RHODE ISLAND DEPARTMENT OF CORRECTIONS
POLICY AND PROCEDURE

	POLICY NUMBER:	EFFECTIVE DATE:	
	24.03-2 DOC	01/22/03	PAGE 1 OF 26
	REPEALS: 24.03-1 DOC 9.37 DOC	DIRECTOR: Please use BLUE ink. Ashbel T. Wall II	

SECTION:	SUBJECT:
MAIL, TELEPHONE, VISITING	VISITS

AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-1, Declaration of policy; 42-56-10(22), Powers of the director; § 42-56-18, Inmate furloughs; Wood v. Clemons, 89 F. 3d 922 (1st Cir. 1996)

REFERENCES: ACA Standard #'s 3-4440 (# of visitors); 3-4441 (informal communication and contact); 3-4441-1 (visiting information to inmates within 24 hours of commitment); 3-4442 (special visits); 3-4443 (extended visits w/families); 3-4444 (community furloughs); 3-4445 (visitor registration); 3-4446 (transportation info. for visitors); Rhode Island General Laws (RIGL) Chapter 20.6 (Smoking in public places); Chapter 20.7 (Workplace smoking pollution control act); § 11-25-14 (Conveyance of unauthorized articles to or from institutions); § 36-12-1, Definitions (Insurance Benefits); RIDOC policy #'s 3.14-1 DOC, Code of Ethics and Conduct; 1.05 DOC, Accountability and Procedures for Utilization of Community Agencies; Employees of Outside Organizations; and/or Volunteers; 1.01.07-2, Regulation of Smoking; 1.03.01-2, Access to Public Information by News Media Representatives; 20.01 DOC, Inmate Furloughs; 9.14-2 DOC, Detecting Contraband on or in the Possession of Inmates/Detainees (Including Frisk, Strip, and Body Cavity Searches); 9.37-1 DOC, Security and Control of Offenders at Outside Hospitals and Medical Clinics; 9.46-1 DOC, Narcotics Detection Program; 11.01-3 DOC, Code of Inmate Discipline; 13.02-2 DOC, Access to Institutional Facilities by Attorneys and Their Agents; 24.14 DOC, Meetings Between Inmates to Discuss Active Lawsuits; 26.01-2 DOC, Religious Programs and Services; Sandin v. Conner, 515 U.S. 472(1995); Kentucky Department of Corrections v. Thompson, 490 U.S. 454 (1989); DeWitt v. Wall, 2002 WL 1364250 (1st Cir. (R.I.)); Caraballo-Sandoval v. Honsted, 35 F.3d 521 (11th Cir. 1994)

INMATE / PUBLIC ACCESS?	X YES
AVAILABLE IN SPANISH?	X YES

Date of Public Notice: 08/11/2002 Date of Public Hearing: 09/13/2002 Last Effect: 12/12/2001

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RI SECRETARY OF STATE
ADMINISTRATIVE RECORDS

I. PURPOSE:

To establish rules and regulations governing visits at the Adult Correctional Institutions (ACI) of the Rhode Island Department of Corrections (RIDOC) which reflect not only the importance of prison visitation but also the need for security and order.

II. POLICY:

A. It is the policy of the Rhode Island Department of Corrections (RIDOC) to encourage inmates, in a manner consistent with sound security practices, to have regular social visits with relatives and other individuals in order to maintain close family ties and other positive relationships.

B. It is the policy of the RIDOC not to routinely restrict visiting to prescribed classes of persons such as inmates' relatives, friends, or prior acquaintances.

C. Minors must demonstrate they have the consent of their parent(s) or guardian(s) and must be accompanied by adults while visiting.

III. PROCEDURES:

A. Applicability

This policy applies to all employees, inmates at all RIDOC facilities, and visitors not covered by other policies [e.g., 1.03.01-2, Access to Public Information by News Media Representatives; 13.02-2 DOC, Access to Institutional Facilities by Attorneys and Their Agents; 26.01-2 DOC, Religious Programs and Services (or their successive policies)].

B. Departmental Standards for Visiting Rules and Procedures

1. Wardens shall establish the number of days and hours that visiting is permitted, the length of a single visit, the number of weekly visits per inmate, and the number of persons who may visit an inmate simultaneously.

2. Each facility's visiting rules and procedures shall provide each inmate at least three (3) visiting periods per week (A Category).

3. The facility visiting periods shall be at least one and one-half (1 1/2) hours in length.

4. Smoking is prohibited in all facilities' visiting areas, consistent with Rhode Island State Law and Departmental policy. In addition, all tobacco products are prohibited in all facilities' visiting rooms/areas.

5. Each Warden determines the degree of informality during visits, consistent with the facility's overall security requirements.

6. Visiting rules and regulations for inmates shall be posted in each block or living unit of the facility and shall include, but not be limited to, visiting hours and dress code.

   a. In addition, copies of this policy, Attachment 1 (Visitor Dress Code), and corresponding facility-specific procedures shall be posted in English and Spanish in facility visiting waiting rooms.

