

Idaho Department of Correction  	<b>Standard          Operating          Procedure</b>	Title: <b>Visiting</b>		Page: 1 of 21
		Control Number: <b>604.02.01.001</b>	Version: <b>8.0</b>	Adopted: 06-11-1997

**Henry Atencio, deputy director, approved this document on 02/25/2016.**

**Open to the public:**  Yes  No

**SCOPE**

This standard operating procedure (SOP) is applicable to all staff members **and** contractors, vendors, volunteers, or interns at the Idaho Department of Correction IDOC correctional facilities (prisons) and community reentry centers (CRCs).

<b>Revision History</b>
<p>Revision date (02/25/2016): Version 8.0: Update definition of 'Immediate Family', re-introduces the visitation rules as Appendix C.</p> <p>Previous revision date (11/06/2014): v7.0 added information regarding the introduction of contraband, visiting suspension for a positive drug test in section 3, service animals in section 4, and reformatting and other general revisions.</p>

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**BOARD OF CORRECTION IDAPA RULE NUMBER 604**

Visiting Inmates

**POLICY CONTROL NUMBER 604**

Visiting

**PURPOSE**

The Idaho Department of Correction (IDOC) encourages visitation between inmates and their friends and family. Visitation is important for inmates to maintain relationships and contact with the outside world.

Visitation also increases the risk of contraband and activities that reduces the IDOC’s ability to protect the public. Therefore, the IDOC has identified the rules and regulations in this standard operating procedure (SOP) to ensure a safe environment for visitors, staff, and inmates.

**RESPONSIBILITY**

Facility head responsibility includes:

- Implementing the SOP and ensuring that staff members practice the provisions contained herein
- Developing, to the extent possible, a schedule for visiting that offers public access during evening and weekend hours
- Developing a field memorandum that identifies facility-specific information such as visiting locations, capacity, and schedule
- Providing accommodations, consistent with the security level of the facility, such as vending machines, parlor games, and children’s toys to provide a positive atmosphere for visitors, children, and inmates

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## GENERAL REQUIREMENTS

### 1. Visiting Room Staffing

Visiting room staff positions are exempt posts filled at the discretion of the facility head. Selection is based on the person's ability to work with the public and maintain accurate records. Each facility must develop post orders for visiting room staff.

### 2. Visiting Room Capacity

Facility heads must identify the location and total operational capacity of visiting rooms meeting fire code guidelines and the number of visitors allowed per inmate at a time. Visiting room capacity must be posted in the visiting room area.

### 3. Visitation Rules for Inmates and Visitors

The violation of visiting rules may result in the temporary or permanent loss of visiting privileges. Visiting room staff and supervisors must become familiar with the visiting rules. (See *Visiting Rules for Inmates and Visitors*)

#### ***Introduction of Contraband***

Idaho Code 18-2510 states that a person commits a crime by knowingly introducing or possessing contraband in a correctional facility. Contraband includes, but is not limited to, tobacco, cell phone(s) or other telecommunication equipment, controlled/illegal substances, firearms or dangerous weapons, ammunition/explosives, and escape tools or devices. Violators are punishable by imprisonment of up to 5 years and/or fine of up to \$10,000.

#### ***Visiting Suspension for Drug-Related Disciplinary Action or Introduction of Major Contraband***

When an inmate has a confirmed DOR for the use or possession of illegal drugs, which includes positive urinalysis tests for drugs that could be prescription or illegal such as an opiate, all visitations for that inmate are suspended for a period of six months.

Visitations are suspended for six months if an inmate is involved in the introduction of major contraband that constitutes a felony.

### 4. Service Animals

Service dogs accompanying an individual with a disability recognized under the Americans with Disabilities Act (ADA) are allowed in visiting rooms. Pets are not allowed. If there are any concerns about the legitimacy of a service animal, staff must notify the facility head for further consideration.

The facility head (or designee) is authorized to approve and deny service animal access to the facility.

Service animal means any **dog** individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this SOP.

The work or tasks a service animal performs must be directly related to the individual's disability. Crime deterrent effects, provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this SOP.

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Service animals must be leashed or harnessed except when performing work or tasks where such tethering would interfere with the dog's ability to perform.

Dogs whose sole function is the provision of emotional support, well-being, comfort, companionship or other non-disability related work function are not considered service dogs under the ADA and are not allowed in visiting rooms.

The IDOC does not allow any service animal to be in visiting rooms when that animal's behavior poses a direct threat to the safety of others, displays aggressive behavior, is disruptive, or behaves in a manner that indicates it is not a trained service animal.

For example, any service animal displaying vicious or aggressive behavior towards other inmates, visitors, or staff members is not allowed. If the service animal is not allowed, the visitor is not suspended or restricted from visitation, and visitation privileges may continue without the service animal. The service animal may be allowed to be in visiting rooms when the owner can demonstrate that the animal's behavior has been corrected.

There is no government mandated or operated service dog certification or registration program in the United States. However, some programs certify the dogs they provide have been trained and tested. The IDOC recognizes documentation proving the service animal came from a legitimate program or individual that trains and/or tests the animals they provide.

If a visitor does not have documentation of origin from a program that trains and tests the service animals it provides, the visitor must provide answers to these two questions:

- 1) Is this a service dog required because of a disability? and
- 2) What task(s) is the dog trained to perform?

If, in the opinion of the facility head, these questions are not adequately answered, the animal is not allowed into the facility.

## **5. Attorney and Attorney Agent Access**

Guidelines for attorney and attorney agent access are found in *Attorney and Professional Staff Access to Inmates*, 604.02.01.002.

## **6. Guidelines for Approving or Denying Visitation**

Visitors' applications are processed as quickly as possible. Applications that can be approved at the visiting room supervisor level should be processed within two weeks of receiving the application if there are no delays in receiving criminal record information. (Contract facilities may take longer because of the criminal history check process.)

