


POLICY TITLE: Visiting		PAGE <u>1</u> OF <u>11</u>
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CHAPTER: 14 Prisoner Communications		
	SOMERSET COUNTY, SOMERSET COUNTY JAIL	ACA STANDARDS: 5B-02-04
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AUTHORITY: Pursuant to M.R.S.A. 30-A, Section 1501, the Sheriff adopts this policy for Somerset County Jail.

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POLICY: Visitation is afforded to inmates in order to maintain and encourage contact with legal assistance, family ties and significant others. Visitation rules are set to specify conduct of both inmates and their visitors. Any violations of the visitation rules may result in the termination of the visit and/or prosecution.

PROCEDURE:

A Visiting Eligibility and Registration Guidelines

1. Inmates in the Somerset County Jail shall be eligible for visits upon being classified from the Orientation Unit to a permanent housing unit (within 72 hrs of incarceration). The Shift Commander or Assistant Shift Commander may approve a visitation for inmates housed in the 72 hours classification area and are waiting to be classified. This type of visit will be a non-contact visitation during normal visitation hours.

2. The inmate's housing assignments will determine the amount of visitation time and the type of visitation they are to receive.
3. Special Management inmates are eligible for visits unless there is a documented medical, safety or security concern that justifies limiting such visit.
4. During the Booking, the Booking Officer will provide the inmate with a Visitor Request Form (Form 14.2).
5. The Visit Request Form will allow the inmate to identify up to six adults and three children that s/he would like to have a visit with during their incarceration at Somerset County Jail. The Booking Officer will enter the visitors in the JMS under the visitor screen. (Note: The visitor is NOT approved at this point. The inmate is only identifying who s/he would like a visit from.) For immediate family members (i.e. spouse, mother, father, brothers, sisters and grandparents), the visit will be scheduled even if the background check has not been completed at the time of the scheduled visitation.
6. A potential visitor will contact the lobby officer the business day before the scheduled visit between the hours of 0800 and 1600 and provide the full name, date of birth, and the inmate's name for all visitors requesting to attend. For visits over a weekend, the lobby officer will be contacted on Friday. The lobby officer will compare the names provided by the caller to the list the inmate provided the Booking Officer, as entered into JMS. If the names coincide, the lobby officer will verify the inmate is currently being housed in a housing unit which is scheduled for a visit the following day. If the name coincides and the housing unit is scheduled for a visit, the lobby officer will complete the Visit Schedule Form (Form 14.201b) upon receiving the request from the potential visitor. If any of the names provided by the caller are not listed in JMS, the lobby officer will inform the caller the inmate has NOT identified them as a requested visitor and therefore they are prohibited from signing up for a visit until such time the inmate changes his/her visitor list.
7. Drop-in visits are not allowed and have to be scheduled at a minimum the business day prior, however if a visitor drops in and requests a visit, the Shift Commander or Assistant Shift Commander are authorized to allow a drop-in visit on a case by case basis.
8. The lobby officer will accept only one (1) call for each visit time from a potential visitor to schedule a visit. Additional call to add or change visits may be approved by the Shift Commander or above.
9. The lobby officer will under no circumstances reveal the identity of the visitors already scheduled.
10. The lobby officer will notify the potential visitor that all adults arriving for a visit must present a government issued photo I.D. or else entry to the facility will be denied. The lobby officer should also point out the posted Visit Rules and/or provide a copy of the printed Visit Rules to the visitor if requested.
11. The lobby officer will deliver the completed Visit Schedule Form to the booking station at the end of his/her shift.
12. The booking officer, assigned for the following overnight shift, will conduct a background check on all requested visitors entered on the Visit Schedule Form by the lobby officer. Visitors may be denied visits for the following reasons:
 - a. Being on current bail conditions
 - b. Pending criminal charges.