7. Each Warden ensures transportation schedules for public transportation are posted in a conspicuous location at the entrance or lobby of his/her facility.

8. All facility visiting rules shall be enforced.

9. Consistent with the Department's Code of Ethics and Conduct, Departmental employees will treat visitors to the RIDOC fairly, politely, and in a professional manner.

   a. Visitors wishing to file/submit complaints regarding treatment by RIDOC staff should submit them in writing to the facility Warden or designee.

   b. The Warden or designee will advise the visitor of his/her findings in writing.

10. In addition to items 1-9 above, the following basic rules and regulations pertain to all facilities of the RIDOC which allow <u>contact visits</u>:

    a. Inmates in disciplinary segregation are authorized visits with attorneys and clergy only.

b. Visitors who have not cleared background investigations (i.e., both BCI and NCIC checks) are not permitted to visit unless specifically approved by the Assistant Director of Institutions and Operations or designee.

c. Any visitor with a felony criminal record, pending charge, misdemeanor drug-related record and/or if the background check reveals a plea of nolo contendere or that s/he is on probation who is **not an immediate family member** will normally be denied visiting privileges.

NOTE: It is at the Warden's or designee's discretion to grant visiting privileges to a visitor who is not an immediate family member and has a non-drug-related misdemeanor record.

(1) Exceptions may only be granted by the Assistant Director of Institutions and Operations or designee.

(2) S/he will consider factors including, but not necessarily limited to nature of the felony and age of the criminal record.

(3) In the event the visitor is a co-defendant, visits will only be allowed with the inmates' attorney present, at a designated time, to be arranged by the attorney in consultation with the Warden or designee.

d. Any visitor with a felony conviction, pending charge, and/or if the background check reveals a plea of nolo contendere for a felony offense or that s/he is on probation for a felony offense who **is an immediate family member MAY** be granted visitation, contingent upon the approval of the Assistant Director of Institutions and Operations or designee. Immediate family, as pertains to visits by ex-offenders, is defined as parent, spouse (including common law), brother, sister, grandparent, child, and grandchild.

NOTE: In order to prove the existence and validity of a common-law marriage, the Rhode Island Department of Corrections (Warden or designee) considers the definition of a "domestic partner", consistent with RIGL § 36-12-1, as follows:

- Partners are at least eighteen (18) years of age and are mentally competent to contract.

- Partners are not married to anyone.

- Partners are not related by blood to a degree which would prohibit marriage in the State of Rhode Island.

- Partners resided together previous to the incarceration and have resided together for at least one (1) year.

- Partners are financially interdependent as evidenced by **at least two (2)** of the following:

    - Domestic partner agreement relationship contract by a lawyer.

    - Joint mortgage or joint ownership of primary residence.

    - Two (2) of the following:

        - Joint ownership of motor vehicle(s)
        - Joint checking account
        - Joint credit account
        - Joint lease; and/or

    - The domestic partner has been designated as a beneficiary for the inmate's will, retirement contract or life insurance.

However, the following restrictions apply:

(1) Pending charges: Visits will be limited to once per month.

(a) Exception: In the event the visitor is a co-defendant, visits will be allowed with the inmates' attorney present, at a designated time, to be arranged by the attorney in consultation with the Warden or designee.

(2) Felony convictions: Visits, if granted, will be limited to once per month until the visitor has demonstrated s/he was a law-abiding citizen for ten (10) consecutive years. This may be demonstrated in one of two ways:

(a) His/her (latest) felony conviction is more than ten (>10) years old (if not incarcerated for this felony conviction); or

(b) S/he was released from incarceration (at the RIDOC or any other correctional jurisdiction/institution) at least ten (10) years ago.

(3) The once-per-month restriction will be lifted following the 10-year period.

(4) Such visitors are subject to all other rules and regulations, search procedures, and registration requirements as outlined for each facility.

e. Visitors must show proper photo identification (ID) upon request, such as valid driver's license, valid military ID, passport, or valid ID's issued by the Departments of Transportation, Elderly Affairs, and Administration, Division of Motor Vehicles.

NOTE: Social security cards and Welfare IDs are NOT considered proper forms of identification. Birth certificates are acceptable for visitors under 18 years of age only.

f. Visiting occurs in designated visiting areas only.

g. Visitors shall travel designated routes to and from their visits.

h. No detours will be made, and visitors will not stop along the way to talk to anyone unless so instructed by authorized personnel.

i. Inmates' attorneys may visit inmates as frequently as necessary for the purpose of assisting their clients. (See policy # 13.02-1 DOC, Access to Institutional Facilities by Attorneys and Their Agents, or a successive policy.)