Visiting applications approved at any IDOC facility are honored by other IDOC facilities when inmates are transferred. If a receiving facility's facility head (or designee) determines a visitor should be denied or visitation modified, the facility head (or designee) must attempt to contact the visitor before the next visit. If an error was made in the approval process, the receiving facility head must notify the sending facility head to prevent future errors.

The first table in this section identifies visiting applications that are approved or denied by the visiting room supervisor.

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***Approving and Denying Visitation***

<b>Approval/Denial Authority</b>	<b>Approve</b>	<b>Deny</b>	<b>Appellate Authority</b>
Visiting Room Supervisor	Immediate and extended family with no Felony charges, arrests, or convictions in the last five years <b>or</b> Drug related arrests (misdemeanor or felony) within the last two years	N/A	N/A
Visiting Room Supervisor	<b>Friends</b> of the inmate before the inmate was incarcerated <b>with no</b> Felony charge, arrest, or conviction in the last five years <b>or</b> Drug-related arrests (misdemeanor or felony) within the last two years	N/A	N/A
Visiting Room Supervisor	N/A	Friends/associates with A felony charge, arrest, or conviction within the last five years <b>or</b> Drug related arrests (misdemeanor or felony) within the last two years.	Facility Head
Visiting Room Supervisor	N/A	Friends/associates With pending criminal charges <b>or</b> Who are under criminal investigation.	Facility Head
Visiting Room Supervisor	N/A	Probationers and parolees With less than six months of probation and parole supervision.	Facility Head
Visiting Room Supervisor	N/A	Former IDOC inmates	(See case by case)

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***Applications Considered Case-By-Case***

Applicants that fit the criteria in the next table are automatically forwarded to the applicable approval authority. The approval authority considers the following when making a decision:

- The length of the relationship
- The support of the habilitation process
- The inmate’s institutional history
- The security of the facility

***Case-by-Case Consideration***

<b>Approval Authority</b>	<b>Considered Case-by-Case</b>	<b>Appellate Authority</b>
Facility Head or Deputy Warden (second-in-command)	Current or former employees, vendors, volunteers, interns, and contractors that <b>are</b> immediate family of the inmate	Division Chief <b>or</b> Deputy Chief (or designees)
Facility Head or Deputy Warden (second-in-command)	Immediate family of the inmate who: Has a felony charge, arrest, or conviction within the last five years <b>or</b> Has a drug-related offense within the last two years <b>or</b> Were previously incarcerated in an IDOC facility ( <b>Note:</b> This family member cannot be considered for visitation until six months have passed from being released from IDOC custody.)	Division Chief <b>or</b> Deputy Chief (or designees)
Facility Head or Deputy Warden (second-in-command)	<b>Probationers or parolees</b> who have been supervised for more than six months and have their probation and parole officer’s written approval to visit.	Division Chief <b>or</b> Deputy Chief (or designees)
Facility Head or Deputy Warden (second-in-command)	<b>Individuals</b> who have no previous relationship(s) with the inmate	Division Chief <b>or</b> Deputy Chief (or designees)
Facility Head or Deputy Warden (second-in-command)	<b>Former inmates</b> of an IDOC facility	Division Chief <b>or</b> Deputy Chief (or designees)
Facility Head or Deputy Warden (second-in-command)	<b>Inmates</b> assigned to Different IDOC facilities or Different living units within the same facility	Division Chief <b>or</b> Deputy Chief (or designees)

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<b>Approval Authority</b>	<b>Considered Case-by-Case</b>	<b>Appellate Authority</b>
Division Chief <b>or</b> Deputy Chief (or designees), as applicable	Current or former employees, vendors, volunteers, interns, or contractors who <b>are not</b> immediate family of the inmate	N/A  (Cannot be appealed)

If a former IDOC employee, volunteer, vendor, intern, or contractor applies to visit an inmate and it is determined that the applicant violated any IDOC rule or section of Idaho Code, the application is normally denied.

If the applicant is not immediate family of the inmate, the applicant cannot visit unless the applicant terminates the relationship of employee, volunteer, vendor, intern, or contractor with the IDOC, and then the person cannot visit an inmate unless the applicable division chief **or** deputy chief (or designee) approves the visiting application. Nothing in this section guarantees approval of a former employee, volunteer, vendor, intern, or contractor to visit an inmate.

***Volunteers: Approving or Denying as Visitors***

The process for approving or denying volunteers as visitors must be in accordance with SOP *Volunteer Services in Correctional Facilities*, 606.02.01.001.

***Interns: Approving or Denying as Visitors***

The process for approving or denying interns as visitors must be in accordance with SOP *Internship Management*, 212.07.01.001.

**7. Type of Visitation by Custody Level and Housing Type**

Visitation is contact or non-contact based on the inmate’s placement.

- CRC: Contact
- Minimum Custody: Contact
- Medium Custody: Contact (non-contact maybe used at the discretion of the facility head)
- Close Custody: Contact and non-contact
- Restrictive Housing: Non-contact and restricted contact (319.02.01.001, *Restrictive Housing*)

**8. General Guidelines for Visitation with Minor Children**

Criminal history checks for young children are primarily used to ensure that a no-contact order has not been issued preventing contact between the inmate and the child. Minor children (children under the age of 18 years) visiting with the inmate must:

- Be the immediate family member of the inmate, and
- Be accompanied throughout the visit by a parent or guardian **or** if the child is in the custody of the state, a child protection worker or agent of the Idaho Department of Health and Welfare (DHW) may accompany the child.

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- Child protection workers and agents of the DHW accompanying children must present DHW identification and documentation of DHW guardianship or involvement in the supervision of the child. The IDOC does not run background checks on DHW employees or agents.

The **parent** accompanying the minor child on the visit must complete and submit the following documents:

- *Visiting Application (Adult)*, (parent information only)
- *Visiting Application (Minor Child)*, (child information only)
- A certified copy of the child's birth certificate

The **guardian** accompanying the minor child on the visit must complete and submit to the IDOC the following documents:

- *Visiting Application (Adult)*
- *Visiting Application (Minor Child)*
- A copy of the court order granting guardianship (or *Power of Attorney Delegating Limited Parental Powers for Visitation*)
- A certified copy of the child's birth certificate

### **Minor Stepchildren**

If the minor child is a stepchild of the inmate, both natural parents must sign *Visiting Application (Minor Child)*. The only exceptions are (a) the parental rights of one of the natural parents were terminated by a court of law, (b) the natural parent is deceased (c) the natural parent's whereabouts are unknown.

