

	WEST VIRGINIA DIVISION OF JUVENILE SERVICES	<u>POLICY NUMBER:</u> 510.00	<u>PAGES:</u> 6
<u>CHAPTER:</u> Juvenile Services	<u>REFERENCE AND RELATED STANDARDS:</u> WV Code Chapter §49-2-903; ACA 3-JTS-5H-12 thru 5H-18 and 5H-15-1; ACA 3-JDF-5G-12 thru 5G-15 and 5G-14-1; ACA 3-JCRF-5G-06/07/08; PbStandards – Programming 4-5		
<u>SUBJECT:</u> Resident Visitation			
<u>DATE:</u> January 1, 2016			

PURPOSE

This Policy is to establish guidelines for the Division of Juvenile Services regarding visitation of residents in its facilities. All facilities will provide reasonable visitation privileges to their residents while maintaining safe and secure operations.

CANCELLATION

This Policy has been revised and supersedes Policy 510.00 dated July 1, 2015.

APPLICABILITY

This Policy applies to all Division of Juvenile Services’ residential facilities.

PROCEDURES

1. Residents shall have the right to receive visits, subject only to the limitations necessary to maintain facility order and security.
2. Visitation will be coordinated and/or scheduled by the Visitation Coordinator, who is appointed by the Facility Superintendent/Director.
3. Visitation rooms shall permit informal communications, including opportunity for physical contact.
4. All residents will submit a list of names to be added to their approved visitation list.
 - a. The Visiting Request form (Attachment #1) shall be completed by the individual wishing to visit and be forwarded to the Division Director or designee at 1200 Quarrier Street, Charleston, WV 25301.

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- b. Upon receipt of a completed Visiting Request form, an NCIC search will be conducted to help determine visitation eligibility. Within thirty (30) days of a resident's initial intake, the Facility Superintendent/Director may approve a one-time visit prior to completion of the NCIC background check.
 - c. The results of the NCIC search will be reviewed by Central Office. All results will be recorded into OIS for the Facility Superintendent/Director to approve or deny visitation. Any visitation by a registered sex offender must be approved by the Division Director or designee.
 - d. All NCIC searches will be valid for one year only. All visitors must reapply for visiting privileges each year by submitting a new Visiting Request form, as stated in section 4.a. above.
 - e. The Visitation Coordinator will be responsible for notifying their current residents' approved visitors when their one-year deadline is approaching.
 - f. All visitors under the age of twenty-one (21) will have their information processed through the Division's resident database for former residency. All results will be entered into OIS for the Facility Superintendent/Director's review.
 - g. Each denial of a visitor will be entered into OIS by the Facility Superintendent/Director or designee and the reason for the denial. Any person who has been denied visitation will be notified in writing by the Facility Superintendent/Director or designee giving the reason for denial.
5. All visitors shall register on entry into the facility.
 6. All visitors will be supervised during the visit.
 7. Visitors are not allowed to bring in personal items. Minimal infant care products (no glass bottles) are allowed if babies are approved for visits. Prior approval to bring any items into the facility must be obtained from the Facility Superintendent/Director.
 8. Visitors are to be dressed appropriately at all times during visitation. The following attire will not be permitted to be worn:
 - a. Provocative or revealing outfits (i.e. tube tops, tank tops, halter tops, low cut or see through material).
 - b. Clothing that states, advocates or alludes to an obscenity, violence, sex, or advertise alcohol, tobacco, or illegal substances and/or activities are prohibited.

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- c. Short or mini skirts may not be worn (skirts must be at or below the knee). Shorts may not be worn, except for small children.
 - d. Flip flops or similar style footwear (this does not include dressy or business casual open toe shoes and sandals).
 - e. Jewelry that is excessive or presents a security risk.
 - f. Hats
 - g. Any accessories with metal or hard plastic or which could pose a security risk.
9. Professional visitors allowed to visit residents will be resident's legal counsel, clergy, probation officer, caseworkers, etc.
10. The regular scheduled visitation hours of all residents shall be established by the Facility Superintendent/Director.
11. Residents and their families will be informed of the regular scheduled visitation hours, but will also be clearly informed that visitation may occur at other times, subject only to one day's advance notice.
12. Prior Notice to All Visitors:
- a. The rules and regulations set forth in each facility's Operational Procedure are to be posted in a conspicuous place and manner where all visitors can readily see them.
 - b. A readily visible sign shall be posted in the lobby or other entrance that is designated for use by visitors stating "ALL VISITORS ARE SUBJECT TO SEARCH PRIOR TO VISIT."
 - c. All visitors shall be required to sign a visitor's log prior to being permitted to visit. A staff member shall initial the visitor's name after determining that the visitor has been approved for visitation.
13. Visitor Identification
- a. Facility staff will ensure that all visitors admitted into the facility are on the resident's approved visitor list.
 - b. All visitors age 18 and up must provide a photo ID, which will be scanned and uploaded into OIS.

