

<p style="text-align: center;">STATE OF IOWA DEPARTMENT OF CORRECTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>		Policy Number	Applicability
		OP-MTV-04	<input checked="" type="checkbox"/> DOC <input type="checkbox"/> CBC
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Chapter 5	Sub Chapter	Related DOC Policies	Administrative Code Reference
OFFENDER PROGRAMS	MAIL, TELEPHONE, & VISITING	IO-SC-23	201-20.3
Subject		ACA Standards	Responsibility
OFFENDER VISITING		4-4498, 4-4499, 4-4499-1, 4-4500, 4-4501, 4-4503, 4-4504	Jerry Bartruff Jerry Burt Diann Wilder- Tomlinson
		Effective Date	Authority
		January 2012	John Baldwin, Director Signature on file at Iowa DOC

I. PURPOSE

To describe the visiting program that shall be used in Iowa Department of Corrections (IDOC) institutions.

II. POLICY

It is the policy of the IDOC to allow offenders visiting privileges to maintain and strengthen relationships with family members and friends. The Department's Centralized Visiting Authority (CVA) shall use a standard visitor application and screening process to ensure security and operating efficiency. Though visits are encouraged, the institution's schedule, space, personnel constraints, treatment considerations, or other safety and security issues of the institution may result in limiting the number and length of visits

III. DEFINITIONS

- A. Immediate Family - An offender's spouse, mother, father, sister, brother, child, grandparent, grandchildren, great grandparents, great grandchildren, (when minors become adults, they will be required to complete the formal visiting application process), established legal guardian, or other who acted in place of parents and step or half-relation if the step or half-relation and the offender cohabitated. The spouse and/or children of a member of the immediate family are considered as immediate family.
- B. Extended Family - Aunts, uncles, nieces, nephews, cousins, parent's in-law.
- C. Centralized Visiting Authority (CVA) - The Department's Office that conducts the visitor application approval process.
- D. National Crime Information Center (NCIC) - A computerized index of criminal justice information (i.e. criminal record history information, fugitives, stolen properties, missing persons).
- E. Group - A family unit (e.g. aunt, uncle and minor nieces and nephews) residing at the same address or the offender's minor children.
- F. Victim - A person who has suffered physical, emotional, or financial harm as the result of a public offense or a delinquent act committed in this state. Victim may also include the immediate family members of a victim, members of a victim's household, and/or witnesses.
- G. See policy **AD-GA-16** for additional definitions.

IV. PROCEDURES

- A. General
 - 1. Each institution shall communicate the structured visiting process to each offender during orientation to the institution. Offenders are responsible to communicate required procedures to visitors. The following individuals may be approved to visit upon completion of the CVA visitor application approval process Offenders:
 - a. Immediate family members;
 - b. Four other individuals/groups who are friends or extended family;

- c. Minor children under the immediate supervision of their parent or legal guardian. Minor children of an offender shall be allowed to visit with an adult on the offender's approved visiting list. **(4-4499)**.
 - d. Minor children who are members of the offenders family and are already on the approved list, may visit with an approved adult family member on the visiting list who has been specifically authorized by the minor's parent. Such parental consent shall be documented by a notarized letter of consent.
2. The institutions shall make available to visitors on request a list of the major transportation resources available to facilitate access to the institution. **(4-4504)**.
 3. Each institution may have procedures that limit the number, frequency, and length of visits due to space or staffing considerations.
 4. When a minor becomes of adult age (18) an **OP-MTV-04 F-7** Minor Visitor Removal Form will be completed by the CVA and sent to the offender. An **OP-MTV-04 F-1** Visitation Application form will need to be completed for the individual as a requirement of the normal visiting application process. The visitor will have 30 days to complete and return the application to CVA before being removed from the approved visiting list.
 5. Unless an exception is made per D2b, a visitor may be on the approved list of only one offender.

B. Application Process (CVA)

CVA has primary responsibility for all offender visiting decisions and records.

1. The offender is responsible for mailing the **OP-MTV-04 F-1** Visitation Application to prospective visitors once they are out of reception status at the Iowa Medical Classification Center (IMCC) at Oakdale. Visitor applications shall be provided to the offender at each institution.
2. The visiting application must be sent to CVA for processing.
 - a. All applications shall be date stamped when received by the CVA.