#### **Examples:**

- To prove that parental rights have been terminated, a copy of a court order must be provided.
- To prove the parent is deceased, a copy of the death certificate or newspaper obituary must be provided.
- To prove the parent's whereabouts are unknown, a letter from a state child support enforcement agency must be provided.

### **Expiration of Minor Child Visiting Applications**

A *Visiting Application (Minor Child)*, after the initial approval, expires on the minor's 16<sup>th</sup> birthday, unless terminated earlier by the facility head (or designee), minor, or parent/guardian.

## **9. Restrictions Involving Certain Crimes for Visitation with Minor Children**

A minor child who was the victim of a violent or sexual crime where the inmate was the perpetrator of the crime, whether a conviction resulted or not, cannot visit the inmate unless all of the following conditions are met:

- A written recommendation is submitted from a licensed counselor who provided counseling to the child, indicating the visit would enhance the counseling process and is in the child's best interest. The recommendation must include the length of time the counselor provided counseling to the victim, the counselor's training and

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experience in counseling victims of violent or sexual crimes, and why it is now in the best interest of the child to allow visitation with the inmate.

- The facility head is the approval authority and makes the decision based on the best interest of the minor child. What is in the best interest of the minor is determined at the discretion of the facility head.
- In addition, the facility head may impose additional visitation restrictions on inmates convicted of a violent or sexual crime when visiting minor children.

## 10. Physical Contact

Physical contact is limited to a brief closed-mouth kiss and embrace at the beginning and end of the visit. Good-byes are said in the assigned visiting area.

The following physical contact is allowed in IDOC facilities:

- A brief (closed-mouth) kiss and embrace at the beginning and end of the visit.
- Holding hands in plain view.
- Children age six and younger may sit on the inmate's lap.

In addition, in medium, minimum custody, and CRC facilities, an arm around the shoulder with hand on the shoulder is allowed.

## 11. Visitation Application Process

The following steps describe the visitation application process. Inmates may grieve denied applications in accordance with SOP 316.02.01.001, *Grievance and Informal Resolution Procedures for Inmates*.

Functional Roles and Responsibilities	Step	Tasks
<b>Applicant</b>	<b>1</b>	<p>Download <i>Visiting Rules for Inmates and Visitors</i>, and <i>Visiting Application (Adult)</i>, from the Idaho Department of Correction's (IDOC's) Internet website or obtain these forms from the inmate.</p> <ul style="list-style-type: none"> <li>• For minor children or stepchildren, the natural parent or guardian must submit the appendixes noted in section 7 of this standard operating procedure (SOP).</li> <li>• Read the <i>Visiting Rules for Inmates and Visitors</i>.</li> <li>• Complete the applicable visiting application(s).</li> </ul>

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Applicant</b>	<b>2</b>	<p>Mail the completed applicable visiting application(s) to the facility where the inmate resides.</p> <p>Example: If the inmate resides at the Idaho State Correctional Institution, the envelope would be addressed as follows:</p> <p style="padding-left: 40px;">ISCI Visiting PO Box 14 Boise, ID 83707</p> <ul style="list-style-type: none"> <li>• To find IDOC facility mailing addresses facilities, visit <a href="http://www.idoc.idaho.gov">www.idoc.idaho.gov</a>.</li> <li>• Applications <b>must be sent through the U.S. Postal Service</b>. Facility staff may approve a faxed application(s) when the situation requires a quick response. However, application(s) received via fax without preapproval are not processed.</li> </ul>
<b>Visiting Room Staff</b>	<b>3</b>	<p>Review the visiting application(s) to ensure they are complete and correctly filled out. If the applications are not complete or correct, notify the inmate using appendix A, <i>Status of Visiting Application</i>.</p>
<b>Inmate</b>	<b>4</b>	<ul style="list-style-type: none"> <li>• Complete or correct the visiting application(s) or have the applicant complete or correct the information and resubmit the visiting application(s) to the visiting room staff.</li> </ul>
<b>Visiting Room Staff</b>	<b>5</b>	<ul style="list-style-type: none"> <li>• When the application is acceptable, search for the applicant in CIS (search by <i>name, social security number (SSN), Identification (ID) number, phone number, or date of birth</i>).</li> <li>• If the applicant is not in CIS, add visitor or if the applicant is in the CIS but is no longer active, forward application to the background check staff.</li> <li>• If the applicant is already approved in CIS, proceed to step 7.</li> </ul>

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Background Check Staff</b>	<b>6</b>	<ul style="list-style-type: none"> <li>• Conduct a criminal background check (See section 11).</li> <li>• Complete the 'background check' box at the bottom of the visiting application(s) and return the visiting application(s) to the visiting room staff.</li> <li>• In CIS, under the 'backgrounds/document/clearance' link, select all items that were verified, and add any applicable comments.</li> <li>• Select the pending radio button.</li> </ul>
<b>Visiting Room Supervisor</b>	<b>7</b>	<ul style="list-style-type: none"> <li>• Review the visiting application(s) and, if necessary, background information and any other required documentation.</li> <li>• Approve or deny the application(s) in accordance with section 6, and stamp the box at the bottom of the application(s) as shown in section 12.</li> <li>• If authorized to <b>approve or deny, complete the form, and</b> proceed to step 11.</li> <li>• If higher approval authority is needed in accordance with case by case considerations in section 6, verify that the 'pending' option is selected and forward the application(s) to the facility head or deputy warden (second-in-command).</li> </ul>
<b>Facility Head or Deputy Warden (second-in-command)</b>	<b>8</b>	<ul style="list-style-type: none"> <li>• Consider the inmate's institutional and community history, and the inmate's relationship with applicant.</li> <li>• If the request is approved or denied proceed to step 11.</li> <li>• If the applicant is a current or former employee, vendor, volunteer, intern, or contractor but <b>is not</b> an immediate family member, forward the application to the applicable division chief or deputy chief or designees.</li> </ul>
<b>Division Chief or Deputy Chief (or Designees), as Applicable</b>	<b>9</b>	<ul style="list-style-type: none"> <li>• Review the visiting application(s) and approve or deny the visitation.</li> <li>• Notify the facility head or deputy warden (second-in-command) of the decision and return the application to the facility.</li> </ul>
<b>Facility Head or Deputy Warden (second-in-command)</b>	<b>10</b>	Inform the visiting room supervisor of the decision and forward the visiting application to the visiting room supervisor.

