where the conversations between the inmate, attorney, paralegal, law student, investigator or expert can be overheard by staff.

# D. Special/Extended Visits (5-ACI-7D-17, 5-ACI-7D-19, 4-ACRS-5A-18)

Each facility will have special visits. Special visits include visits from person(s) who have come long distances, volunteers or team members identified by staff that have partnered with the ODOC for re-entry services when the visit will aid in the re-entry process, visits to hospitalized inmates, visits in disciplinary status (attorney visits/clergy only), and visits between clergy and social service agency representatives, etc.

- 1. Special visits for ministers/religious leaders as defined in <a href="OP-030112">OP-030112</a> entitled "Religious Programs" are to be professional in nature and are provided for inmates with whom the minister/religious leader has a ministerial relationship. All special minister/religious leader special visits will be scheduled in advance (unless an emergency situation exists) through the facility head.
- 2. The length and conditions of all special visits will be determined by the facility head.
- 3. Special visits for terminally ill inmates will be approved and conducted in accordance with <a href="OP-140146">OP-140146</a> entitled "Palliative Care Program."

### E. Video Visitation Guidelines

Applicants for video visitation will follow the same standards outlined in this procedure for in-person visitation. To apply for video visitation, the visitor will already be approved as a visitor in OMS. Applicants for video visitation will establish an account with the video visitation provider and submit an electronic application to the inmate's current "housing facility" via the provider's website. Instructions will be available by contacting the host facility. Each facility will be able to review and process electronic applications for video visitation following this procedure. Once the electronic application has been processed an email will be sent to the applicant to inform them whether they have been approved or denied (with explanation for denials). Once an applicant has been approved they will be able to schedule visitation appointments. The cost of video visitation is determined by the video visitation provider. The video visitation terminals will utilize the same network that the tablets and phones use so that inmates do not have direct access to the internet.

Video visitors will supply their own equipment and the necessary internet connections to participate in video visitation. The ODOC is not responsible for the quality of the applicant's internet connection, setup and operation of applicant's computer, web camera or other hardware. Problems related to the applicant's internet connection or hardware will be directed to their internet service provider or a qualified computer technician.

Video visitation terminals will be set up in designated areas of the facility for video visitation to occur. The video visitation terminals will utilize the same network that the tablets and phones use so that inmates do not have direct access to the internet.

### 1. Participation

- a. All approved visitors will agree to "Securus Video Connect Visitation Terms and Conditions" (DOC 030118G, attached).
- b. Visitors will set up video visits in a location to eliminate the possibility of people in the background (only approved visitors may be in a video visit).
- c. All visitors appearing in the video visit will be on the inmate's approved visitor list. During video visitation, the approved visitor(s) will be the only person(s) allowed in the video visit, any other persons in the video that are not on the inmates approved list will result in the approved visitor's suspension or termination from video visitation. All minors will have an approved parent or guardian present at all times during video visiting.
- d. Visits with minors will be set up under an authorized adult who is approved to escort the approved child. Use of an account set up under a minor's name will not be authorized.

## 2. Scheduling

Video visits will be limited to 20 minutes and will be available only during video visitation hours of operation, as determined by the facility and will be scheduled by the approved adult visitor through the vendor at least 48 hours in advance.

- a. Visits will be scheduled on a first come, first served basis in 30 minute increments.
- b. Video visits may be cancelled due to facility need or individual availability. If the scheduled visit has been cancelled due to facility need, the approved visitor may request a visitation credit from the video visitation provider to be used for a future visit, by contacting the provider's customer service department.

#### 3. Conduct (applicable to visitors and individuals)

Video visitation will be conducted in the same manner as if the visit was occurring in person (e.g. dress code, behavior, language) and will comply with all Oklahoma Department of Corrections policies, procedures, and guidelines.

Designated correctional staff will be able to monitor live or review recorded visits for compliance with procedure and facility rules/processes. Video visits may be terminated in progress for

violations or misconduct.

Any violations of the visitation procedure, rules or regulations will result in temporary suspension or permanent termination of the video visitation account holder.

### F. Food/Care Items

Appropriate items for the care of infants are allowed at all facilities. Such care items will include, but are not limited to: baby bottles, diapers, baby food, etc.

# G. <u>Vending Machines</u>

Facilities will install vending machines for use by inmates' visitor(s). At no time will minimum, medium or maximum security inmates be in possession of any currency. No more than 30 dollars in quarters, per visitor, is allowed into the visiting area. The money will only be allowed to be brought in a clear quart size bag. Community correction inmates can possess currency in accordance with <a href="OP-060107">OP-060107</a> entitled "Systems of Incarceration."