Similarly, clergy may visit with inmates, provided, however, such visits are coordinated through RIDOC's Chaplaincy Program, consistent with policy # 26.01-2 DOC (Religious Programs and Services), or a successive policy. If possible, attorney and clergy visits are to take place during normal visiting hours.

j. Kissing and embracing (of short duration) are limited to the commencement and completion of the visit.

k. Inmates' and visitors' hands are to be on or above the table at all other times.

l. No food may be brought into the facility (exceptions: Minimum Security/Work Release; however, drinks are not allowed at Minimum Security/Work Release).

m. Visitors will neither give articles to nor accept articles from inmates.

n. Inmates are not allowed to use vending machines.

o. No item will be accepted from a visitor for an inmate unless it has specifically been approved by the Warden or designee.

p. RIDOC's standard Visitor Dress Code may be found at Attachment 1. Additional dress requirements may be developed by facility Wardens.

q. Visitors and inmates will refrain from using loud, abusive, and obscene language.

r. Inmates and adult visitors are responsible for the behavior of children. Children must be supervised and cannot run or play loudly.

s. Departure from the Visiting Area by either the inmate or the visitor terminates the visit, except where there is more than one (1) adult visitor. In such cases, the inmate may remain in the Visiting Room until the second visitor leaves.

t. Inmates and visitors are subject to searches of their persons and effects.

u. All inmates are responsible for adhering to the specific visiting rules established in the facilities in which they reside. These rules are posted in each facility and are communicated to inmates upon commitment to the facility. The following general visiting rules apply to all inmates:

(1) Notification of Visit: All inmates will report directly and promptly to the Visiting Room when notified of a visit. Facility staff will not search for inmates who are not in designated locations.

(2) Inmate Search Procedures

(a) Prior to Commencement of Visits - All inmates entering the Visiting Room are subject to frisk- and/or strip searches prior to the commencement of visits.

(b) Following Visits - All inmates are subject to strip searches following visits.

(c) Inmate strip searches mentioned in (b)(1) and (2) above include following visits from attorneys and clergy who are NOT staff members of the RIDOC.

(d) All searches shall be in accordance with RIDOC policy #'s 9.14-2 DOC, Detecting Contraband on or in the Possession of Inmates/Detainees (including Frisk, Strip, and Body Cavity Searches), and 9.46-1 DOC, Narcotics Detection Program, or their successive policies.

C. Visiting Lists - A & T Population

1. Intake Service Center (Males)

a. Male inmates confined to the Intake Service Center (ISC) may have visitors placed on their visiting lists in either of two (2) ways:

(1) The visitor may call the facility to ask when s/he may visit the inmate. S/he may also simply arrive at the ISC.

(a) The visitor arrives at the ISC and reports to the Reception Desk on the appointed visiting day.

(b) S/he must present required identification to the Reception Officer.

(c) The Reception Officer conducts background checks (BCI and NCIC) on the prospective visitor.

(d) If the visitor clears the BCI and NCIC checks, s/he is placed on the inmate's visiting list and allowed to visit on the appointed day/time.

(2) An inmate may complete a visitor request form asking for an individual to be placed on his visiting list.

(a) Such requests are forwarded to the Superior Officer on the 1:00 p.m. - 9:00 p.m. shift.

(b) The Superior Officer or designee conducts background checks (BCI and NCIC) on the prospective visitor.

(c) If the visitor clears the BCI and NCIC checks, s/he is placed on the inmate's visiting list and allowed to visit on the appointed day/time.

2. Gloria DiSandro McDonald Building (awaiting trial females only)

   a. A & T Counseling staff provide instruction to inmates on completing BCI and NCIC request forms for adding individuals to their visiting lists.

   b. Inmates utilize interoffice mail to send the forms from the A & T wing to a designated custody staff member.

   c. The responsible staff person (usually a Utility Officer) conducts background investigations (both BCI and NCIC) on prospective visitors. This process usually takes between one and three days following receipt of the request.

   d. Individuals who pass the background investigations (BCI and NCIC) are allowed to visit during the inmate's assigned visiting period.

   e. Immediate family members who report to the facility with proper identification, but who are not on an inmate's visiting lists, may be allowed a one-time courtesy visit with the inmate.

3. A & T inmates' visiting lists are entered into RIDOC's computerized inmate tracking system and "follow" the inmates to other facilities once the inmates are sentenced and transferred out of either of the intake facilities.

D. Visiting Lists- Sentenced Population

1. When an inmate transfers from Awaiting Trial to sentenced population [Admission & Orientation (A&O)], the existing visiting list (which originated in the intake facility) transfers with him/her.

2. **It is the responsibility of the receiving facilities to verify both BCI and NCIC checks have been conducted on visitors whose names appear on visiting lists that originated in either of the intake facilities.**

3. During A&O, inmates have the opportunity to add to their visiting lists, up to a total of nine (9) persons, which is the maximum number of visitors allowed the sentenced population at all facilities, except that up to two (2)

additional names will be allowed on the visiting list beyond the normal nine (9), limited to mail money deposits only.

a. The maximum number of visits (9) has been determined to be manageable given the visiting space available in each facility, the time element, costs, and staff involved in performing BCI and NCIC investigations, and visiting history of the "average" inmate. As is the case in Awaiting Trial, mothers and fathers are counted as one, and minor children are not counted, but are allowed to visit.

4. The inmate shall give to the Housing Officer or A&O Counselor a list of prospective visitors (including full names, addresses, dates of birth, and relationships) to forward to the Reception Desk Officer, who conducts BCI and NCIC investigations.