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Visiting Room Staff</b>	<b>11</b>	<ul style="list-style-type: none"> <li>In the CIS, under the 'approved inmate list' link, select the 'approved' or 'denied' radio button and enter applicable information.</li> <li>Inform the inmate of the decision-using appendix A, <i>Status of Visiting Application</i>.</li> </ul>
<b>Visitor</b>	<b>12</b>	<p>If approved, visits the inmate during visiting hours.</p> <p>If denied, and the inmate is immediate family, the applicant may reapply in 90 days or appeal within 14 days of receiving notification.</p> <p>If denied, and the inmate is not immediate family, the applicant may reapply in one year or appeal within 30 days to the applicable division chief <u>or</u> deputy chief or designees.</p>

### ***Visitor Information Updates***

Visitors are responsible to update their application if there is a change in residence, name, arrest record, etc. However, visiting room staff should verify and update the approved visitor's information by either asking for name, address, telephone number, etc. during check in, or have visitors complete *Visiting Application (Adult)* annually. Visiting privileges should not be automatically suspended or terminated without review by the facility head or deputy warden (second-in-command) when a visitor forgets to report changes in information such as address.

**If the visitor was previously approved**, but removed because the end date had passed, the visitor should be allowed to visit, but must submit a new application within 15 days. A new end date, not to exceed 45 days, is established until the application update can be processed. If approved, process and establish a new annual end date.

Visiting room staff may also run periodic National Crime Information Center (NCIC) criminal background checks on approved visitors. At a minimum, conduct a records check annually.

If an approved visitor voluntarily reports an arrest or if a new arrest or charge is found in a record check, forward the information to the facility head or deputy warden (second-in-command) for a decision regarding visiting status.

### ***Inmates Released from IDOC***

Visitors must reapply for visitation when an inmate is released from IDOC custody by either reaching full-term release day, probation, or paroled regardless of the end date on the previous application. Visitation is not allowed until the visitor application process is completed and the visitor is approved.

## **12. Background Check Guidelines**

The Idaho Law Enforcement Telecommunications System (ILETS) operator does not approve or deny visiting applications. The ILETS operator completes the 'Background Check' box on the visiting application by selecting either 'criminal record' or 'no criminal record' (criminal record means any arrest, charge, or conviction). The ILETS operator uses

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the comment section to assist the application review process such as 'extensive record' or 'one arrest 10 years ago.'

Background checks are conducted by running the following queries:

- Driver's Query (DQUS): This step is conducted first to establish identity, verify information on background check, and make an initial check for warrants.
- Query History (QH): This step shows information from the Interstate Identification Index (III Index) to include Federal Bureau of Investigation (FBI) number and a list of states associated with that FBI number. In addition, a 'hi' may also be indicated on the Social Security number and reveal 'also known as' (AKA).
- Query Record (QR) This step is used to obtain specific criminal history from the III Index.
- Identity Query (IQ): This step is used to obtain identity information on a person from a specific state or region.
- Full-record Query (FQ): This step is used to obtain information after receiving a positive response from individual states.

### 13. Stamps to Mark Applications Approved or Denied

The approval authority must use the following stamps to mark the applicable box on the visiting application.

APPROVED

DENIED

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Associate #: \_\_\_\_\_

Associate #: \_\_\_\_\_

If the decision is appealed, the appellate authority uses the applicable box on the visiting application to document the decision. If the decision reverses the approval authority's decision, the appellate authority must line out the approval authority box (see example below).

Staff Use Only		
Background Check: Criminal record: <input checked="" type="checkbox"/> No criminal record: <input type="checkbox"/> Comments: 1 arrest 10 years ago.	Approval Authority: <del>DENIED</del> Date: <del>01-10-2006</del> By: <del>Sgt. Smith</del> Associate #: <u>0010</u>	Appellate Authority: Approved: <input checked="" type="checkbox"/> Denied: <input type="checkbox"/> Date: 01-20-2006 By: Warden Adams

### 14. Visiting Day Procedure

The visiting area must be thoroughly searched before and after visiting. In prisons, all inmates must be removed from the visiting area during the search.

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Approved Visitor</b>	<b>1</b>	<ul style="list-style-type: none"> <li>• Report to the designated visiting area.</li> <li>• Present photo identification (ID) to the visiting room staff, except children under 16 years of age.</li> <li>• A parent, guardian, child protection worker, or agent of the Idaho Department of Health and Welfare, must be present for those under 18 years of age.</li> </ul>
<b>Visiting Room Staff</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Determine that the visitor is approved.</li> <li>• Verify that the time is correct and it is the approved time for the visit and then call for the inmate.</li> <li>• Provide the visitor with a yellow visitor ID.</li> <li>• Select the 'check-in' icon.</li> <li>• Inform the visitor and inmate where to sit and monitor the visit.</li> </ul>
<b>Visiting Room Staff</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• If the visiting room reaches capacity, and there are people waiting to visit, ask for volunteers willing to end their visit early.</li> <li>• If there are no volunteers, select those to end their visit early.</li> <li>• Notify the visitors and inmates that their visit is about to end, giving them 15 minutes to end their visit.</li> <li>• If the inmate notifies you to end the visit early – proceed to step 4.</li> </ul>
<b>Visiting Room Staff</b>	<b>4</b>	<ul style="list-style-type: none"> <li>• Document the end of the visit by selecting the checkout icon in CIS.</li> <li>• Perform the applicable search of the offender (see section 16).</li> </ul>

### ***Ending a Visit Early***

When necessary to end a visit early due to over-crowding, the decision is based on the length of the current visit, the distance the visitor traveled, and the frequency of visits. Visiting room staff may ask visitors to volunteer to end their visit early.

