STATE OF NEVADA DEPARTMENT OF PRISONS	A.R. No. 719	Page 1 of 10
	Attorney General Review Date: 11/14/91	Effective Date: 1/21/92
ADMINISTRATIVE REGULATIONS	Supersedes: AR 719 dated 3/24/88 IB 91-99 dated 12/24/91	
CHAPTER: INMATE REGULATIONS	Subject: Visitation	

I. PURPOSE

To establish guidelines governing the visiting of inmates.

II. AUTHORITY

NRS 209.131.

III. POLICY

Visitation is a privilege for inmates assigned to the Department of Prisons within the following specified guidelines:

A. Regulations pertaining to visiting should be available to all staff, inmates and visitors. Visitors should understand that they face the potential of being taken hostage when they enter a prison. It shall be sufficient notice if this information is conspicuously posted.

B. The supervision of visits should be sufficient to ensure contribution to good public relations, to develop and promote an understanding of institutional programs and to assist in the positive development of inmate program planning, consistent with the security needs of the Department.

C. The number of visitors an inmate may receive at a given time and the duration and frequency of each visit shall be determined by the Warden/designee.

D. Visitation restrictions will be governed by institutional space and personnel resources and will be imposed to prevent injuries to persons, to maintain the safety and security of the institution, and to prevent the introduction of items or substances which inmates are not permitted to possess. At no time will the number of persons in the visiting area exceed the capacity limit defined by the Fire Marshal. When the visiting room reaches its maximum capacity and more visitors wish to visit, the earliest recorded visitor will be asked to terminate their visit to make room for the newest arrivals. Local persons or visitors from short distances will have their visiting terminated before persons who have traveled longer distances.

E. Visiting privileges may be suspended upon orders from the Warden/designee. A notice should be given to both the inmate and visitor of the reasons for

the suspension. Additional restrictions may also be imposed on inmates undergoing disciplinary, new commitments and inmates who are medically isolated.

F. All institutions/facilities should provide visiting areas for inmates and their guests which allow reasonable ease and informality of communication in a natural environment as free from security constraint as is safely possible.

IV. DEFINITIONS

Immediate Family -- Husband, wife, father, mother, sons, daughters, brothers, sisters, grandparents, grandchildren, step-children and legal guardians (such as foster parents).

V. PROCEDURE

A. Eligibility for Visiting

The following procedures set forth the criteria governing the eligibility of visitors:

1. Prior Approval

Visiting questionnaires will be sent to prospective visitors by designated staff at Department expense. Any person who arrives at an institution/facility without prior approval for visiting will not be permitted to visit unless an exception is granted by the Warden/ designee. Persons, shown by substantial evidence, to be of a harmful effect to an inmate or to constitute a threat to the security of the institution/facility will not be approved. Any falsification of the visiting questionnaire by a visitor may be cause to deny approval or to withdraw approval.

2. Identity of Visitors

Visitors must present proof of identification (Picture ID) and other vital information upon request of the institution/facility official before being permitted visits. Persons without proper identification, or who cannot establish identity by other means, will not be permitted visits unless such information is obtained.

3. Visits by Minors

Immediate family members under the age of 16 must be accompanied by an adult family member and present written permission from a parent or guardian. Minor children under the supervision of their parents or grandparents will be allowed to visit. Minor children between 16 and 18 years of age will be allowed to visit without an approved adult if they present a notarized authorization by their parent or guardian.

4. Visits by Friends

Friends of an inmate may visit but must abide by the criteria set forth in A(1) and A(2). Any exception must be approved by the Warden/designee.

5. Visits by Former Inmates or Persons on Parole or Probation

A. No person who has been convicted of a felony in the State of Nevada or has served time in the Nevada Department of Prisons' system will be allowed to visit unless prior written approval is received from the Director. This responsibility cannot be delegated. Such requests are to be submitted to the Warden for initial consideration. The Warden will then forward the request, along with their recommendation, to the Director.

B. Ex-felons from other states or federal correctional institutions (excluding juvenile facilities) must be approved, in writing, by the Warden/designee prior to visiting. The nature and extent of the visitor's recent criminal history and activity shall be weighed against the potential value of the relationship to determine visitation eligibility. Ex-felons, other than immediate family members, who are approved for visiting should be individuals who are representatives of approved organizations or agencies or those arranging employment or other valuable assistance to the inmate.