- c. If a protection order or other court order prohibiting contact in between the inmate and the requested visitor is in effect.
 - d. If a warrant for the visitor's arrest is currently active. Upon the visitor's arrival to the jail, the Shift Commander will contact local law enforcement to notify them of the situation.
 - e. The visitor is currently under supervision of Probation and Parole, or a jail diversion program approved by the Sheriff or Jail Administrator.
 - f. The visitor has been released from custody of Somerset County Jail within the last sixty (60) days.(K.11)
 - g. Any known convictions for Trafficking in Prison Contraband.
 - h. Any previously identified behavior during a visit which violated SCJ rules and regulations governing visits.
 - i. Any individual denied a visit because of 7a, 7b, 7e or 7f shall be offered a non-contact visit.(5B-02)
13. If the visitor has been denied a visit, the booking officer or officer completing the background check will suspend their visiting privileges in JMS. (K.19)
14. The booking officer, upon completing the background on visitors will provide the Visit Schedule Form, accurately identifying those cleared and NOT cleared for a visit to their Shift Commander by the end of their shift.
- a. If the booking officer during the overnight shift is unable to complete the background check on the visitors due to the workload of their shift, they will notify their Shift Commander. The Shift Commander will inform the arriving Shift Commander of their shift's inability to complete the background checks on the visitors. The arriving Shift Commander will notify the Program Director of the need to complete background checks for the upcoming visit. The Program Director will ensure the remaining visitor background checks are completed before the visit occurs. The Program Director may solicit assistance, if necessary, from the Shift Commander or administration staff to ensure the background checks are completed on time.
15. The Shift Commander will ensure notification of the visit schedule for the day is delivered and posted in the appropriate housing unit(s).
16. Inmates will be allowed to revise his/her visit list on the 15th of every month by filling out a new request (form 14.201a)
17. Any visiting rule violations by either the inmate or visitor may result in termination and/or suspension of the visit(s).

B Visiting Schedule (5B-02)

- 1. Visiting time will be offered to allow all inmates in the Somerset County Jail at least two (2) hours of visiting time per week including the opportunity for one weekend day and one weekday evening visit.(K.12)
- 2. Visiting times will be as stated on the jail's daily schedule and posted in each individual unit for the inmates to see.
- 3. For the public, visiting times shall be posted in the lobby and on the SCJ website
- 4. The public may also hear the visiting times available by calling SCJ.

5. The lobby officer will schedule no more than twenty (20) inmate visits per hour for contact visits and no more than two (2) visits per hour for non-contact visits.

C Supervision of Visits (K.16)

1. Correctional staff assigned to visitation must be exceptionally alert to the introduction of contraband.
2. Visitation areas shall be searched by staff before and after every visit noting any/all contraband found in the JMS officers log and on an incident report and notify the Shift Commander.
3. Prior to beginning the visit, visitors will place all personal belongings (e.g. hats, coats, handbags, etc) in the visitor lockers located in the lobby.
4. Visitors must inform the officer conducting visits which inmate s/he is visiting and present a valid picture identification (driver's license or government issued)
5. The visit officer will check the Visit Schedule Form (Form 14.2) and the jail management software to ensure the visitor has been approved to visit.
6. The visitor will sign-in on the Visit log which will include entries for:
 - a. Name of visitor (printed)
 - b. Name of inmate visiting
 - c. Date and time of visit
 - d. Any other pertinent information(K.20,5B-04)
7. Visitors must pass through the metal detector located in the lobby prior to visiting with an inmate in the Somerset County Jail.(5B-04)
8. Visitors are asked to remove any items on their person that could cause the detector to generate an alarm. Items are placed, by the visitor, in a receptacle provided at the search area and returned upon successfully passing through the detector. (5B-04)
9. If the alarm sounds, the visitor is asked to step back and given the opportunity to search themselves to find what is causing the alarm to sound and proceed through the detector again. No visitor is allowed to proceed to the visit unless s/he has passed through the detector without causing the alarm to sound or by confirming acceptable metal items via the hand held metal detector. (5B-04)
10. If the visitor fails to pass the hand held metal detector successfully, the visitor is given a choice of being denied the visit or submit to a pat down search. (5B-04)
11. If the visitor agrees to a pat down search, the search is conducted by an officer of the same sex as the person being searched. All measures are taken to maintain the dignity of the person being searched. (5B-04)
12. Any visitor found to be attempting to introduce contraband or engaging in any other conduct which is in violation of law may be arrested (see policy 8.10 Evidence and Contraband).
13. The visit officer shall deny entry to any person under the age of eighteen (18) whose visit doesn't comply with this policy.