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c. Visitors under the age of eighteen

- i. Any person under the age of eighteen who wishes to visit a resident in a DJS facility must be on the resident's visitation list and must be accompanied by a person over the age of eighteen who is also on the resident's visitation list.
- ii. Adult visitors bringing any juvenile under the age of 18 who is their child must provide proof that they are the parent/legal guardian in the form of a birth certificate.
- iii. Adult visitors bringing any juvenile under the age of 18 who is not their child(ren) must have a notarized document from that child's parent/legal guardian allowing them to visit the resident in the facility and must be on the resident's approved visiting list.
- iv. Any juvenile who is the lawful spouse of any resident or an emancipated person may visit without an adult visitor but must provide proof in the form of a marriage certificate or emancipation order and must provide a photo ID, which will be scanned and uploaded into OIS.

14. Visitor Searches

- a. All visitors will be searched prior to visitation in a manner that protects their privacy and dignity. Walk through, hand held metal detectors or pat down searches will be used upon entrance to any facility. The clothed body search is to be conducted by a staff person of the same sex. If available, canine searches may also be utilized.
- b. Searches will not be conducted on law enforcement personnel, legal professionals or probation personnel, when acting in their official capacity.
- c. No visitor shall be required to submit to a strip search or a search of body cavities by facility staff.
- d. Any prospective visitor may be denied the privilege of visiting or accompanying a resident when, in the judgment of the employee in charge of supervising visitation at the time, there exists probable cause to believe the visitor intends to introduce contraband or otherwise presents a hazard to the facility.
- e. The facility shall contact the appropriate law enforcement agency immediately upon the discovery of any illegal contraband being introduced into the facility by a visitor. The contraband item shall be secured.

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- f. It is the policy of the Division of Juvenile Services to seek prosecution of any person who introduces or attempts to introduce any illegal contraband into any Division of Juvenile Services facility.
15. When facility visitation is not possible due to distance, transportation issues, etc., every effort will be made to use technology as a means to visit, such as Polycom, web cameras, Zoom, and Skype. This type of visitation must have prior approval from the Facility Superintendent/Director or designee and Treatment staff will initiate the contact. All visitation conducted in this manner is to be strictly monitored by staff during the entire visit and can be terminated at any time for violation of visitation rules.
 16. Employees are to conduct pat down searches on residents immediately following any non-contact visitation and strip searches are to be conducted after any contact visitation. Residents shall be searched by employees who are of the same sex as the resident. Hand held wands or magnetometers can be used in conjunction with pat down searches.
 17. A resident may refuse any visitor. The employee shall immediately report the denial or refusal of a visit or accompaniment in the Visit section of OIS.
 18. Even if one's day notice is not given, all reasonable accommodations will be made for visitations. Before any approved visitor is denied a visitation or a visitation is terminated, the Facility Superintendent/Director or designee must be notified immediately.
 19. A visitor's temporary suspension or permanent denial of visiting privileges may occur for any visitor who:
 - a. exhibits disorderly conduct
 - b. introduces contraband
 - c. fails to follow facility visitation rules
 - d. has court restrictions against them
 - e. has a positive indication from canine
 20. Staff will complete an incident report in OIS when any visits are terminated.
 21. The Visitation Coordinator will enter into OIS when any visitor is temporarily suspended or permanently denied visitation privileges.
 22. The facility provides information to visitors about transportation to the facility and facilitates transportation between the facility and nearby public transit terminals, when possible.

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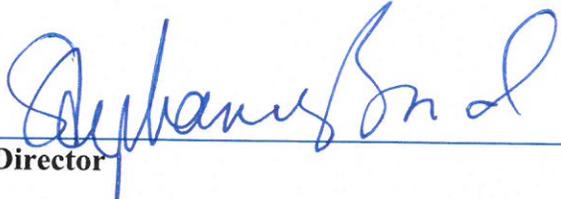
23. A resident shall be informed in a timely manner of the verifiable death or critical illness of an immediate family member. In case of the critical illness of an immediate family member, the resident is allowed, whenever statutes and circumstances allow and with the Division Director or designee permission, a bedside visit under escort.

