

 <p style="text-align: center;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number:	Page Number:
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	Board Approval Date: 11-16-00	
	Supersedes: DCP 7.24 EMERG DOC 865	Dated: 2/17/94 2/17/94
	Reference: AD 93;09	Effective Date: 3/24/01
SUBJECT: Visitation		

I. AUTHORITY:

The Board of Correction and Community Punishment is vested with the authority to promulgate Administrative Rules by Act 50 of 1968, Extraordinary Session, as amended; Acts 548 and 549 of 1993, Regular Session (Ark. Code Ann. ss 16-93-1203 and 12-27-105 of 1993).

II. PURPOSE:

To describe the offender visiting program that will be used in the Department of Correction/Community Punishment.

III. APPLICABILITY:

All employees and especially those involved in the visitation process; offenders; and visitors.

IV. DEFINITIONS:

- A. Immediate Family Member: consists of the offender's father, mother, sisters, brothers, spouse, children, grandparents, grandchildren, and may include other relatives whose relationship with the offender has been verified as that of a parent or guardian.
- B. Special Visit: visits which occur on days other than regular visitation days; visits granted to an offender who normally may not receive a visit; and/or an extended visitation period.
- C. Offenders: Persons sentenced to the Department of Correction or persons sentenced to the Department of Correction for judicial transfer to the Department of Community Punishment or confined in a community punishment center as a condition of probation, suspended imposition of sentence or post prison transfer.

V. POLICY:

It shall be the policy of the Department of Correction/Community Punishment to permit offenders to have visits with family friends, attorneys, and spiritual advisors under conditions that are consistent with the security and good order of departmental operations.

VI. PROCEDURES:

Visits shall be scheduled regularly at times that will assure reasonable access to offenders and in accordance with the appropriate administrative directive and facility standard operating procedures. Each facility shall maintain a list of visitors approved for visitation of individual offenders.

Rules pertaining to visitation shall be readily available for visitors and offender.

A. Approval

1. Persons under the age of 18 may visit only with the permission of a parent or guardian.
2. Prospective visitors shall be subject to an approval inquiry.
 - a. There will be no approval inquiry required for attorneys and ministers of record.
3. Persons with a prior criminal conviction(s) may be considered for a visit only with an immediate family member.
4. Upon good cause or substantial evidence, persons believed to have a detrimental effect on the offender or who constitute a threat to the security and good order of the facility may be removed from an approved visitation list upon authorization of the warden/center supervisor.

B. Searches

1. Visitors shall be made aware they shall be subject to a search prior to visiting with an offender.
2. All searches shall be conducted in accordance with the appropriate administrative rule and directives concerning searches for and control of contraband.

C. Visiting Conditions

1. Visits shall be supervised by staff at all times during the allocated time.
2. Consistent with the security needs of the facility, contact visits may be restricted.
 - a. Where contact visitation is allowed, the offenders and visitors may briefly embrace upon arrival and departure and may sit side-by-side. Small children may sit on the offender's lap.

3. An attorney visiting area shall be provided to ensure privileged communications between offenders and their attorneys; however, the area used for these visits is subject to general staff supervision.

D. Visitation Restrictions

1. Limitations may be imposed on the number of visitors an offender may have at one time.
2. Items carried into the visitation area by the visitor and offender shall be restricted.
3. Any behavior on the part of the offender or visitor which is or may be disruptive to the security and good order of the facility or is in violation of departmental policy/procedure will result in denial or termination of the visit.
4. Inmates in punitive segregation have opportunities for visitation unless there are substantial reasons for withholding such privileges. Visits will be conducted for two (2) hours, once a month (calendar) and scheduled at least 24 hours in advance. The Warden or designee must approve all such visits. Approval will be contingent upon but not limited to:
 - a. Nature of rule violation.
 - b. No further rule violations while housed in punitive.
 - c. Satisfactory cell inspection report.

A legal visit may be approved in advance by the Warden/Unit Supervisor. This is to be done only when the attorney can justify the urgency of the legal matter to be taken prior to the release from punitive status, then only with the consistent need for good security.

5. Other restrictions may apply as indicated in the appropriate administrative directive(s) and/or standard operating procedure(s).

E. Records

1. Staff assigned visitation duties shall maintain a record of approved visitors.
2. All visits shall be documented as to date, person visiting, time visited, and any unusual incidents.

F. Special Visits

1. Upon approval of the warden/center supervisor, special visits may be allowed for attorneys, spiritual advisors, offenders in special housing/assignment/status, and persons residing outside a set radius from the facility.

2. Special visits shall be scheduled in accordance with guidelines established in the appropriate administrative directive(s) and facility procedure(s).

VII. A.C.A. REFERENCE:

3-4440, 3-4441, 3-4442, 3-4445, 3-4446, 3-4255.

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