

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INMATE VISITATION	Policy Number DK-3
		Effective Date 04-26-24
Related Information Arizona Revised Statutes DH-1, <i>Office Jail Access</i> DH-3, <i>Searches and Contraband Control</i> DI-5, <i>Pro Per Inmates</i> DJ-5, <i>Request to Photograph an Inmate</i> DK-4, <i>Inmate Computerized Devices (Tablets)</i> The Americans with Disabilities Act Amendments Act (ADAAA) of 2008	Supersedes DK-3 (10-14-15)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for authorizing inmate visitation at Office jail facilities and remote locations using computerized devices (tablets). The Office recognizes the importance of inmates receiving visits from clergy, family, legal counsel, and others to enable them to maintain access to family, community ties, and legal counsel whenever possible.

POLICY

It is the policy of the Office to ensure inmate visitation is provided, as safety and operational concerns allow.

DEFINITIONS

Acceptable Identification (ID): For the purpose of this Office Policy, current identification documents such as a Federal, state, and local government-issued identification cards, driver's license, passport from any country, consular identification card, or military identification card, containing at a minimum the individual's name, date of birth, sex, and a clear photograph are acceptable forms of ID for inmate jail facility visitation. High school identification cards if the visitor is under the age of 18 and does not possess any other valid identification. A physical ID must be provided. Arizona Mobile ID (mID) digitized companion version of an Arizona driver's license or identification card, or other digitized versions of an ID are **NOT** an acceptable form of ID.

Clergy Visits: A community religious representative which includes the following:

- A. Authorized Community Clergy: Lay or ordained ministers from a religious organization who are authorized for visits upon approval by the Custody Support Division (CSD). The visit shall normally be treated as a **Special Visit**.
- B. Chaplain's Aide or Religious Advisor: A religious volunteer selected for specific duties by, and working directly under the supervision of, Office chaplains. A chaplain's aide or religious advisor is afforded the same considerations as an Office chaplain, including access to housing areas in designated Office jail facilities. The visit shall normally be treated as a **Special Visit**.

- C. Community Clergy: Lay or ordained ministers from a religious organization who are authorized for a visit with an inmate and who have not been pre-authorized by the Custody Support Division (CSD). The visit shall normally be treated as a **Special Visit**.
- D. Privileged Community Clergy: Lay or ordained ministers from a religious organization who are authorized for visits upon approval by the Custody Support Division (CSD). The visit shall normally be treated as a **Privileged Visit**. Only Privileged Community Clergy members designated in SHIELD may conduct a Privileged Visit; all other clergy visits shall be conducted as a Special Visit.

Community Partners: For the purpose of this Office Policy, community partners include, but are not limited to, mental health resource providers, bail bonding agents, foreign consulate or embassy personnel, and authorized medical professionals. The visit shall normally be treated as a **Special Visit**.

Inmate Tablet: A handheld computerized electronic device used by inmates to stream music, movies, games, submit inmates forms electronically, and communicate with members of the public and legal representatives. The inmate tablet is provided and maintained by a contracted vendor. Inmate tablets are battery operated and must be returned to the charging station on a regular basis in order to be charged.

Inmate Tablet Visit: A video visit initiated by an inmate in Office custody using the inmate tablet.

Letter of Introduction for Legal Privileged Visitor Status: A formal letter which, when presented with an acceptable identification, qualifies legal personnel for a **Privileged Visit**.

- A. Each formal letter shall be an original and signed by the attorney of record at the time of the visit.
- B. The visitor shall present a signed original letter on official letterhead, which includes a business address and business phone number of the legal organization sponsoring the visitor.
- C. The letter shall state the name of the visitor, the name of the inmate, the inmate's booking number, the purpose of the visit, and the court case number.
- D. A separate letter is required for each inmate to be visited and shall be presented for each visit. Each letter is valid for 30 calendar days after the date of issuance.
- E. The letter of introduction shall not be handwritten.

Letter of Introduction for Special Visitor Status: A formal letter which, when presented with an acceptable identification, qualifies community religious representatives for clergy visits which are normally treated as a **Special Visit**.

- A. Each formal letter shall be an original and be signed by a religious official.
- B. The original formal letter shall include the street address and business phone number of the religious organization sponsoring the visitor. The person signing the letter may or may not be the visitor.
- C. The letter shall state the name of the visitor, the name of the inmate, the inmate's booking number, and the purpose of the visit.
- D. A separate letter is required for each inmate to be visited and shall be presented for each visit. Each letter is valid for 30 calendar days after the date of issuance.

Notary Public: A person over 18 years of age who possesses a current and valid commission and stamp; and complies with all requirements outlined in Arizona Revised Statutes (ARS) 41-269. This type of visit shall be treated as a **Courtesy Visit**.