14. The visit officer shall notify the Shift Commander should they believe a visitor has arrived and is displaying signs of intoxication from alcohol or any other drug. The Shift Commander shall deny anyone exhibiting signs of intoxication from a visit and inform the individual they should not operate a motor vehicle. If necessary, the Shift Commander shall notify local law enforcement for assistance. If the individual leaves SCJ property operating a motor vehicle local law enforcement shall be notified.
15. Visitors that have successfully passed through the metal detector and/or searched are directed by the visiting officer to the visit location (e.g. Contract visit room, Non-contact visit booth.)
16. After placing all visitors in the visit location, the visiting officer will call the housing unit(s) and ask the housing unit officer to send the inmate(s) to the visit location(s).
17. When the visit begins, the visiting officer will enter the time into the jail management software visit screen for all inmates in visitation.
18. At the conclusion of the visit, the visiting officer will enter the time into the jail management software.
19. The visiting officer will strip search all inmates, in the visit search rooms, prior to sending all inmates back to the housing unit.
20. The visit officer will communicate with the housing unit officer which inmates are being returned.
21. Visitors will sign-out of the Visit log indicating time of the end of the visit.(K.20)

D Visitation Rules

1. Posted visitation rules shall be posted in the lobby and visitation area for visitors to become familiar with. A visit maybe refused or terminated if there has been a violation of visiting rules or there is reasonable belief that the visitor poses a threat to the safety or security of the facility, staff, or inmate. Any refusal or termination of a visit should be documented with justification in the inmate file. (K.15)
2. All visitors must arrive at the facility fifteen minutes prior to the scheduled visit. Visitors who arrive after visiting starts will not be permitted to visit that day unless approved by the Shift Commander or Assistant Shift Commander.
3. All visitors must present government issued photo identification before being permitted to visit. Acceptable identification will be, at a minimum, one of the following:
 - a. Driver's License.
 - b. State Issued Photo ID card.
 - c. Military ID.
4. All visitors under the age of eighteen (18) must be supervised by their parent or guardian who has successfully passed the background check consistent with Policy 14.2.
5. Visits are restricted to three (2 AND 1 CHILD UNDER THE AGE OF 5 YEARS OLD) family members or friends at any given time, as long as space permits. Visits will be a minimum of sixty (60) minutes.(K.14) NOTE: children will be on a chair or a lap at all times during a visit.
6. All visitors will enter the building through the public entrance.

7. All visitors are required to register with the Lobby officer at the reception desk located in the lobby.
8. All visitors are required to store their personal property in the lockers provided in the lobby.
9. All visitors' clothing must be appropriate for a visit. Clothing must be worn on the upper body at all times. Bare tops or miniskirts are prohibited.
10. Visitors may be subject to search by jail personnel. All visitors will be searched by a metal detector.
11. Smoking is prohibited in the facility. All tobacco products and lighting materials are considered contraband and will be left outside of the facility.
12. Passing anything to an inmate during a visit without approval from staff is prohibited and will result in termination of the visit.
13. Any person who brings or attempts to bring any item of contraband into the facility will be prosecuted to the fullest extent of the law.
14. No cameras are allowed in the facility without prior written approval from the Sheriff or Jail Administrator.
15. No person suspected of being under the influence of alcohol or drugs will be allowed to enter visitation.
16. Former inmates may only visit with inmates at the Somerset County Jail upon approval by the Asst. Jail Administrator.(K.11)
17. Inmates and visitors must conduct themselves with consideration and respect for others during visits.
18. Any disruptive action which imposes on others' visiting time shall result in termination of the visit.(K.15)
19. All visitors must leave the facility grounds upon completion of their visit.

E Legal Visitation

1. Attorneys or representatives of attorneys who are active members of the Maine Bar Association are permitted an unlimited number of visits with inmates for legal counseling during normal waking hours. (K.10, K.21.)
2. Attorneys who do not possess an active Maine Bar Card or the authorized representatives of Maine/out-of-state attorneys (paralegal, special investigators, interpreters, etc.) who wish to visit an inmate must receive prior approval from the Correctional Administrator by providing a request written on his/her office letterhead.
3. The Jail Administrator or designee will conduct a check prior to approval of the visitor, ensuring s/he works for an attorney.
4. Other legal visitors authorized to visit with inmates include at a minimum:
 - a. Members of the District Attorney.
 - b. Law Enforcement Officers.
 - c. Probation and Parole.