NOTE: When a background (BCI and/or NCIC) check reveals more than one individual with the same name and date of birth, the prospective visitor may be asked for his/her social security number in order to facilitate the investigation.

a. The facility Administrator designates (a) specific staff member(s) who is/are responsible for adding to the visiting list the names of those individuals who clear BCI and NCIC investigations.

b. The names of those individuals who do not clear BCI and/or NCIC investigations are forwarded to the Assistant Director of Institutions and Operations or designee. S/he makes a determination as to whether or not they will be allowed to visit.

5. No prospective visitor is allowed entrance into an facility until s/he is cleared by BCI and NCIC or approved by the Assistant Director of Institutions and Operations or designee.

6. Each Warden or designee assigns (a) specific staff member(s) to maintain a list of approved visitors. Generally, the responsible staff member is the Reception Desk officer. However, the Warden or designee may alter this designation, at his/her discretion.

7. Visits with approved individuals shall commence on the inmate's next scheduled visiting day.

8. Inmates may delete persons from their visiting lists via Request Forms ("pink slips") only. Additions to visiting lists are accomplished through Counselors or procedures established in each facility.

   NOTE: Under normal circumstances, requests to remove individuals from visiting lists are initiated by inmates. Exceptions may be granted (i.e., a visitor may request removal of his/her name from an inmate's visiting list) by the Warden or designee. When a visitor is removed from one inmate's visiting list, s/he must wait thirty (30) days before being added to another inmate's visiting list unless approved by the Warden.

9. When an inmate comes directly into A&O or is court-ordered to a specific facility without first being detained at the ISC, s/he is given an opportunity to develop a visiting list during the A&O process.

10. Visitors may only appear on one (1) inmate's visiting list without the approval of the Director or Assistant Director, Institutions and Operations. The only exception is where the visitor is an immediate family member of more than one (1) inmate confined at the ACI. In this event, the visitor may be placed on each of the inmate's visiting lists. If the inmates are in the same facility and on the same visiting schedule, the Warden or designee may allow the visitor to visit more than one (1) inmate at a time.

E. Visitor Registration and Search Procedures

1. Approved visitors shall report to the appropriate facility's Reception Desk on the scheduled visiting day and properly sign the Visiting Register. The Register shall include visitors' names, addresses, and relationships to inmates, as well as purpose of the visits, inmates' names, and current date and time, and should include minor children.

2. Visitors shall present proper photo identification to the Reception Desk Officer. S/he shall ensure visitors' names appear on the approved visiting list and that specific inmates are, in fact, scheduled for visits on that day. Once this information is verified, visitors are allowed to proceed.

3. Visitors are subject to background re-checks (BCI and NCIC) as determined by the Warden/designee(s).

4. All visitors are subject to screening by narcotics detection equipment, consistent with policy # 9.46-1 DOC, Narcotics Detection Program, or a successive policy.

5. ALL visitors are required to successfully pass through the metal detector before gaining entrance into a facility.

6. Visitors may be required to submit to a mechanical search (hand frisker or metal detector), pat search (conducted by a correctional officer of the same sex), and/or search using narcotics detection equipment at any time.

7. Each Warden ensures a sign is conspicuously posted in the lobby or other entrance with the following notice: "ALL VISITORS ARE SUBJECT TO SEARCH. THIS SEARCH MAY INCLUDE A VISUAL INSPECTION OF THE VISITOR'S OPEN MOUTH". This message will appear in English and Spanish.

8. Visitors who are unable to clear the metal detector may be asked to remove and submit for examination by a staff member outer articles of clothing that may cause a high reading. Refusal to comply results in denial of the visit.

9. A visitor who is denied entrance or asked to leave is told the reason for such action, except when it is deemed that to specify the reason may jeopardize security interests or the safety of any individual.

    a. Where the problem is something that clearly can be remedied, the visitor may be told s/he may return to the facility at some specified time in the near future (once s/he has proper identification or is appropriately dressed, for example). In cases where this is not applicable, the visitor is told to contact the Warden before returning to the facility.

    b. The officer(s) responsible for denying entrance or terminating a visit shall, except where such denial or termination is based on prior order of the Warden, file an incident report with the Warden prior to the end of the shift. This report includes the names of the visitor and the inmate-visitee, the time of denial or termination, the reason(s) for denial or termination, and whether the visitor has

been informed s/he may return at some specified time in the near future or upon satisfaction of some condition.

10. Warden's Review: The Warden or designee promptly reviews all visitor incident reports and conducts a factual investigation, to include contact with the person who has been denied visiting privileges. After such review, and within one week of receipt of the incident report, the Warden does one of the following:

a. In a case where the visitor has been told s/he may return to the facility at some specified time or upon the satisfaction of a stated condition, the Warden takes no action, thus allowing the resumption of visits to occur.

b. The Warden notifies the visitor s/he may return to the facility to resume visiting.

c. The Warden notifies the visitor in writing that s/he may resume visiting under specified conditions.

d. The Warden notifies the visitor in writing that visiting privileges are suspended for a specified period, up to one (1) year, and that s/he may reapply for admission at the end of the period or that readmission will be automatic.