- b. CVA will enter the application as pending into the Iowa Corrections Offender Network (ICON).
- c. A cross reference and offender search for the visitor shall be completed in ICON to determine if they are on another offender's list and whether or not they have an offender number.
- d. The applicant shall then be checked to determine if they are a registered victim and/or whether there is a no contact order in effect.
- e. If the application includes minors (17 years of age or under), the offender's prior and current charges are checked for sex offenses and other crimes against children. With the approval of the institutional SOTP Treatment Team, children may be added after successful completion of Sex Offender Treatment Program (SOTP). The decision to approve or deny visitation shall be based upon the progress of treatment, results of the polygraph, the potential for family reunification, and (as the most significant issue) the welfare of the child.
- f. The CVA shall complete a NCIC background check on all adult applicants. Nothing in this policy precludes an institution from making subsequent NCIC checks.
- g. Within 30 days of receipt of the visiting application, CVA shall complete the decision process of approval/denial decisions and enter the result into ICON. If denied or approved with restrictions, reasons shall be entered into ICON. A written decision **OP-MTV-04 F-2** Visiting Approval Denial Form shall be sent to the offender that includes reasons for denial and any approval restrictions. If a visitor is denied, OP-MTV-04 F3 Visit Denial Letter shall be sent informing them of the reasons for denial. Applicants can reapply after six months of denial. Each offender is responsible to notify the visitor(s) of the CVA's approval decision. The CVA will not release visit status information.
- h. All visitors shall be grouped by family units. All of the offender's minor children will be entered as one family unit.
- i. All applications shall be retained at the CVA for six months following the date of the decision. Denied applications will be

forwarded to the institution where the offender resides if an appeal is filed.

C. Non Authorized Visitors (CVA)

1. For security reasons, the following shall not initially be authorized to visit by the CVA:
 - a. Individuals whose behavior represents a control problem that is counterproductive to stable offender behavior. This determination may be reflected in the background investigation report which shows that the individual has a record of carrying concealed weapons, use of a controlled substance, previous violations of institutional rules, or similar behavior.
 - b. Persons who apply for visitation while an offender is in Reception will not be approved but placed in "pending" status. Processing and investigation of these applicants will not be initiated until the offender is moved out of Reception.
 - c. Persons currently under correctional supervision, on probation, work release, or parole.
 - d. Persons under criminal indictment;
 - e. Persons involved with or convicted of incidents of aiding an escape or introducing contraband in any detention or supervised correctional setting;
 - f. Persons who falsify or omit information on the visitation application or other requested information;
 - g. Individuals convicted of a felony;
 - h. Persons who may compromise the order and security of the institution.
 - i. Children shall not be approved for visitation with offenders who have minor victims in current or past offenses. In certain circumstances, approval may be granted upon appeal.
 - j. Victims of an offender's current or previous offenses, whether registered or not, or the victim's immediate family members or household shall not be approved for the visiting list of the

perpetrator in their case. Parents and grandparents of offenders who are immediate family of identified victims may be approved to visit as determined by the CVA.

- k. Persons with no-contact orders, unless the order specifically permits visits while incarcerated. **(4-4498)**.
- l. In the case of victims of domestic violence, the following forms must be completed and returned to the Office of Victims and Restorative Justice Program (OVRJP) for consideration.

- 1) **OP-MTV-04 F-8**, Correctional Counselor/Parole Officer Request. To be filled out by an offender's Correctional Counselor in the institution or by the Parole Officer in the district and returned to OVRJP in Central Office.
- 2) **OP-MTV-04 F-9**, Offender/Inmate Questionnaire. To be filled out by the offender when the victim or family member requests contact through visits, mail, or telephone and to be returned to the OVRJP.
- 3) **OP-MTV-04 F-10**, BEP/MIFVPP Group Facilitator Recommendation. To be filled out by the BEP facilitator in the district or MIFVPP facilitator in the institution and returned to the OVRJP.
- 4) **OP-MTV-04 F-11**, Victim Interview for Visitation Request. To be used as a guide when interviewing a victim regarding contact through visits, mail, or telephone for cases involving domestic abuse request to the Board of Parole for the removal of the Iowa BOP's No Contact Order, and for parole agents request to the Board of Parole for the removal of the BOP's No-Contact Order.

- 2. Exceptions may be granted by the CVA with the approval of the Warden/Superintendent or designee.

- a. The spouse, child, mother or father of an offender who is currently under correctional supervision, on probation, work release, or parole, may be approved by the CVA after consultation with the Supervising Parole/Probation Officer and the Warden/Superintendent or designee. The Warden/Superintendent or designee may authorize either contact or no contact visiting.