- d. Members of the Attorney General's Office.
5. Legal visitors will enter through the public entrance into the lobby.
6. The visitor will check in with the receptionist or Central Control at the control window, identifying him/herself.
7. Central Control or the Lobby Officer will request a Rover via the radio to respond to escort the visitor into the facility
8. The Rover will check all items the visitor request to bring into the facility for contraband prior to allowing the visitor to enter the facility.
9. Visitors will only be allowed to bring those items necessary for the visit and only if such items are not considered contraband (see policy 8.10, Contraband).
10. The visitor will be required to walk successfully through the metal detector located in the lobby without giving off an alarm prior to being allowed in the facility.
11. If an alarm is given, the officer will ask the visitor to remove any metal objects that could be setting off the alarm and try again. If an alarm stills sounds, the officer will check the visitor with the handheld metal detector located in Central Control.
12. The Rover will escort the visitor into the Official Visitation Room notifying the housing unit the inmate is housed in, via the radio, to send the inmate to the visit.
13. In the event the Official Visitation Room is not available, the Rover will escort the visitor to the housing unit the inmate is housed in and the visit will take place in the meeting/activity room.
14. If an inmate poses a real and present risk of violence or escape, visits may be conducted under staff observation, but conversations may not be monitored.
15. Under extreme circumstances (.i.e. when there is substantial risk posed to security or safety); staff may record legal visits, or monitor them with audio or video equipment. The Correctional Administrator is the only person to authorize audio monitoring or recording. The Correctional Administrator will authorize this activity in writing.
16. At the completion of the visit, the Rover will send the inmate to the housing unit, notify the Housing Unit Officer via the radio and escort the visitor out of the facility to the lobby.
17. Visitors will exit through the public entrance located in the lobby.

F Professional Visitation

1. Other than clergy or volunteers, all other professional visitors must follow procedures outlined in policy 14.2.A., Visiting Eligibility Guidelines.
2. All professional visitors will enter through the public lobby.
3. Professional visitors will check in with Central Control, at the control window, providing the following information to the Central Control Officer:

- a. Name(s) of visitors.
 - b. Who they are here to see.
 - c. Reason for the visit.
 - d. Agency/Organization they represent.
4. The Lobby Officer or Central Control Officer will log all above information into the JMS visitation/Inmate Person List section.
 5. All visitors will be required to show proof of identification by providing the following:
 - a. Photo driver's license.
 - b. Maine State photo ID.
 - c. Military ID.
 - d. Professional photo ID.
 6. Central Control will notify a Rover Officer of the visitor and issue the visitor a professional pass, taking his/her ID until the end of the visit.
 7. The Rover Officer will report to the lobby to greet the visitor checking all items s/he may need to bring into the facility.
 8. The visitor will be required to walk through the metal detector located in the lobby without an alarm sounding prior to entering the facility.
 9. In the event the visitor is not successful going through the metal detector, the escorting officer will give the visitor a chance to remove any metal that may be causing the alarm and walk through the detector again.
 10. If an alarm is still given, the officer will conduct a check using the handheld metal detector located in Central Control.
 11. If contraband is found, the officer will notify the Shift Commander and request her/him to report to the lobby.
 12. The Shift Commander will:
 - a. If non-criminal, decide if the visit will still be allowed.
 - b. If criminal, notify Sheriff's Department and preserved all evidence as stated in policy 8.10, Contraband.
 - c. Require all officers involved to write a report.
 - d. Forward all reports to the Assistant Correctional Administrator.
 13. If the handheld metal detector is unable to locate the potential contraband and an alarm is still given, the escorting officer will notify the Shift Commander and request s/he report to the lobby.
 14. The Shift Commander may require the professional be subject to a pat search before entering the facility as stated in policy 8.9, Searches
 15. In the event the Shift Commander requires a pat search and the professional does not wish to have one conducted, a Non-Contact Visit will be offered if the professional does not agree the visit will be denied and the visitor will be asked to leave.

