

Policy Considerations: Visitation

The intent of this policy consideration is to evoke discussion within your jurisdiction regarding best practices and key elements to include in policies and procedures. Jurisdictions should consider these policies in the context of their unique juvenile justice system structure; state and local mandates; risk tolerance level; and other individual needs.

Throughout the policy considerations the acronym “PP” is used. This stands for “policy and/or procedure.”

General

- The PP clearly states the purpose/intent of policy and/or procedure and how it links to the agency mission (i.e. Research shows visitation and positive family involvement are associated with better youth behavior and outcomes for youth)
- The PP includes basic information such as:
 - Name of policy and/or procedure owner (department, position, title)
 - Clear definitions of all key concepts related and that appear in policy and/or procedure (i.e. contraband, significant other, etc.)
 - References to other relevant agency policies, state administrative rules, federal mandates, and agency forms related to the specific policy and/or procedure
- The PP will be available to staff for review.
- The PP reviewed for revision/modifications at least annually.

Visitation Structure

- The PP affords youth the right to have approved visitors and the right to refuse visitors.
- The PP outlines and defines individuals that may be approved visitors in broad terms (i.e., term “family member” shall include parents/guardians, youth’s child(ren), positive support individuals).
- The PP requires visitation schedules be developed to support youth and family needs, including making accommodations outside regular visiting hours for these visits to occur.
- The PP requires creative solutions and resources to facilitate family visits – i.e. providing funds for transportation to the facility, video conferencing, weekend/night time hours, etc.
- The PP outlines specific behaviors that are prohibited during visitation – i.e. sexual behavior or sexual contact.
- The PP requires facility to post visiting rules and expectations in common areas and visitation area. The postings shall be translated into other languages besides English that are prominently spoken in the community.
- The PP requires staff to inform youth and visitors of visiting rules, policies, and protocols prior to visitation.
- The PP requires all visitors to sign in/register upon entering the facility. The visitation records shall be retained for a minimum of one (1) year.
- The PP requires all approved visitors to sign and agree to the facility’s visitation and expectations guidelines. If visitors are not in compliance with rules/guidelines, staff shall

provide assistance to resolve issue (i.e. providing clothing to visitor in unacceptable clothing).

- The PP requires adult visitors to show a picture identification upon entry into facility.
- The PP requires that visitation areas are set up in way that allows for communication and an opportunity for appropriate physical contact (unless a specific security risk exists).
- The PP requires each facility to have a location available for legal visits that will honor the attorney-client privilege (i.e. privacy).
- The PP allows attorneys/legal counsel to bring in materials that assist them in representing their clients (for example, legal files, laptops, etc.).
- The PP requires each facility to have a location available which is appropriate for small children or younger visitors, as needed.
- The PP require the facility to provide family friendly activities for young visitors and provide materials to engage youth and families (i.e. books, games, and interactive toys).
- The PP requires children under the age of 18 to be directly supervised during visitation by an approved adult.
- The PP prohibits staff from using personal cell phones to facilitate visitation.
- The PP requires staff to accommodate families who English is their second language – i.e. accessing interpretive services, allowing translators to accompany family during visit, etc.
- The PP describes procedures for special visits – i.e., visits occurring outside of defined visitation hours, supports visits (virtual) between youth and incarcerated family member.

Approving Visitors

- The PP allows visitation from approved individuals including but not limited to: Parents, siblings, children, legal guardians, members of stepfamilies, surrogate parents, extended family members, lawyers, non-family community members (supports), etc.
- The PP broadly defines the term “family”. The PP allows youth and families to define who is considered “family.”
- The PP assigns a specific staff member(s) or team of individuals for reviewing, modifying, and approving list of visitors.
- The PP describes process and criteria considered when approving visitors.
- The PP requires an updated list of approved visitors to be maintained (indicates by whom and where this list will be housed).

Monitoring Visitation

- The PP directs staff to treat families with respect and dignity while monitoring the visiting room.
- The PP requires all visitors to be properly screened as per agency/facility policy (i.e. pass through the metal detector) and all belongings be secured in an individual locker.
- The PP state that visitors and their belongings may be subject to search prior to the visit.
- The PP requires staff to monitor all visits in person (i.e. cameras may supplement this supervision but must not replace in-person monitoring).
- The PP limits the number of visitors in the visiting room at one time and/or limits the number of visitors any youth can have at one time (for example: three individuals per youth).

- The PP requires staff to monitor visits and describes what effective monitoring looks like.
- The PP outlines in what circumstance a visit must be terminated and provides guidance on how this can be done appropriately (i.e. if contraband such as tobacco is seen passed between youth and visitor, etc.).
- The PP directs staff to document visits that are terminated and informs staff where to document this information (i.e. incident report).
- The PP requires all youth to be pat searched prior to returning to the living unit.
- The PP sets expectation regarding gathering feedback from parents/guardians and youth regarding visits and how it will use this information to improve the visitation experience.
- The PP requires youth be afforded a private area for youth to communicate with their attorney.
- The PP permits youth on disciplinary status to have visits unless such visits would pose an immediate threat to the safety and security of the facility.
- The PP provides alternative ways of visiting (for example, video visitation).

Visiting Restrictions

- The PP clearly explains in which circumstances a visit may be restricted (i.e. visitor violated facility/agency rules, policies or procedures; there is documented evidence that the visitor poses a threat to youth, staff, and facility safety; the youth or the youth's parent or legal guardian has requested that the person not visit; etc.)
- The PP prohibits restricting or denying visitation as a consequence for youth's behaviors, unless deemed not safe.
- The PP requires staff to document when a visit is canceled due to safety reason (i.e. youth is a threat or harm to self or others; visitor under the influence of drugs or alcohol, etc.) and describes where this information should be documented in the event this occurs.
- The PP requires staff to notify the manager on duty (or officer of the day after hours) when a visit is canceled.
- The PP explains how youth and visitors will be informed of future visitation restrictions – i.e. verbally and in writing following the decision to restrict visitation (i.e. reason, types, the appeal process, etc.)
- The PP allows youth visitors to formally appeal the restriction of visitation and provides details on this process (i.e. appeal letter must be sent directly to the Superintendent or Division Director, etc.)
- The PP allows youth and/or visitors to have a second level of appeal and describes what this process looks like (i.e. send a letter to the Division Director?)