Examples if there are no volunteers: visitors who live near the facility, visit every week, and have been visiting one hour or longer would qualify as a visit that could end early. However, if the same visitors had just arrived, they would not be candidates for ending their visit early. Ending visits for people who have traveled a distance should be avoided. If there is no good candidate for leaving early, a visitor waiting to begin may need to wait or return. Use good judgment when deciding which visits to end early.

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## 15. Photographs

Inmates may purchase photo tickets through the commissary to have photographs taken during visiting. The visitor can keep the photographs or the inmate can retain them.

## 16. Searches of Visitors

Visitors, their possessions, and inmates are subject to search. The following outlines the procedure for searching visitors.

Functional Roles and Responsibilities	Step	Tasks
<b>Staff Member</b>	<b>1</b>	<ul style="list-style-type: none"> <li>Reasonably suspects the visitor may be carrying contraband.</li> <li>Request from the facility head (or designee) the approval to search the visitor or visitor's vehicle.</li> </ul>
<b>Facility Head (or Designee)</b>	<b>2</b>	Approve or deny the request to search the visitor or visitor's vehicle and inform staff of decision.
<b>Staff Member</b>	<b>3</b>	<ul style="list-style-type: none"> <li><b>If the request to search is denied</b> by the facility head (or designee), allow the visit to continue or end the visit if so instructed by the facility head (or designee) and do not proceed to any other steps.</li> <li><b>If the facility head (or designee) approves the request to search</b>, inform the visitor.</li> <li>Offer the visitor the opportunity to leave the facility or be searched.</li> <li>If the visitor elects to leave, write an incident report and submit it to the shift commander.</li> <li>If the visitor consents to the search, take the visitor to an area that is out of view of other inmates and visitors.</li> <li>Ask the visitor to empty his pockets or if it is a vehicle search—ask the visitor to open his vehicle.</li> <li>Conduct a clothed body search by a staff member of the same sex as the visitor or conduct a vehicle search.</li> <li>Notify the shift commander and facility head (or designee) of the results of the search.</li> <li>If no contraband or visiting rule violation is found, allow the visit to continue.</li> <li>If contraband is found, seize the contraband as evidence and manage it in accordance with <i>Custody of Evidence</i>, 116.02.01.001. <ul style="list-style-type: none"> <li>Terminate the visit and ensure the visitor is escorted off the premises.</li> </ul> </li> </ul>

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Functional Roles and Responsibilities	Step	Tasks
		<ul style="list-style-type: none"> <li>In CIS select the 'check-out icon for the applicable visitor(s) and in the comments area, state why the visit was terminated.</li> <li>Write an incident report.</li> </ul>
<b>Shift Commander</b>	<b>4</b>	<ul style="list-style-type: none"> <li>Review the incident report.</li> <li>If you believe, the visitor is involved in or attempted to commit a crime, give law enforcement the visitor's name, address, license number, etc.</li> <li>Forward the incident report to the facility head (or designee).</li> <li>Complete and transmit a 105 report (<i>General Reporting and Investigation of Major Incidents</i>, 105.02.01.001).</li> </ul>
<b>Facility Head (or Designee)</b>	<b>5</b>	<ul style="list-style-type: none"> <li>Decide if visitation privileges should be revoked, restricted, or unaffected.</li> <li>Send letter of decision to visitor and inmate.</li> <li>File a copy in the inmate's visiting and central file.</li> <li>Send notice of decision to visiting room staff.</li> </ul>
<b>Visiting Room Staff</b>	<b>6</b>	In CIS, document the decision in both the visitor and the inmate visiting screens.

### 17. Search Requirements of Inmates

Facility Housing Type	When	Type	Status
CRC	Before visit	Clothed or unclothed	Optional
Minimum	Before visit	Clothed or unclothed	Clothed–Mandatory Unclothed–Optional
Medium	Before visit	Unclothed or clothed	Clothed–Mandatory Unclothed–Optional
Close	Before visit	Unclothed or clothed	Clothed–Mandatory Unclothed–Optional

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Facility Housing Type	When	Type	Status
Administrative Segregation	Before visit	Unclothed or clothed	Clothed-Mandatory Unclothed-Optional  (If items can be passed under a door or through a slot between the visitor and the inmate, an unclothed search of the inmate is mandatory.)
CRC	After visit	Unclothed or clothed	Optional
Minimum	After visit	Unclothed or clothed	Clothed-Mandatory Unclothed-Optional
Medium	After visit	Unclothed	Mandatory
Close	After visit	Unclothed	Mandatory
Administrative Segregation	After visit	Unclothed or clothed	Clothed-Mandatory Unclothed-Optional  (If items can be passed under a door or through a slot between the visitor and the inmate, an unclothed search of the inmate is mandatory.)
<b>WARNING!</b>			
<b>Refusal to submit to a search will result in the loss of the inmate's visiting privileges!</b>			

### 18. Use of Canine Drug Detection Teams

The facility head may approve canine drug or tobacco detection teams to search inmates, visiting room, lobby, and parking lot. Drug detection canines cannot be in direct contact with visitors. However, drug detection canines can be used in the presence of visitors if there is a barrier such as a kennel or cage between the canine and the visitor.