(1) The written notice shall contain a statement of the reason(s) for the Warden's action, except when in his/her opinion specifying the reason(s) may jeopardize security interests or the safety of any individual. A copy of each such notice is sent to the Assistant Director of Institutions and Operations and/or designee, and a copy is given to the inmate who is visited by the individual.

e. Every Warden's written notice, described in c. and d. above, shall advise the visitor s/he may seek a review or reconsideration of the barring, suspension, or restrictions by the Warden by sending him/her a letter within fifteen (15) working days.

(1) The visitor's letter should include a detailed narrative describing the incident and setting forth the reason(s) the

visitor feels the bar, suspension, or restriction should be lifted.

f. The Warden reviews any visitor's letter and normally responds within two (2) weeks to a letter seeking review or reconsideration of any bar, suspension, or restriction still in effect.

g. The Warden may take any action s/he deems necessary to resolve questions raised by a visitor's letter including, but not limited to, additional investigation of the facts; consultation with the Assistant Director of Institutions and Operations, Department's Legal Counsel; or conducting an informal meeting. After his/her review, the Warden may eliminate, reduce, or modify the specific limitation on visiting. No person is penalized for exercising his/her rights of appeal provided by these regulations.

h. Before the Reception Desk Officer excludes a professional visit, the Warden, Deputy Warden, or Shift Commander is consulted. The person so consulted speaks with the Assistant Director of Institutions and Operations or designee regarding professional visits prior to any bar. The Warden then makes the decision as to whether exclusion is appropriate. Within fifteen (15) working days of any such exclusion, the Warden takes any of the actions listed in the section entitled "Warden's Review". In addition to the right to seek reconsideration or review by the Warden, the attorney or official may immediately appeal any exclusion to the Director or designee.

i. This Department's Inmate Facility Tracking System (INFACTS) includes information relative to barred and suspended visitors. Wardens ensure this information is entered accurately and in a timely manner. Whenever an inmate whose regular visitor is suspended is transferred to another RIDOC facility, the visitor may apply to the Warden of the receiving facility for permission to visit. The Warden of the receiving facility may allow the visit or deny visitation for a period not to exceed the original suspension.

11. Drug-Related Offenses by Inmates: An inmate's behavior within the facility may affect his/her visiting status. Any offense that is drug-related may result in an inmate's visiting privileges being suspended for a period

of time. **Reference RIDOC's Code of Inmate Discipline policy (# 11.01-3 DOC or a successive policy) for specific information.**

F. Removal or Suspension from Visiting Privileges

1. Visitors who violate any State Law, Departmental or facility policy, or pose a threat to the security of the facility may be suspended or removed from visiting privileges. Correctional staff shall immediately report such infractions to the Warden or designee.

2. Conveyance of Contraband: Any visitor apprehended trying to convey contraband into the facilities, including external perimeter grounds of the RIDOC and/or vehicles assigned to the RIDOC, shall face criminal prosecution in accordance with RIGL § 11-25-14.

3. Nothing in these regulations in any way impairs the Warden's or the Assistant Director of Institutions and Operations' authority to exclude a visitor whenever, in their opinion, allowing that person to visit would be injurious to the best interests of the facility.

G. Inmate Visitation by Former RIDOC Employees

1. Former employees are not allowed visitation privileges within the Department if they were dismissed or resigned under the following circumstances:

   a. Indulging in undue familiarity with offenders over whom they had decision-making authority.

   b. Discussing his or her personal affairs with an inmate(s) verbally or in writing.

   c. Borrowing anything from or lending anything to an inmate.

   d. Accepting gifts or personal services, bartering or trading with any inmate, inmate family member, or visitor. This includes cards, letters and telephone calls.

   e. Conveying drugs or contraband.

f. Using their knowledge of the prison system to circumvent policy.

g. Other acts of misconduct, including, but not limited to, personal behavior that undermines security or corrective treatment.

2. Such former employees receive written notification from the Office of Inspections specifying the reason(s) for denying visits.

3. Requests for visitation by former employees who resign under circumstances other than those listed in #1 above, as well as requests made by former contract employees, former volunteers and any other former service providers, are reviewed by the Office of Inspections.

   a. Requests should be made in writing and submitted to the Office of Inspections, who notifies the Warden of the affected facility.

   b. Anyone aggrieved by an adverse decision of the Office of Inspections may make a written request for reconsideration to the Director of Corrections or designee.

4. These guidelines are not intended to restrict visiting privileges of former employees or other service providers who may have immediate family members who are incarcerated.

   a. However, RIDOC's Code of Ethics prohibits the development of relationships between correctional employees and members of the offender population that cross professional boundaries.

   b. Consequently, former RIDOC employees who met and developed personal relationships with offenders over whom they had decision-making authority during the course of their employment are prohibited from visiting.