16. If the professional agrees to the pat search, it shall be conducted in a manner to maintain the dignity of the visitor and by an officer of the same sex.
17. If contraband is found during the pat search, the Shift Commander will:
 - a. If non-criminal, decide if the visit will still be allowed.
 - b. If criminal, notify Somerset Sheriff's Department and preserved all evidence as stated in policy 8.10, Contraband.
 - c. Require all officers involved to write a report.
 - d. Forward all reports to the Assistant Correctional Administrator.
18. When the professional successfully passes through the metal detector or pat search, the escorting officer will escort the professional to the professional visiting room.
19. The officer will notify the housing unit the inmate is housed in and request the inmate be sent to visitation.
20. The officer will supervise the visitation area at all times when inmates are in it.
21. Upon completion of the visit, the officer will conduct, at a minimum, a pat search of the inmate and instruct him/her to return to his/her housing unit. The officer will notify the Housing Unit Officer via the radio that the inmate is returning.
22. The officer will escort the visitor out of the facility collecting his/her professional pass and returning his/her ID.
23. All professional visitors will exit the jail through the public lobby.

G Booking/Special Management Inmates

1. Inmates housed in the Booking Area will not be allowed personal visits until s/he is assigned a housing assignment from the Classification Department.
2. Upon being assigned a housing assignment, booking area inmates will follow policy 14.2.A., Visiting Eligibility and Registration Guidelines.
3. Inmates assigned to the Special Management Unit for a classification level of maximum security, administrative segregation or disciplinary segregation shall be afforded (1) one non-contact visit per week.
4. Special Management inmates will fill out a form 14.2 and forwarded it to the Classification Department.
5. The booking officer, assigned for the following overnight shift, will conduct a background check on all requested visitors entered on the Visit Schedule Form by the lobby officer, visitors may be denied visits for the following reasons:
 - a. Being on current bail conditions
 - b. Pending criminal charges.
 - c. If a protection order or other court order prohibiting contact in between the inmate and the requested visitor is in effect.
 - d. If a warrant for the visitor's arrest is currently active. Upon the visitor's arrival to the jail, the Shift Commander will contact local law enforcement to notify them of the situation.

- e. The visitor is currently under supervision of Probation and Parole, or a jail diversion program approved by the Sheriff.
 - f. The visitor has been released from custody of Somerset County Jail within the last sixty (60) days.
 - g. Any known convictions for Trafficking in Prison Contraband.
 - h. Any previously identified behavior during a visit which violated SCJ rules and regulations governing visits.
 - i. Any visitor of an administrative segregation inmate or stabilization unit inmate authorized for a contact visit, who is denied a visit because of 4a, 4b or 4e shall be offered a non-contact visit.
6. The Classification Department shall enter in the visitation section of the JMS if the inmate is allowed contact, non-contact visits or both.
 7. The Classification Department will review the administrative segregation or stabilization unit inmate's file checking for any security issues which may limit the inmate to non-contact visiting only, issues may include:
 - a. Escape Risk.
 - b. Past Violent behavior.
 - c. Suicidal.
 8. If the Classification Department detects a security risk, s/he will enter the visitors into the inmate's approved visitation list within the JMS, noting non-contact visits only.
 9. The Classification Department will notify the inmate in writing, that s/he has been approved for non-contact visitation only.
 10. A review of the inmates' status as it relates to visits will be conducted by the Classification Department and the Mental Health Staff every 14 days, noting any changes in the visitation section of the JMS.
 11. If the Classification Department detects no security risk, s/he will discuss the inmate with the Mental Health Staff for any mental health issues.
 12. In the event that Mental Health Staff has concerns about the inmate's mental health that would warrant restriction to non-contact visits only, the Classification Department will enter the inmate's approved visitors into the JMS, noting non-contact visits only.
 13. The Classification Department will notify the inmate as to the result of his/her request in writing.
 14. A review of the inmate's status as it relates to visits will be conducted by the Classification Department and the Mental Health Staff every 14 days, noting any changes in the visitation section of the JMS.
 15. If no security or mental health issues are noted, the administrative segregation or stabilization unit inmate will be approved for contact visits. The Classification Department will enter all approved visitors into the visitation section of the JMS.
 16. The inmate will be notified by the Classification Department of the result of his/her request and all approved visitors.
 17. The inmate may request to revise his/her visitor list on the 15th day of every month.