C. In addition, persons on probation or parole must obtain written consent from their case supervisor before visiting will be considered. Persons with charges pending against them shall be denied visiting privileges unless visitation is approved by the Director/designee.

6. Visits Between Former Employees and Current Inmates

Former employees of the Nevada Department of Prisons may request visiting privileges with an inmate on an individual basis. The request will be submitted to the Warden/designee for initial consideration and then to the Office of the Director for final approval based upon the recommendation of the Warden/designee.

7. Visits Between Current Employees and Current Inmates

No current employee of the Nevada Department of Prisons will be allowed to visit any inmate in the Nevada Department of Prisons unless prior written approval is received from the Director. This responsibility cannot be delegated. Consideration will only be given for current employees to visit immediate family members only.

8. Persons Visiting More than One Inmate

a. No person may be given permission to visit more than one inmate of the Nevada Department of Prisons. Exceptions to this rule are attorneys, clergy, and immediate family members. In the event that two or more immediate family members are inmates in the Department

of Prisons, and the visitor receives approval to visit them, this person will not be given approval to visit any other non-family inmate.

b. Approval for a person to change from one visiting list to another will only be considered if the applicant has terminated visiting with the original party for a period of at least one year, or if there are extenuating circumstances. In either case, the request must be made in writing by the prospective visitor, submitted to the Warden/designee for initial consideration and then forwarded to the Assistant Director Operations for final approval based upon the Warden/designee's recommendation. Exceptions to this rule are attorneys, clergy, and immediate family members as outlined above.

9. Health Restrictions

Any person representing any potential health problems to inmates or personnel of the Department of Prisons will not be allowed visitation privileges. The Medical Division will make this determination.

10. Outside Group Participants Requesting Visiting

Participants in various outside groups offering services to the Department of Prisons who request visitation with individual inmates must adhere to the following:

a. Married persons who desire to visit an inmate of the opposite sex must always be accompanied by their spouse.

b. Single, divorced, separated or widowed persons shall not visit on a one to one basis with an inmate of the opposite sex and may only participate with their group activity.

c. Any exception to the above must be approved by the inside sponsor and the Warden/designee.

11. Members of the clergy, as recognized by the Chaplain or Warden/designee need not be placed on the approved visitor's list.

12. Attorneys need not be placed on the approved visiting list. Attorneys' authorized representatives, i.e., paralegals, law students, special investigators, law counsel, must be cleared by the Warden/designee prior to visiting. Attorneys and their authorized representatives may be permitted to visit inmates in reasonable numbers during normal visiting hours, consistent with the security needs of the institution. These visitors must notify the institution twenty-four (24) hours in advance of the intended visit. Any exceptions must be approved by the Warden/designee. Section A(5) of this regulation will be adhered to if applicable.

13. Inter-Institutional Visits

Inmates may be considered to visit immediate family members in another institution if the relationship can be verified. Only immediate family members will be considered and approval must be given by both institutional Wardens.

14. News Media Visits

The Warden/designee should honor requests by representatives of the news media for admittance to the institution/facility to the extent appropriate security can be provided. Such representatives shall be treated courteously and should be afforded reasonable access to all areas of the institution/facility.

The right of privacy of inmates shall be protected. The Warden/designee shall ensure that representatives of the news media are informed of these rules and of their responsibilities. No interview with an inmate may take place without his consent. When photographs are to be taken, inmates must be notified and given the opportunity to withdraw from the scene. If the name or photograph of an inmate is to be used, written consent of the inmate must be secured. Refer also to AR's 120 and 745.

B. Maintenance of Visitation File

1. Approved visitors shall be entered on the Inmate's Visiting Card.

2. All visiting questionnaires shall be maintained in a file, clearly marked approved or disapproved with the signature of the appropriate designee.

3. All of these documents shall subsequently be transferred as a part of the inmate's institutional file, whenever the inmate is assigned to a different institution/facility.

4. Each institution/facility shall maintain a record of the names of all visitors admitted to the institution to visit inmates. This record may be maintained together or separate from the inmate's visitation file. In any event, the inmate's visiting card shall be transferred as a part of the inmate's file whenever the inmate is assigned to another institution/facility.

5. When an individual is not placed on the approved visiting list, a written notice of the exclusion and the reasons therefore shall be given to the inmate who submitted the individual's name. The inmate may appeal the decision via the grievance procedure.