### 19. Process for Suspending or Restricting Visitation Privileges

Functional Roles and Responsibilities	Step	Tasks
Visiting Room Staff	1	If a visiting rule infraction occurs, contact the shift commander and then write an incident report.
Shift Commander	2	<ul style="list-style-type: none"> <li>• Review the situation and if available, the incident report</li> <li>• Based on the situation you may: <ul style="list-style-type: none"> <li>• Warn the inmate and visitor about the infraction.</li> <li>• End the visit.</li> <li>• Ensure a Disciplinary Offence Report (DOR) is</li> </ul> </li> </ul>

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<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
		<p>issued.</p> <ul style="list-style-type: none"> <li>• Forward the incident report to the facility head (or designee).</li> <li>• If applicable, complete and transmit a 105 report (See <i>General Reporting and Investigation of Major Incidents</i> 105.02.01.001).</li> </ul>
<b>Facility Head or Designee</b>	<b>3</b>	<ul style="list-style-type: none"> <li>• If necessary, gather additional information to include interviewing staff, inmates, and visitors.</li> <li>• Continue, suspend (no more than six months), or restrict visiting privileges (there is no appeal process if the visiting privilege is restricted).</li> <li>• Send letter of decision to visitor and inmate.</li> <li>• File a copy in the inmate's visiting and central file.</li> <li>• Send notice of decision to visiting room staff.</li> <li>• If you recommend permanent termination of visiting privileges, proceed to section 20.</li> </ul>
<b>Visiting Room Staff</b>	<b>4</b>	If visiting privileges are suspended or restricted, enter the applicable information in to CIS visiting screen.

## 20. Process for Terminating Visiting Privileges

Facility heads may suspend visiting privileges for up to six months. Any length of suspension over six months is considered termination of visiting privileges. To terminate visiting privileges indefinitely, the following steps must be used.

<b>Functional Roles and Responsibilities</b>	<b>Step</b>	<b>Tasks</b>
<b>Facility Head</b>	<b>1</b>	Send copies of the reports and other pertinent information to the applicable division chief or deputy chief or designees.
<b>Division Chief or Deputy Chief or Designees as Applicable</b>	<b>2</b>	<ul style="list-style-type: none"> <li>• Approve or deny the request to terminate visitation.</li> <li>• Notify the facility head and the visitor of the decision.</li> <li>• If a visitor's visiting privileges are permanently terminated, he may file a written appeal (via email or letter) for reinstatement to the applicable division chief or deputy chief (or designees) within 14 days of the termination and annually thereafter.</li> </ul>

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<b>Facility Head</b>	<b>3</b>	Implement the division chief or deputy chief's decision. If the visitor's visiting privileges are terminated, in CIS, under the 'approved inmate list', ensure the visitor's visiting application is set to 'denied', and the decision is documented under the 'comments' link.
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## 21. Reinstating Suspended Visiting Privileges

A visitor may file a written appeal to the facility head (or designee) within 14 days of receiving notice of the suspension. The facility head or designee meets with the visitor to discuss the reason for the suspension, the applicable visiting rules, and expectations for visiting conduct. Consider the situation including a review the inmate's history and institutional behavior and make a decision to continue the suspension, reinstate visiting either with or without restrictions.

The facility head or designee notifies the visitor, inmate, and visiting room staff of the decision.

Visiting room staff must document the applicable information in CIS visiting screens.

## 22. Removal of Names from Visiting Lists

Functional Roles and Responsibilities	Step	Tasks
<b>Inmate or Visitor</b>	<b>1</b>	<ul style="list-style-type: none"> <li><b>If the inmate:</b> complete appendix B, <i>Request to Remove Visitor from Visitor's List</i>.</li> <li><b>If the visitor:</b> send a written request to visiting room staff via email or United States Postal Service. Visitor may only remove his own name and the name of any minor child in his guardianship. (skip to step 4)</li> </ul>
<b>Inmate</b>	<b>2</b>	Sign the form in the presence of a staff member and ask the staff member to sign form as a witness.
<b>Staff</b>	<b>3</b>	Witness the inmate signing his name to the form, sign the form, and return it to the inmate.
<b>Inmate or Visitor</b>	<b>4</b>	Submit the form or written request to visiting room staff.
<b>Visiting Room Staff</b>	<b>5</b>	In the CIS visitor screen select 'denied' and enter comments accordingly.  (Visitors may only remove their name and the name of any minor child in their guardianship.)

## 23. One Time and Special Visits

The facility head (or designee) can approve special visits. Special visits are normally limited to immediate family members who have traveled a distance and time does not permit normal processing of the visiting application. Checks for warrants can be run quickly before the visit. Reasonable accommodations should be made whenever possible.

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**Example:** The family has only traveled 80 miles, but the inmate’s elderly grandmother who traveled with the family has never visited and rarely travels. She did not anticipate making the trip, but would like to see her grandson now that she is in the area. If staffing is available, the visit should be approved, or a noncontact visit could be approved if noncontact is available and staffing for a contact visit is not available.

**Example:** A minister from the church where the inmate’s family attends is in town on other business. The family asked the minister to see the inmate while he was in town. The minister has traveled 200 miles. If it is reasonably possible, the visit should be allowed.

**Example:** A friend lives 20 miles away. He forgot to send his visiting form, but he was in town and would like to visit. This visit should probably be denied, unless extenuating circumstances prevent following the normal visiting protocol and the visit appears to be in the best interest of the inmate (e.g., the friend would be a positive influence and is moving to the East coast next week).

## DEFINITIONS

**Contact Visiting:** Visiting where (a) no physical partition (such as a window or wall) separates the visitor and the inmate, and (b) physical touch may be allowed.

**Contraband:** Anything (of any kind) that is prohibited by Idaho Board of Correction, Idaho Department of Correction (IDOC), or facility rules, policies, and procedures. Contraband also includes anything (of any kind) that a facility head has not approved (a) for possession by an inmate, or (b) to bring into a facility or onto IDOC property.

**Immediate Family—Offenders:** The immediate family of an inmate is (a) the mother or father of the offender , including step parent, (b) the brother or sister of the whole or one half (1/2) blood or by adoption, or the stepbrother or stepsister of the offender , (c) the spouse of the offender , as proved by marriage license or other operation of law, (d) the natural child, adopted child, or stepchild of the offender , (e) the grandparents of blood relation to the offender, or (f) the grandchildren of blood relation to the offender.