5. A master list of former employees not allowed visiting privileges is maintained (i.e., developed and kept up to date) by the Office of Inspections and distributed to the Wardens.

   a. Requests for exceptions may be made in writing and submitted to the Office of Inspections, who notifies the Warden of the affected facility.

b. As stated above, anyone aggrieved by an adverse decision of the Office of Inspections may make a written request for reconsideration to the Director of Corrections or designee.

H. Inmate Visitation by Current RIDOC Employees - When a current RIDOC employee wishes to visit an incarcerated offender, s/he must:

1. Inform his/her immediate supervisor; and

2. Obtain approval from the affected facility's Warden or designee.

a. The Warden/designee considers such requests on a case-by-case basis and communicates his/her decision to the:

(1) current employee who wishes to visit; and

(2) affected facility's Reception Desk Officer.

I. Special Visits

The following categories represent circumstances and procedures for allowing special visits, beyond the normal visiting program as outlined in this policy.

1. Visits to Hospitalized Offenders

a. Visits to inmates at outside hospitals by other than clergy- and attorneys-of-record are not permitted unless:

(1) the inmate has been diagnosed as terminally ill;

(2) death is imminent; or

(3) the period of hospitalization exceeds two (2) weeks; and

Exception: Female inmates who give birth and are hospitalized for less than two (2) weeks may receive visits from immediate family (to include domestic partners).

(4) the visitor(s) is/are immediate family member(s).

b. The Assistant Director of Institutions and Operations may approve visits to hospitalized offenders under "special circumstances", not specified above, on a case-by-case basis, as s/he deems appropriate.

c. Approved Visiting Lists

(1) While at an outside hospital, sentenced inmates' visits are limited to immediate family on approved visiting lists.

(2) Immediate family may also visit hospitalized offenders who are on Awaiting Trial status, and not housed at the intake facility long enough to receive visits and establish approved visiting lists.

(3) Visitors shall present proper photo identification to correctional staff. S/he shall ensure visitors' names appear on the approved visiting list and that specific inmates are, in fact, scheduled for visits on that day. Once this information is verified, visitors are allowed to proceed.

d. Visiting Hours for offenders confined at outside hospitals are from 1:00 PM to 3:00 PM, Monday through Friday.

NO SATURDAY, SUNDAY, OR EVENING VISITS ARE ALLOWED

e. Hospitalized offenders are not allowed more than two (2) visitors at any time. If hospital authorities request that only one visitor be allowed at a time, this more restrictive rule will be followed.

f. Terminally Ill Offenders - Exceptions to established limitations (times, frequency, number of visitors) may be made for offenders who are diagnosed as terminally ill. Any exceptions must be approved by the appropriate manager (i.e., Warden or designee) prior to the visit.

g. No items may be brought in by visitors.

h. A hand-held metal detector is used to search all visitors. FAILURE TO COMPLY RESULTS IN DENIAL OF VISIT.

(1) All visitors are required to sign a "Visitor Consent to Search Form" (Attachment 2).

i. Visitors are not allowed to sit or lie on offenders' hospital beds.

j. Professional visits: Offenders' clergy- and attorneys-of-record may visit at any time during an offender's hospitalization.

k. A search of the offender's person, bed area, and room is conducted after the termination of any hospital visit.

l. Attachment 3 contains a brief list of rules and regulations for hospitalized offenders and their visitors. A copy will be given to the offender once s/he has signed the form, unless because of his/her illness/injury, s/he is unable to sign.

2. Long Distance Visits:

a. Occasionally an inmate's family member or friend who is not on the approved visiting list may travel a long distance to visit, but arrive at a time and/or day NOT scheduled as a visiting period for that particular inmate. In such instances, approval to visit may be granted by the Warden or designee of the facility on a case-by-case basis.

b. Any distance exceeding a radius of seventy-five (75) miles from Cranston, Rhode Island, is considered long distance for visiting purposes.

c. Long distance visits are limited to four (4) "instances" per calendar year.

For example, if a visitor arrived from California for a 2-week stay, s/he could visit more than once during that 2-week period. His/her multiple visits would count as one (1) "instance".

Likewise, if that same visitor visited only once during his/her 2-week stay, that single visit would also be considered one "instance".

d. However, if the long distance visitor is remaining in the area and wishes to visit again, all subsequent visits will occur on the inmate's regularly scheduled visiting days/times.

e. The long distance visitor is subject to the same rules and regulations as regular visitors (e.g., BCI and NCIC checks).

f. Arrangements are made by the Shift Commander to accommodate the visit, after approval of the Warden or designee.

g. Time allowed for such visits is at the discretion of the Warden or designee, based upon security and scheduling constraints (counts, feedings, etc.).

3. B and C Status Inmates

a. Inmates classified B or C Status are allowed one (1) visit per week.

(1) All C Status visits are non-contact and conducted via telephone communication, whereby the inmate is separated from the visitor by a glass security panel.

b. All B and C Status visits are held in an area approved by the Warden or designee.

c. B and C Status visiting periods do not exceed one (1) hour and fifteen (15) minutes.

d. All visitors of B and C Status inmates are subject to the facility's rules and regulations.

e. B and C Status inmates' attorneys and clergy may visit consistent with RIDOC policies cited in item III.A., Applicability. However, advance notification should be given whenever possible.