6. The Warden/designee shall ensure that a record of each visitor who enters the institution/facility is kept to include: sufficient identification of visitor, the dates and times of arrival and departure and purpose. The record of visitors admitted shall remain at the institution/facility where the visit occurred.

C. Visiting Hours

The Warden/designee of each institution/facility, with the approval of the Director/designee, shall regulate the number of visitors, the visiting hours, and the termination of visits process for reasons of space, security and institutional emergency.

D. Restrictive Visiting

1. Reception

Inmates in reception areas may not visit until the reception process is completed unless specific approval is granted by the Warden or designee.

2. Medically Restricted

Inmates housed in the institutional infirmary must have the Doctor's approval to visit. Visits to inmates who are hospitalized in a community hospital must be authorized by the Director, Assistant Director Operations, Warden, AOD or Associate Warden Operations.

E. Security

1. Sign(s) should be conspicuously posted at the road(s) and checkpoint entrances to each institution/facility stating: ALL PERSONS AND VEHICLES SUBJECT TO SEARCH. FIREARMS, WEAPONS, DRUGS AND ALCOHOL PROHIBITED. VIOLATORS WILL BE PROSECUTED.

2. Visitors shall not enter any area of the institution/facility except for approved visitation areas and approved routes to and from those areas.

3. All visitors shall submit to a search of their person (clothed body search and/or metal detector inspection), vehicle or any other property which they have brought onto prison grounds, if requested to do so. A "Consent to Search" form (DOP-1615) must be signed. Any visitor who refuses to submit to a routine search shall not be allowed to visit. The clothed body search will be conducted by an appropriate person of the same sex using standard procedures. The visitor may be required to remove shoes, jackets, etc., but no intimate apparel. All visitors may be fingerprinted.

4. All searches other than the clothed body search or metal detector inspection and each progressive step must be under the general supervision of supervisory staff not less than the level of correctional sergeant and may only be conducted in accordance with Departmental regulations.

5. Refusal to submit to a requested search will result in the visitor not being permitted to visit on that day. Visits may be denied until the individual agrees to submit to a search of his person, vehicle or other property prior to the visit; or until such time as the institution officials no longer have reasonable belief that the

individual will attempt to smuggle contraband items or substances into the institution/facility.

6. The Warden/designee may approve the following types of special visits. If absolutely necessary, they may be approved for hours other than those regularly scheduled or for a duration longer than regularly scheduled.

   a. Visitors who have traveled a great distance;
   b. Children, as part of a special program to promote family bonding;
   c. Attorneys;
   d. Prospective employers, sponsors or parole advisors or private therapists (recognized mental health professionals);
   e. Persons significant to the inmate for purposes of crisis intervention;
   f. Official visitors.

F. Denial, Termination and Suspension of Visits

1. The intended visit may be denied by the officer in charge of the checkpoint if:

   a. The visitor refuses to show appropriate and bona fide identification.

   b. The visitor refuses to submit to a routine inspection of his person, property or vehicle.

   c. The visitor is under the influence of drugs or alcohol.

   d. There is insufficient space or security for visiting.

2. Prior to termination of a visit, less restrictive measures may be used such as a warning to the inmate and/or visitor(s). However, visits may be terminated by the Shift Commander based on input received from the officer on duty in the visiting room. Reasons for termination of a visit include but are not limited to:

   a. The visitor or inmate violates visitation conduct rules.

   b. The visitor fails to control children in attendance.

   c. The visitor and inmate engage in publicly unacceptable physical contact.

   d. The inmate violates institutional rules, regulations or procedures.

3. Visiting privileges may be suspended for up to six months by the Warden/designee if:

   a. During the visit it becomes apparent that the visitor and/or inmate is inebriated.

b. Visitor or inmate repeatedly violate rules.

c. Visitor continually fails to control children.

d. Visitor or inmate will not, after verbal warnings, refrain from publicly unacceptable physical contact.

4. Visiting privileges that have been terminated indefinitely due to the seriousness of the offense, i.e,, introduction of contraband, should be reviewed every six (6) months for re-consideration by the Warden at the written request of the visitor.

5. Denial of an initial application to visit, and any subsequent restriction, suspension, or termination of previously approved visits, shall be documented for inclusion in the inmate's institutional file and a copy sent to the applicant/visitor as soon as practicable. Such documentation shall include the name of the official taking or ordering the action, shall clearly explain the reason for the action, the length of time the action will apply, the circumstances under which the action will be reconsidered, and instructions for appealing the action taken.