Vending machines allowed at facilities are as follows:

- 1. Sandwich machines;
- 2. Chips/snack machines; and/or
- Soda/beverage machines.

#### H. Security Considerations (5-ACI-7D-21, 4-ACRS-2A-02)

In accordance with <a href="OP-040110">OP-040110</a> entitled "Search and Seizure Standards," every effort will be made to detect attempts to introduce contraband through the visiting program. To aid in these interdiction efforts, the following conditions will apply:

#### 1. Visitor Search Procedures

Searches will include:

- a. Searches of all items brought into the facility;
- b. Pat down searches upon entering (persons under 18 years of age will not be searched);
- c. Medium security and above will ensure the use of x-ray machines to scan property; and

- d. Minimum security and above the use of metal detection devices. Visitors will have the opportunity to clear the metal detector scan three times before the visit is terminated.
  - Any searches of an individual's personal property will be done while continuously observed by the owner of the property.
- e. At the discretion of the facility head, canine drug detection screening may be used to assist in searches. Any attempt to interfere or interact with the canine will be grounds for termination of the visit. If the canine alerts on a visitor or their vehicle, the following action will be taken:
  - (1) First alert on person or vehicle: visit is denied for that day only;
  - (2) Second alert on the same person or vehicle: 90-180 day suspension; and
  - (3) Third alert on the same person or vehicle: one year suspension.

Refusals to comply with a search will result in termination of the visit and possible removal from the visiting list.

### 2. At Medium Security Facilities

- a. If the facility has separate visitor and inmate restrooms within the visiting room, the inmate and/or visitor may use the restroom and return to the visit one time only;
- b. If the facility does not have separate visitor and inmate restrooms within the visiting room, the inmate will be removed from the visiting area, strip searched, and will be allowed to return to the visit one time only. No additional time will be added to the visit; and
- c. If the visitor exits the secure visiting area, the visitor will be reprocessed prior to re-entry into the visiting area one time only. No additional time will be added to the visit.
- 3. Facilities will monitor and control visitors movement using a visitor sign in/out log and/or using computerized log in/log out system in accordance with the "Facility Visitor's Sign In/Out Log" (DOC 030118E, attached).(4-ACRS-2A-02)
- 4. No visitor over the age of 18 will be allowed visitation without a form of state issued identification. This state issued identification will be cross referenced with the approved visiting list and the physical appearance of the person presenting the identification.

### I. Visitor Transportation (5-ACI-7D-22)

Information regarding transportation to the facility, to include public transit, will be provided to approved visitors.

### IV. <u>Visiting Records</u>

Visiting information will be entered on OMS.

### V. References

Policy Statement OP-030100 entitled "Provision of Services/Inmates Rights and Responsibilities"

OP-030112 entitled "Religious Programs"

OP-040204 entitled "Special Management Units"

OP-040110 entitled "Search and Seizure Standards"

OP-060107 entitled "System of Incarceration"

OP-060125 entitled "Inmate/Offender Disciplinary Procedures"

OP-060201 entitled "Initial Reception of Inmates"

OP-110215 entitled "Rules Concerning the Individual Conduct of Employees"

OP-140146 entitled "Palliative Care Program"

#### VI. Action

The facility head is responsible for compliance with this procedure.

The chief administrator of Institutions is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: OP-030118 entitled "Visitation" dated September 23, 2022

Distribution: Policy and Operations Manual

Agency Website

Referenced Forms	<u>Title</u>			Location	
DOC 030118A	"Oklahoma Department of Corrections Unauthorized Apparel for Visitors"			Attached	
DOC 030118B	"Visitor's Request Form"			Attached	
DOC 030118C	"Visitors F	Rules of Conduc	ct/Violations/Sar	nctions"	Attached
DOC 030118D	"Visitor Al	ert"			Attached
DOC 030118E	"Facility V	isitor Sign In/O	ut Log		Attached
DOC 030118F	"Authoriza	ation for Visitatio	on/Corresponde	nce Form"	Attached
DOC 030118G	"Securus Condition	Video Connect s"	Visitation Term	s and	Attached
DOC 090211B	"Oklahom Record"	a Department c	of Corrections R	equest for	<u>OP-090211</u>

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**Section-03 Facility Operations**