4. Professional Visits: Attorneys and their agents (law students, paralegal, legal assistant, investigator, interpreter) visits are not covered by this policy. See policy # 13.02-2 DOC (or its successive policy) for access by attorneys and their agents. Other professionals, as defined below in subparagraph a., who in the course of performing their official duties must

visit individual inmates, are allowed to visit said inmates at any time during the normal working day.

a. Professional visits include clergy (policy # 26.01-2 DOC or a successive policy), law enforcement officers, social workers, community health care workers (including psychiatrists), or others approved by the Warden.

b. Occasionally, and with permission of the Warden, professional visitors may be allowed to visit at times not generally considered to be part of the normal workday, provided advance notice is given.

(1) These exceptions are granted to accommodate the professionals' time schedules and need to interact with inmates.

c. In all cases of professional visits, the professional and the inmate are allowed to visit in an area other than the normal Visiting Room, and they are afforded privacy. (i.e., while they may be observed by correctional staff, conversations may not be monitored).

(1) The Warden of each facility designates an area to be utilized for visits by lawyers, clergy, etc.

d. All professional visitors are subject to the same rules and regulations as regular visitors.

e. No individual (including law enforcement officers entering the facilities for the purpose of interviewing a particular inmate) is ever allowed to enter while in possession of a firearm or other weapon.

(1) All weapons shall be properly cleared and checked at the facility's Control Center or gun locker, where provided, prior to entrance.

f. Professional visitors may be excluded from visiting only for good cause and per order of the Warden, or in his/her absence, the Deputy Warden or the Assistant Director of Institutions and Operations. (Reference item III.E.10.h.)

5. Protective Custody (PC) Inmates: Individuals in Protective Custody status are afforded the same visiting privileges and are subject to the same visiting rules and regulations as the general population of the facility in which they reside.

6. Extended Visits: The Director and/or designee may authorize extended visiting privileges, other than normal visits on facility grounds, consistent with existing Departmental policies and/or programs/practices.

J. Temporary Suspension of the Visiting Program

Recognizing the importance and benefits of the visiting program, every effort is made to ensure its normal continuation and operation. There may be times, however, when circumstances arise which could lead to a temporary suspension of the visiting program at a particular facility or system-wide.

1. In the event of an emergency situation, such as a major employee job action, inmate disturbance, lockdown, or other such serious event, the Warden or his/her superior are the only individuals authorized to suspend the visiting program.

2. Whenever the visiting program is suspended, either at a particular facility or system-wide, every attempt is made to notify the general visiting public of the suspension via the major news media outlets, as well as subsequent information related to the resumption of the program.

   a. During an extended period of suspension, a special telephone number is designated and staffed to provide information concerning the suspension and resumption of the visiting schedule.

   b. Every attempt is made to resume the visiting program as quickly as possible within the mandates of facility security and control.

3. The Warden or his/her superior resumes the visiting program as soon as possible, following the resolution of the emergency or situation that prompted its suspension.

K. Facility-Specific Visiting Rules and Procedures

1. The general philosophy, policy, and procedures contained herein apply to all facilities comprising the RIDOC.

2. Each Warden, subject to the review and approval of the Assistant Director of Institutions and Operations, develops written visiting rules and procedures, tailored to his/her facility, which are consistent with the Departmental standards contained in this policy.

   a. The Warden also ensures a 1-page "visitor information" sheet is prepared and available to visitors at the Reception Desk along with copies of the Visitor Dress Code (Attachment 1).

3. Facility-specific visiting rules shall be submitted to the Assistant Director of Institutions and Operations within sixty (60) days of receipt of this policy.

4. At a minimum, facility-specific rules and procedures are consistent with Departmental policy for visitation and address the following:

   a. Specific hours of the day and days of the week when visiting is permitted;

      NOTE: The visiting schedule is regulated by each facility's scheduling, space, and personnel constraints to ensure normal and orderly operations.

   b. Limitations on the number of weekly visits an inmate may have;

   c. Limitations on the duration of a single visit;

   d. Limitations on the number of persons allowed to visit an inmate at any one time;

   e. When an inmate is unavailable for a visit, the Reception Desk Officer informs the visitor of the reason(s) for the inmate's unavailability and when s/he is likely to be able to resume visits.

Example #1: Inmate John Doe is currently in segregation and, therefore, cannot visit. However, he is scheduled to be released from segregation in 10 days. He should be able to resume visits on Month/Day/Year.

Example #2: Inmate Jane Doe is out at a clinic appointment and, therefore, unavailable to visit. She should be able to visit on her next scheduled visiting day - Month/Day/Year.

f. Procedure for checking personal effects before entering the visiting area;

g. Procedure for conveying parcels and funds to inmates;

h. List of articles which visitors may carry into or out of the facility;

NOTES:

- Visitors are prohibited from bringing tobacco products into any facility.
- Jewelry (other than wedding bands, engagement rings, and/or medical alert items) is prohibited in all facilities.
- Money should be specifically addressed.

i. Consequences of conveying contraband (weapons, alcohol, controlled substances, etc.) -- possible loss of visiting privileges and criminal prosecution, and if convicted, legal penalty -- may be imposed.