**Noncontact Visiting:** Visiting with an inmate where there are physical partitions between the visitor and the inmate, and the inmate and the visitors are not allowed to touch. Verbal communication is generally accomplished through telephones, speakers, or openings in the physical barrier designed to allow sound to pass through.

**Photo Identification:** A state-issued driver’s license displaying a photograph, a state-issued identification card displaying a photograph, a military-issued identification card displaying a photograph, or a current valid passport displaying a photograph.

**Vendor:** A person who supplies goods or services to the Idaho Department of Correction (IDOC) or any operation or facility under the authority of the Idaho Board of Correction.

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## REFERENCES

*Visiting Application (Adult)*

*Visiting Application (Minor Child)*

*Power of Attorney Delegating Limited Parental Powers for Visitation*

Appendix A, Status of Visiting Application

Appendix B, Request to Remove Visitor from Visitor's List

Appendix C, Visiting Rules for Inmates and Visitors

Directive 116.02.01.001, *Custody of Evidence*

Standard Operating Procedure 105.02.01.001, *General Reporting and Investigation of Major Incidents*

Standard Operating Procedure 135.02.01.001, *Execution Procedures*

Standard Operating Procedure 212.07.01.001, *Internship Opportunities and Management*

Standard Operating Procedure 316.02.01.001, *Grievances and Informal Resolution Procedures for Inmates*

Standard Operating Procedure 319.02.01.001, *Restrictive Housing*

Standard Operating Procedure 320.02.01.001, *Property: State-issued and Inmate Personal Property*

Standard Operating Procedure 402.02.01.001, *Mail Handling in Correctional Facilities*

Standard Operating Procedure 405.02.01.001, *Access to Courts*

Standard Operating Procedure 510.02.01.001, *Facility Access*

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**IDAHO DEPARTMENT OF CORRECTION**

**Status of Visiting Application**

Date: \_\_\_\_\_

Inmate: \_\_\_\_\_ IDOC Number: \_\_\_\_\_

Please notify the visitor regarding the visiting request status.

Visitor: \_\_\_\_\_ Relationship: \_\_\_\_\_

**Approved**

**Denied**

Reason:

Criminal history

Significant false information to avoid detection of true identity

Probationer/parolee with less than 6 months supervision

Probationer/parolee not approved by probation officer

Other: \_\_\_\_\_

**Delayed**

Reason:

Application incomplete (Notify your visitor that the following information is needed to proceed with application process): \_\_\_\_\_

\_\_\_\_\_

Minor Child – Need additional information: \_\_\_\_\_

Minor Child – Victim (See Idaho Code, section 18-8304 or 19-5506):

Other: \_\_\_\_\_

Visiting Room Supervisor: \_\_\_\_\_ Associate #: \_\_\_\_\_ Date: \_\_\_\_\_

**IDAHO DEPARTMENT OF CORRECTION**  
**Request to Remove Visitor from Visitor's List**

Date: \_\_\_\_\_

**Inmate:** \_\_\_\_\_ **IDOC Number:** \_\_\_\_\_

This is to notify the Idaho Department of Correction (IDOC) that I wish to remove the following visitor(s) from my approved visitor list:

(Please print)

Visitor's name: \_\_\_\_\_

Visitor's name: \_\_\_\_\_

Visitor's name: \_\_\_\_\_

Inmate's Signature: \_\_\_\_\_

Staff Witness: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Associate #: \_\_\_\_\_ Date: \_\_\_\_\_

Appendix B

604.02.01.001

(Appendix last updated 10/8/14)

## IDAHO DEPARTMENT OF CORRECTION

### Visiting Rules for Inmates and Visitors

#### Warning!

Violating visiting rules may result in the temporary or permanent loss of visiting privileges.

1. **Address and Name Changes:** Visitors must report change of address and name change information to the visiting room staff at the first (1<sup>st</sup>) visit following the change.
2. **Expiration and Reapplication:** All applications expire one (1) year from the date of submission for prison facilities and every two (2) years for CWC facilities. A minor child's application, after the initial approval, expires on the minor's 16<sup>th</sup> birthday, unless terminated earlier by the facility head (or designee), minor, or parent/guardian. Each applicant is responsible for re-submitting a new updated application within these timeframes.
3. **Allowed Items for Attorneys and their Agents:** One (1) legal pad, one (1) black ink pen (stick--not push), one (1) notary stamp, legal pleadings to be signed or reviewed, testing materials, laptop computer, audio recorder, DVD player, stenograph, and authorized testing equipment. No items will be removed or left without prior written approval from the facility head (or designee).

Offenders may bring the following items authorized at their custody level: legal work, paper, and pencil or pen. No items will be removed from the facility or left with the offender without prior written approval from the facility head (or designee).

4. **Allowed Items for Visitors:** Photo identification, money for vending machines (if available), vehicle keys, and if small children are visiting, a diaper bag. (The diaper bag may contain diapers; wipes; a pacifier; two (2) bottles of formula, milk, water or juice; and a container of baby food or cereal.)

Prescription medication that must be taken during the visit or readily available for emergency use, such as inhalers for asthma attacks, must be prescribed to the visitor, in the container in which it was prescribed, and must not be expired. Only after staff has verified who the medication was prescribed to and that it is not expired, will a single or appropriate dose be allowed to accompany the visitor into the visiting area.

No cell phones, beepers, laptop/palm computers, cameras, or other electronic equipment is allowed.

5. **Approval:** Visitors must be approved before they can visit.
6. **Attire and Grooming:** Offenders must be groomed in accordance with the facility grooming regulations.

Visitors must wear garments that are conservative and modest. Proper underclothing must be worn. No bare feet.

**Attire That Is Not Allowed:** sleeveless garments, bare midriffs, scrubs, shorts, cutoffs, miniskirts, hats, caps, bandanas, doo-rags, spandex, and low-cut or see-through clothing. (Note: Medical exceptions may be made for headwear. In addition, scrubs may be worn at CWC facilities.)