24. Each facility will develop an operational procedure for this policy.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:

 1/1/16

Director Date

State of West Virginia Division of Juvenile Services

1200 Quarrier Street, 2nd Floor
Charleston, WV 25301

** If you have completed this form for the same offender at another juvenile facility, do not complete form again. Please contact the juvenile facility where the offender is located.

The Juvenile Facility Director or Superintendent has the authority to deny your visit even if your background check has been approved. Please contact the facility where the offender is located for background check approval and to schedule visits.

VISITING REQUEST

1. OFFENDER NAME: _____ 1a. FACILITY NAME _____ 2. DJS # _____

3. VISITOR'S FULL NAME : _____ 3a. DATE _____
(First) (Middle) (Last)

4. MAILING ADDRESS: _____
Street City State Zip Code

5. PHYSICAL ADDRESS IF DIFFERENT FROM ABOVE: _____

6. TELEPHONE NUMBER: () _____

7. DATE OF BIRTH: (Month/Day/Year) _____ 7a. Race: _____ 7b. Sex: _____

8. PLACE OF BIRTH _____ 8a. SOCIAL SECURITY # _____

9. MAIDEN NAME (If applicable) _____

10. EYE COLOR: _____ 10a. HAIR COLOR: _____ 10b. WEIGHT: _____ 10c. HEIGHT: _____

11. RELATIONSHIP TO OFFENDER _____

12. ARE YOU RELATED TO ANY OTHER OFFENDER(S) AT ANY JUVENILE FACILITY? YES NO
(IF YES, PLEASE COMPLETE THE FOLLOWING):

12a. OFFENDERS NAME _____ 12b. DJS NO: _____

12c. OFFENDERS NAME _____ 12d. DJS NO: _____

13. ARE YOU VISITING ANY OTHER OFFENDER(S) AT ANY OTHER JUVENILES FACILITY AT THE PRESENT TIME? YES NO

13a. OFFENDERS NAME: _____ 13b. DJS NO: _____

13c. OFFENDERS NAME: _____ 13d. DJS NO: _____

13e. OFFENDERS NAME: _____ 13f. DJS NO: _____

14. ARE YOU CURRENTLY UNDER INDICTMENT FOR A CRIME? YES NO

14a. IF YES, PLEASE EXPLAIN THE CIRCUMSTANCES.

15. HAVE YOU EVER BEEN CONVICTED OF A FELONY? YES NO

15a. IF YES, PLEASE STATE DATE OF CONVICTION, CRIME(S) FOR WHICH CONVICTED, SENTENCE, WHAT FACILITY YOU WERE COMMITTED TO, AND RELEASED FROM:

16. WERE YOU OR ANY CHILDREN UNDER THE AGE OF 18 A VICTIM OF THIS OFFENDER(S) CRIME? YES NO

16a. IF YES, PLEASE STATE THE CIRCUMSTANCES:

17. ARE YOU NOW ON PROBATION/PAROLE? YES NO

17a. IF YES, STATE WHY YOU ARE ON PROBATION/PAROLE: WHEN YOU WILL DISCHARGE FROM PROBATION/PAROLE AND THE NAME AND TELEPHONE NUMBER OF YOUR PROBATION/PAROLE OFFICER:

18. CHILDREN UNDER THE AGE OF 18: YOU MAY ONLY APPLY FOR CHILDREN IF YOU ARE ABLE TO PROVIDE PROOF THAT YOU ARE THEIR PARENT OR LEGAL GUARDIAN. THE PARENT/LEGAL GUARDIAN OF THE CHILD MUST BE ON THE OFFENDER(S) APPROVED VISITING LIST BEFORE ANYONE ELSE MAY BRING IN A CHILD. IF ANYONE OTHER THAN THE PARENT/LEGAL GUARDIAN WISHES TO BRING A CHILD INTO THE COMPLEX, THEY MUST HAVE A NOTARIZED PERMISSION SLIP FROM THE PARENT/LEGAL GUARDIAN.

NAME	BIRTHDAY	AGE	RELATIONSHIP TO VISTOR	RELATIONSHIP TO OFFENDER

19. CERTIFICATION: I HEREBY AFFIRM THAT ALL ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND ACKNOWLEDGE THAT THEY MAY BE UTILIZED FOR THE PURPOSE OF CONDUCTING A BACKGROIUND CHECK.

SIGNATURE _____ DATE _____

*** Please mail completed request to: State of WV Division of Juvenile Services
Attn: Visitor Request
1200 Quarrier Street, 2nd Floor
Charleston, WV 25301 or Fax to (304) 558-2965 or (304) 558-6032