- b. Any person on the approved visiting list of another offender regardless of the location of the offenders. The CVA, Warden/Superintendent or designee may make exceptions, when immediate family members are confined.
 - c. Former/Current IDOC employees or volunteers who are members of an offender's immediate family may be approved by the CVA with the approval of the Warden/Superintendent.
 - d. Former IDOC employees or volunteers who are not immediate family members may be allowed to visit six months after they have left employment if they pass the normal background investigation, there are no security issues arising from their prior employment, and the CVA receives approval from the Warden/Superintendent.
3. With the exception of those applications which require approval of the Office of Victim Services, nothing in this policy shall prohibit the Warden/Superintendent from authorizing visitation in a situation which visitation is clearly beneficial to the positive adjustment of the offender and/or offender reentry into the community. Ex-offenders, except members of the immediate family, shall generally be required to have 3 years of successful community adjustment prior to visitation.

D. Appeals

1. The applicant can appeal a denial decision or approved restriction in writing by completing the **OP-MTV-04 F-4** Visit Appeal form, within 45 days of date of denial to the Warden/Superintendent or designee.
2. Appeals related to visitation denials of victims, or a minor whose application has been denied because of an offender's sex offense or an offense against a child, shall be forwarded to the Office of Victim Services who in consultation with IDOC Offender Programs shall review all pertinent circumstances and shall submit a decision. The decision of the Office of Victim Programs will be determined based on, but not limited to, the following factors: age of applicant, relationship of the applicant to the direct victim, nature of the offense(s), offender's participation in treatment programming, institution reports, and input from other professional agencies. The Office of Victim Services shall ensure timely notification to the applicant.

3. The decision of the Warden/Superintendent or designee or if applicable the Office of Victim Services may be appealed to the Director of the IDOC or the Director's designee.
4. The decision of the Director or the Director's designee constitutes final agency action.
5. The institution appeal response, the CVA response and the Director's appeal response shall be routed to the applicant and CVA for data entry.
6. Each appeal response will be entered in visitor comments in ICON.

E. Removal of Visitors (CVA)

1. Offender shall complete the **OP-MTV-04 F-5** Visiting Removal Form and send to CVA. CVA shall respond to removal requests from both the offender and institution within seven days and route a copy to the offender.
2. Once a visitor has been removed, six months must elapse before reapplication to any offender's list. Exceptions may be made when the individual is making application for visitation with a member of the immediate family.
3. Immediate reapplication may occur in the event an offender is released and has been readmitted within the six month time frame.

F. Special Visitors (Institution)

1. Each institution shall have written procedures governing rules for special visits. The Warden/Superintendent or designee shall approve all special visits.
2. Division of Criminal Investigation Agents, Federal Bureau of Investigation Agents, Law Enforcement Officials, shall present proof of identity upon entrance to the institution.
3. Attorney and clergy visits shall be during normal visiting hours unless a special visit has been requested by the offender and approved in advance by the Warden/Superintendent or designee prior to the visit.
4. Attorneys must complete an initial visitor application to visit an offender; however, one application shall apply to multiple visiting lists.

After initial approval is established. Attorneys must contact CVA at (319) 385-9511 to be added to additional offender visiting lists and information must be faxed on letterhead.

5. Background checks are not required for attorneys are exempt from counting as a friend on an offender's visiting list.
6. Offenders may have one clergy on their list. Clergy must follow the normal application process, including background checks; however, one application will apply to multiple visiting lists and they are exempt from counting as a friend on an offender's visiting list. After initial approval is established, clergy must contact CVA at (319) 385-9511 to be added to additional offender visiting lists.
7. An offender must express a desire to visit a clergy or attorney before the visit is permitted.
8. An attorney or clergy testing positive or refusing to be tested by an electronic detection device may be required to visit no contact.
9. Volunteers involved in reentry programs such as Circles of Support and Accountability, as approved by the Warden/Superintendent may be approved for special visits.
10. As authorized by the Warden/Superintendent or the individual designated in institutional procedures. Private investigators may visit with offenders during regular visiting hours. This shall be documented in ICON Visiting.
 - a. No offender shall be required to visit with a private investigator.
 - b. Private investigators shall follow all applicable visiting rules of the institution.

G. Termination of Visits (Institution)

Visiting privileges may be denied, modified, or terminated due to:

1. Personal behavior of the offender or visitor that is presenting a threat to security or is inappropriate to a general visiting area. Individuals whose behavior may present a control problem or is inconsistent with the rules and regulations of the institutional visiting policy.