18. Visiting procedures for Special Management inmates will be conducted as stated in policy 14.2, Visitation Control.

H Special Visits (5B-03)

1. The Assistant Correctional Administrator may grant or deny permission for a special visit.(K.13)
2. Special visits may be approved for, at a minimum, one of the following circumstances:
 - a. Special holiday (i.e. Christmas, Thanksgiving, etc.)
 - b. Emergency circumstances (i.e. Death of a family member, etc).
 - c. As an incentive to the inmates.
3. Visitors will be approved for special visits following policy 14.2, Visiting Eligibility and Registration Guidelines.
4. Inmates and visitors will follow all visiting rules as stated in policy 14.2, Visiting Rules.
5. Visiting procedures for special visits shall be conducted as stated in policy 14.2, Visiting Control.
6. Inmates wishing to request a special visit shall forward a written request to the Assistant Correctional Administrator at a minimum of 5 days prior to the requested date stating:
 - a. Type of visit requested (i.e. Contact/non-contact).
 - b. Date requested for visit.
 - c. Names of visitors requested.
 - d. Date of births of visitors requested.
 - e. Reason visit should be considered for a special visit.
7. The Assistant Correctional Administrator will review all request for special visits, meeting with the inmate if necessary within 3 days to verify all needed information relating to the visit.
8. The Assistant Correctional Administrator shall forward a written response to the inmate stating his/her decision and reason for the decision within 4 days of receiving the request.
9. If the inmate is not satisfied with the Assistant Correctional Administrator's response s/he may forward a written grievance to the Correctional Administrator following procedures stated in policy 11.4, Inmate Grievances.
10. The decision of the Correctional Administrator shall be final.

I Contact Visit Rules (K.16)

1. All visiting rules, as stated in policy 14.204, Visitation Rules shall apply to contact visits as well as the additional rules listed below.
2. Inmates that don't meet the eligibility to be stripped searched as defined by the Attorney General's Office will sign a Strip Search Consent Form (Form 8.9a) before being allowed a contact visit.
3. Inmates choosing not to sign a Strip Search Consent Form (Form 8.9a) are only allowed non-contact visits.

4. Inmates and visitors will be allowed contact in the form of a short hug and kiss at the beginning and end of each contact visitation. No contact will be allowed during the visitation.
5. All inmates will be stripped searched at the completion of the contact visit.
6. Any violation of the rules stated in this policy or policy 14.2, Visitation Rules shall result in termination of the visit and/or disciplinary action.

J Visitor - Person under Eighteen (K.18)

1. Persons under the age of eighteen shall not be permitted to visit with an inmate(s) unless accompanied by the person's parent(s) or legal guardian with the following exceptions.
2. Emancipated minors or persons under the age of 18 with written permission from the person's parents or legal guardian will inform the Visit Clerk of their status when making their appointment and be prepared to FAX this documentation to the Visit Clerk prior to being approved for the visit.
3. Consent Form for Underage visitor to be escorted by other person.

K Video Visitation (K.17)

1. Video visitation may be provided as a part of the facility's visiting program as follows:
 - a. At a minimum, one hour of contact visiting every other weekend must be provided by the facility for minimum and medium security inmates;
 - b. Non Contact visits for inmates who pose a substantiated security risk may be through video conferencing;
 - c. Video visiting may be used as a substitute for visits with attorneys, legal, or religious advisors and the Maine Department of Corrections, when consented to by both visiting parties. When video visits are conducted with attorneys, clergy, and other professionals, these visits shall be treated as confidential visits;
 - d. Those facilities utilizing video conferencing to conduct visits need to maintain sufficient equipment, hardware, software, and networks necessary to provide a fully functioning video and audio conferencing system;
 - e. Those facilities utilizing video conferencing should include visiting rules and regulations, a schedule for video visits, a list of available remote off-site hosts where an inmate's family or friends have video conference access with the facility according to a schedule established by the facility.