NOTE: Such a statement will be included in the facility's rules and procedures and shall also be posted conspicuously in the entrance or lobby (English and Spanish).

j. Approval of visitors and development of visiting lists for inmates in Awaiting Trial status.

5. Separate Housing Units: Where appropriate, facility-specific visiting rules and procedures shall address separate categories of housing units under

the Warden's jurisdiction. At a minimum, separate housing unit visiting rules address:

a. Designated visiting area;

b. Devices precluding physical contact which may be necessitated by security requirements;

c. Time, length, and frequency of visits;

d. Special visits from attorneys and clergy;

e. Special visiting provisions, including advanced scheduling, where necessary.

RHODE ISLAND DEPARTMENT OF CORRECTIONS
ADULT CORRECTIONAL INSTITUTIONS

VISITOR DRESS CODE

Visitors to any RIDOC facility are **prohibited** from wearing:

- See-through clothing of any kind
- Tight-fitting or athletic type clothing
- Clothes with holes, rips, tears (clothing must be completely intact)
- Clothing with the pockets torn out or torn so as to allow access beneath the garment
- Camouflage garments
- Military clothing (authentic and look-alike)
- Jewelry other than wedding bands and/or engagement rings and/or medical alert jewelry
- Underwire bras or clothing with metal buttons and buckles which cannot be removed and set off the metal detector
- Clothing which, in the opinion of the Visiting Room Lieutenant, appears provocative or inappropriate
- Clothing which closely resembles Correctional Officer or law enforcement uniforms (police, sheriffs, marshals, etc.)
- Khaki, beige, or any clothing which could be mistaken for inmate clothing
- Hats, headbands and/or hooded clothing
- Metal hair ornaments
- Low-cut and/or V-neck sweaters, blouses, shirts
- Sleeveless garments
- Blouses or shirts too short to tuck in; blouses or shirts which expose the midriff
- Tank, halter, and/or "tube" tops
- Skirts, dresses, and/or shorts with slits that reach two inches or more above the knee
- Spandex, stirrup, sweat and/or "swish" pants
- Farmer jeans

Exceptions: Children under twelve years of age may be allowed to visit if wearing shorts, skirts, and/or dresses shorter than mid-thigh; rompers; sleeveless shirts; etc. Visiting Room Lieutenants' discretion will prevail.

In addition:

- Undergarments must be worn by all visitors.

FAILURE TO COMPLY WITH THIS DRESS CODE MAY RESULT IN DENIAL OF VISITS.

RHODE ISLAND DEPARTMENT OF CORRECTIONS

VISITOR CONSENT TO SEARCH

I, _____, of
Visitor's Name

_____,
Visitor's Address

desire to visit _____,
Name of Offender

presently confined in the custody of the Department of Corrections at _____

_____.
Name of Hospital

In exchange for the privilege of visiting, I hereby consent to a non-invasive search of my person and effects that may include a hand-held metal detector by employees of the Department of Corrections, State of Rhode Island and hereby waive my claims as a result of said search, against the Department of Corrections, State of Rhode Island, its staff, agents, and servants.

_____ _____
Visitor's Signature Date

_____ _____
Witness's Signature Date

Distribution
Original - Inmate's File
Copies - Security Specialist
Warden/designee

RHODE ISLAND DEPARTMENT OF CORRECTIONS

RULES AND REGULATIONS FOR HOSPITALIZED OFENDERS AND THEIR VISITORS

DUPLICATE TO BE GIVEN TO OFFENDER

You (the hospitalized offender) are to familiarize yourself with the following rules and also alert those people in your immediate family who you will want to visit you in the hospital.

1. *While at an outside hospital, your visits shall be from 1:00 p.m. to 3:00 p.m., Mondays through Fridays. NO SATURDAY, SUNDAY, OR EVENING VISITS ARE ALLOWED.*

2. *While at the hospital, you may be visited only by immediate family on your approved visiting list, and you may have only two (2) authorized visitors at one time. If the hospital requests you be allowed only one (1) visitor at one time, we will honor that request.*

3. *No items may be brought in by your visitors.*

4. *No visitors are allowed to sit or lie on the hospital beds.*

5. *All visitors are subject to search (metal detector, pat down, and/or narcotics detection equipment).*

I, _____, have read and understand the above rules and regulations, and I will notify my immediate family as to who may visit, the visiting schedule, and any other rules which they must follow.

_____ _____
Offender's Signature Date
(unless unable to sign due to illness or injury)

I acknowledge that I have given a copy of these rules to the offender.

_____ _____
Witness's Signature Date

Distribution:
Original – Offender's Institutional File
Duplicate – Offender

RECEIVED
JAN 02 2003
RI SECRETARY OF STATE
ADMINISTRATIVE RECORDS