G. Volunteer Visitation

1. This program functions as a separate entity from the regular visitation program.

2. Although locally coordinated and monitored by the institutional volunteer coordinator, the Warden/designee maintains control and responsibility for this program.

3. Recruitment, orientation, and assignment of volunteers is handled by the volunteer coordinator under the direction of the Warden/designee.

4. No individual may serve as a volunteer and be an approved visitor at the same time. A person may discontinue as a volunteer and apply for visiting privileges.

5. Current employees may not participate in the volunteer programs unless specific written approval is given by the Director, on a case by case basis.

H. Visitor Dress Code

Sensible, conservative attire, as determined by the Visiting Officer is required. Visitors are not allowed to wear clothing similar to standard inmate issue, i.e., blue denim (jean) shirts and/or pants. Visitors shall be subject to removal from the premises for failure to observe dress code requirements or otherwise conduct themselves in an acceptable manner. Persons may not enter the prison grounds wearing shorts, midriffs, halter or tank tops, wrap around skirts, etc., and bare feet are not permitted. Children under the age of ten (10) are not subject to the strict requirements of this section.

I. Property of Visitors

Visitors are to be advised not to bring large handbags to any institution/facility. Handbags may not be carried into the prison and storage facilities for large items may not be available. The Department of Prisons will not accept responsibility for items or valuables lost or stolen. Secured areas, as determined by the Warden/designee, are to be provided for all carried items, i.e., wallets, keys, etc., and all carried items must be placed in these areas prior to entering an institution/facility. Car keys, mail, medicines, note pads, tape recorders, cameras, etc., are not allowed in the visiting area. Money for use in the vending machines may be allowed in the visiting area. The amount of change allowed will be at the discretion of the Warden/designee. Only nickels, dimes and quarters are allowed in any institution/facility. No pennies, green money or coin LARGER THAN A QUARTER WILL BE ALLOWED TO BE TAKEN INTO THE VISITING ROOM. All other items must receive specific approval of the entrance officer. All items allowed into the visiting area will be processed through the metal detector, where applicable.

J. Visiting Center Regulations

1. At major institutions, all visitors will be required to have their hand stamped with an ultra-violet marker and walk through the metal detection device prior to entering the visiting center.

2. The visiting center is furnished and maintained in order to make the visit as pleasant as possible. Any abuse of those facilities or intentional damage to the furnishings may result in termination of that and future visits.

3. Visitors must confine their visits to the area specifically set aside for visiting. Wandering about can result in the termination of the visit.

4. Alcoholic beverages are prohibited by law. Contraband items such as narcotics, dangerous drugs, firearms, and other weapons are prohibited for obvious reasons and possession of such may lead to arrest. Cameras are also prohibited. Any person under the influence of alcohol or drugs will be denied entry into the institution/facility.

5. Visitors must conduct themselves in an acceptable manner. The following actions could result in suspension and possible termination of visiting privileges.

   a. Serious or frequent violation of visitation rules.

   b. Failure to govern children to the extent that they become disruptive or destructive or interfere with the visits of others. (All children will go home with the visitor who brought them to the institution/facility).

c. Any type of inappropriate sexually stimulating activity such as:

1. Prolonged kissing
2. Petting
3. Sitting in laps (adults)
4. Laying against, across or on top of one another
5. Close body contact while standing, sitting or lying on the ground.

d. Sharing chairs or abusive behavior by the inmate or visitor toward staff or other persons in the visiting area.

e. Presence in an off limits area.

f. Defacing furniture, walls, carpets or any other fixture.

6. Visitors who have registered for visiting may not return to their locker or car during their visit.

7. Visitors who fail to abide by the visiting rules and regulations may be refused admission to the prison and/or may be removed from the visiting list by the Warden/designee. Such action will be set forth in a written statement as outlined in Section V, F, 5 of this regulation. Inmates aggrieved by such action may appeal through the remedy procedure.

VI. REFERENCES

ACA Standards, 1990 Edition, 3-4440, 3-4441, and 3-4442.

RON ANGELONE, DIRECTOR
NEVADA DEPARTMENT OF PRISONS

12/29/91
ISSUE DATE

THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.