2. The visitor and offender directly exchanging any unauthorized object or article. Purchases from the visiting room vending machines/canteen during the visit are authorized.
3. An authorized electronic detection device indicating the presence of drugs or other contraband or when before, during, or after the visit the apparent odor or effect of alcohol or narcotic drugs is detected.
4. The visit or future visiting is detrimental to the health and welfare of the offender or visitor.
5. Any behavior on the part of an offender or a visitor that is or may be disruptive to order and control or which violates institutional rules.
6. Visitors failing to supervise their children when they interfere or disrupt other visits or leaving minor children unattended on institutional property.
7. Offenders may request reconsideration of denied visitors following demonstrated resolution of the reasons for denial or when approved by the Warden/Superintendent or designee or Regional Deputy Director.

H. Security Procedures (Institution)

1. All visitors are required to present proof of identity upon entrance to the institution and shall be subject to search. Security and contraband control are critical operational requirements, necessitating a search of all visitors by trained correctional staff. Searches may include, but are not limited to, a pat down, metal detectors, electronic ion scanners, and (non-invasive drug test), other electronic devices, or visual searches. Staff of the same sex as the visitor shall conduct pat searches. Visitation shall be denied if the visitor is not willing to submit to a required search. **(4-4503)**
2. Staff may request local law enforcement to search visitors if there is clear, distinct, and reliable basis to suspect a particular visitor of an attempt to smuggle contraband into the institution. Law enforcement may ask the visitor to submit to a strip search unless the visitor desires to cancel the visit. Only staff members of the same sex may assist law enforcement in the search of a visitor. If the search reveals drugs or illegal contraband, the items shall be confiscated and preserved and the matter referred by law enforcement to the county attorney or area prosecutor if a criminal act is believed to have taken place.

3. A parent, legal guardian or adult on approved visiting list accompanying an offender's minor child (ren) may or may not elect to have the child(ren) present during the personal search. Staff shall attend the child(ren). When a visitor refuses to leave the child(ren) with staff and does not want the child(ren) present during the search, the visit shall be terminated. At all times, when a minor child(ren) is searched, the parent or legal guardian shall be present in the room, along with two staff members present.
4. Service canine are allowed to accompany visitors, providing the appropriate medical documentation has been submitted supporting the visitors physical limitation. Service animals will always be kept under control by the visitor during the visitation or the visit will be terminated by the shift supervisor.

I. Non Contact Visits (Institution)

1. Each institution shall have procedures for no contact visits.
2. While visiting conditions shall promote normal social interaction and reasonable levels of physical contact between offenders and visitors, the Warden/Superintendent or designee may allow no contact visits when the order or security of the institution may be threatened or when disciplinary rules or procedures have been violated.
3. No contact visiting hours shall be provided during normal, posted visiting hours. The Warden/Superintendent or designee shall post the hours and days, and notice shall be posted at least one week prior to any change.
4. Offenders need to inform all visitors of any schedule changes, which shall be posted one month before implementation. **(4-4499-1)**.

J. Special Visits (Institution)

1. Offenders must complete **OP-MTV-04 Form 6** Iowa Department of Corrections Special Visit Request.
2. The Warden/Superintendent or designee may permit special visits not otherwise provided for in this policy. These may include, but are not limited to, extended visits for close family members traveling extended distances, immediate visits for close relatives or friends about to leave the area, visits necessary to straighten out critical personal affairs, and other visits for similar reasons. **(4-4501)**.

3. When reviewing requests for such visits, the Warden/Superintendent or designee shall consider the circumstances of both the offender and the visitor; security, order, the offender's treatment needs and mental health, the administrative needs of the institution, and available alternatives to a special visit. The decision of the Warden/Superintendent or designee in these cases constitutes final agency action. **(4-4500)**.
4. NCIC background checks will be completed on all adults requesting special visits.

K. Temporary Modifications (Institution)

Visiting procedures may be temporarily modified or suspended in the following circumstances: riot, disturbance, fire, labor dispute, space and personnel restrictions, natural disaster, or other emergency.

L. Data Entry (CVA)

When an offender transfers to a different institution, the visiting list shall remain in effect and shall be maintained in the ICON system.

M. Visitor Debit Cards

Visitor may use a Debitek Card to purchase canteen items during visits. Institutions shall ensure written guidelines are posted.

N. Visitor Clothing

Visitors shall be properly attired prior to entering a correctional setting. All visitors shall wear shoes. Visitors wearing miniskirts, shorts, muscle shirts, see-through clothing or halter tops will not be allowed to visit. Visitors wearing clothing with slogans, pictures, or words intended to deprecate race, sex, or cultural values will not be allowed entry. Visitors may be required to remove for the duration of the visit outerwear such as, but not limited to, coats, hats, gloves, or sunglasses. A medical need for sunglasses must be verified by a prescription. Concerning shorts, reasonable exceptions for children under age 12 may be authorized.