Multi-layered clothing that could be used to conceal contraband, such as coats and sweatshirts, are also not allowed.

Correctional staff will use discretion with young children, normally those under eight (8) years of age.

7. **Behavior:** The Idaho Department of Correction (IDOC) will not tolerate disrespectful or aggressive behavior to include loud, threatening, abusive, or profane language; verbal or physical altercations toward staff members, offenders, or visitors; inappropriate physical contact; or improper use or abuse of state property.

Appendix C

604.02.01.001

(Appendix last updated 02/24/16)

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## IDAHO DEPARTMENT OF CORRECTION

### Visiting Rules for Inmates and Visitors

8. **Children:** Escorting parents must supervise and provide appropriate control of their children and are responsible to ensure the children are well-behaved. Corporal (physical) punishment is prohibited during visits.  
Offenders will not discipline visiting children.
9. **Cleaning the Visiting Area:** Offenders and their visitors will clean up their assigned area at the end of the visit.
10. **Contraband:** It is a crime to introduce weapons, drugs, or other contraband into a prison facility. Staff may search any items entering the visiting area (see the *Search* section). Pursuant to Idaho Code, sections 18-2503, 18-2503, and 18-2510, the IDOC uses metal detectors, trained narcotic and tobacco detection dogs, and conducts searches of visitors and their property to enforce state law.
11. **Drug-related Disciplinary Offense Reports (DOR):** If an offender is found guilty of a drug-related DOR, no visits will be allowed for six (6) months—no matter when or where the incident occurred.
12. **Exchanging Items:** Offenders may not give or receive any item from a visitor. Visitors may not give or receive any item from an offender.
13. **Food and Drink:** No food or drink from outside the facility (except for infants – see the *Allowed Items for Visitors* section) is allowed to be brought into minimum, medium, or close custody facilities. If vending machines are present in the visiting room, visitors may purchase food and drink items for consumption by the visitor and offender. Visitors must take unopened food and drink items with them at the end of visiting. Visitors must provide their own change or vending card.  
Offenders cannot take food or drink items out of the visiting area.
14. **Identification:** Visitors over the age of 16 must have valid and current photo identification (ID) (specifically a driver's license, state-issued ID, military ID, or valid/current United States passport). Visitors between the age of 16 and 18 years can also use student ID cards issued by their schools. Visitors who are not United States citizens may be approved to visit if they meet the provisions of standard operating procedure (SOP) 604.02.01.001 and have the necessary documents to prove they entered the United States legally.
15. **Leaving the Visiting Area during Visits:** Neither offenders nor visitors can leave the visiting room and then return except for approved restroom procedures (as described in field memorandum) or as directed by staff.
16. **Maintaining Current Visitor Information:** Visitors must report any new arrests or pending charges to the visiting room officer at the first visit following the arrest or new charge.
17. **Overcrowding:** If the visiting area reaches capacity, staff will first ask for volunteers willing to end their visit early. If no one volunteers, the staff will end visits based on the following criteria: distance traveled, frequency of visits, and length of current visit.
18. **Physical Contact:** The following physical contact is allowed in medium, minimum, and community custody facilities: (a) holding hands in plain view, and (b) placing arm around the shoulder with hand on the shoulder. All custody levels allow a brief (closed-mouth) kiss and embrace at the beginning and end of the visit. Children age six (6) and younger may sit on the offender's lap. Goodbyes are said in the assigned visiting area.
19. **Schedules and Rules:** Offenders are responsible to notify their visitors of changes in visiting schedules and rules.  
Visitors must abide by the facility visiting schedule, facility rules, SOP 604.02.01.001, and the instructions of staff members.

Appendix C

604.02.01.001

(Appendix last updated 02/24/16)

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## IDAHO DEPARTMENT OF CORRECTION

### Visiting Rules for Inmates and Visitors

20. **Search:** All offenders are subject to clothed or unclothed search before and after a visit. All persons, their vehicles, and possessions brought onto IDOC property or entering a prison facility are subject to search. Failure to submit to a search will result in a termination of visiting privileges. (See SOP 604.02.01.001.)
21. **Seating and Interactions:** At medium and higher custody facilities, offenders and visitors will remain at the assigned seating. Children will remain at the table or play area unless escorted by a visiting parent or guardian. Offenders and visitors may not visit with other offenders or their visitors.
22. **Termination of Visiting Privileges:** Visitation privileges may be terminated at the discretion of the facility head (or designee) for any length of time, including permanently, for the violation of or attempted violation of any (a) state or federal law, (b) rule(s) of the Board of Correction (Board), (c) policy, (d) SOP, (e) directive, or (f) field memorandum. Visiting privileges may also be terminated for failing to follow the instructions of staff members.
23. **Tobacco-free Facilities:** All IDOC facilities are tobacco free. Visitors must not bring any form of tobacco into an IDOC facility. Tobacco is recognized as contraband in IDOC prison facilities.
24. **Under the Influence:** A visitor suspected of being under the influence of intoxicating beverages or drugs will be denied visitation. Visitation privileges may be temporarily or permanently revoked.
25. **Visit Only the Visitors on Approved List:** Offenders cannot visit with other offenders or visitors while in the visiting room. Visitors can only visit the offender they are approved to visit.
26. **Visiting Limitations:** Visitors, except immediate family, can only be on one (1) offender's approved visitor list. A six (6) month interval must pass between a visitor asking to be removed from the list and the visitor submitting an application to visit another offender. (The facility head can override the six (6) month interval.)
27. **Mailing the Visiting Application:** Address the envelope to the facility where the offender resides. To help the envelope arrive the proper location within the facility, add the word 'visiting' after the facility name. For example:  
ISCI Visiting  
PO Box 14  
Boise, ID 83707  
To research correct mailing addresses for other IDOC facilities, visit [www.idoc.idaho.gov](http://www.idoc.idaho.gov) and click on 'locations' and then the specific facility that you want to visit.