Notice of Appointment: An official notice provided by the Maricopa County's Office of Contract Counsel indicating a person or entity is under contract with Maricopa County to provide legal services to inmates in custody. This notice is issued to, but not limited to, private investigators, attorneys, mitigation specialists, and paralegals. When presented with an acceptable identification, the visit qualifies legal personnel for a **Privileged Visit**. A notice of appointment may be accepted in lieu of a Letter of Introduction for Legal Privileged Visitor Status.

Office Chaplain: A religious representative employed or contracted by the Office.

Officers of the Court: Professionals who are authorized to have Privileged Visits with inmates and may include, but are not limited to, attorneys, probation officers, legal assistants, paralegals, and investigators recognized by the court. Officers of the court may also include professionals issued Letters of Introductions such as licensed private investigators, doctors, psychiatrists, psychologists, interpreters, and court reporters. The visit shall be treated as a **Privileged Visit**.

On-Site Video Visit: A visit using a video terminal located at an Office jail facility designated visitation area and a video terminal located at an inmate's housing area.

Private Process Servers: A person duly appointed or certified pursuant to rules established by the Arizona Supreme Court who are authorized to serve all process, writs, orders, pleadings, or papers required or permitted by law to be served before, during, or independently of a court action, as defined in Arizona Revised Statutes. This visit shall normally be treated as a **Courtesy Visit**.

PROCEDURES

1. **Inmate Visitation:** Inmate visitation is conducted at designated jail facilities and from remote locations using computerized devices (tablets). Visitation hours and days may vary depending on the visitation types and categories requested. Inmate visitation availability may vary depending on factors such as, but not limited to, the inmate's institutional behavior and jail facility security needs.
2. **Visitation Types:** Inmate visit types are considered as either contact or non-contact and are defined as follows:
 - A. **Contact:** An authorized visit with limited physical contact between inmates and their visitors. Contact Visits are only permitted for Privileged Visits unless authorized by the jail facility commander or designee.
 - B. **Non-Contact:** An authorized visit that allows communication between the inmate and the visitor but prohibits any physical contact between them. The inmate and visitor are usually separated by a transparent partition or through a Remote or On-site Video Visit option. Maximum security and closed custody inmates are **only** allowed Non-Contact Visits, unless otherwise specified by this Office Policy, court ordered, or authorized by the jail facility commander.
3. **Inmate Visitation Categories:** Visits shall be recorded and monitored unless the visit qualifies as a Privileged Visit or as ordered by the court.
 - A. **Video Visits:** An authorized non-contact visit that allows audio and video communication between an inmate and visitor through a video visitation system.

1. On-Site Video Visits: On-Site Video Visits are conducted at designated locations at the Lower Buckeye Jail or the Fourth Avenue Jail.
 - a. Inmates are permitted to receive On-Site Video Visits which are initiated by members of the public. The fee for these visits is determined by the contracted vendor.
 - b. Dates and start times for On-Site Video Visits are dependent on video terminal availability during normal visitation hours.
 - c. On-site Video Visits may also include visits with various community partners and other professional entities.
 2. Remote Video Visits: A Remote Video Visit conducted over the internet through the use of a visitors' home computer, or other electronic device, and a video terminal located in the inmate housing units.
 - a. Inmates are permitted to receive Remote Video Visits which are initiated by members of the public. The fee for these visits is determined by the contracted vendor.
 - b. Remote Video Visits may also include visits with various community partners and other professional entities.
 3. Inmate Tablet Visits: Inmate Tablet Visits are initiated by the inmate using the inmate tablet.
 - a. Inmate Tablet Visits are subject to a pay per minute fee which may be paid for by the inmate, or the person contacted by the inmate, upon confirmation by the paying party.
 - b. An inmate may receive an unlimited number of Inmate Tablet Visits if there are no disciplinary restrictions in place.
 - c. Additional information for Inmate Tablet Visits are specified in Office Policy DK-4, *Inmate Computerized Devices* (Tablets).
- B. Privileged Visit: Privileged Visits may occur in person or remotely. Privileged Visits are normally conducted in the visitation area, during regularly scheduled visitation hours and have no set time limit unless limitation is required for the security and order operation of the Office jail facility. Privileged Visits do not count against the other categories of inmate visits. The following are considered **Privileged Visits**:
1. Officers of the Court and those meeting the criteria of a legal privileged visitor are required to have their credentials along with an acceptable identification (ID). Acceptable credentials include, but are not limited to, the following:
 - a. Attorneys with valid State Bar Association Card and probation officers;
 - b. Legal assistants, paralegals, mitigation specialists, and investigators with valid Maricopa County employee identification;

- c. Private investigators with a valid private investigator license and a Letter of Introduction for Legal Privileged Visitor Status or an issued Notice of Appointment;
 - d. Doctors, psychiatrists, psychologists, and counselors with current Maricopa County employee identification; and doctors, psychiatrists, and psychologists with a Letter of Introduction for Legal Privileged Visitor Status or as ordered by the court;
 - e. Privately employed mitigation specialists, paralegals, and legal assistants from private law firms, with a Letter of Introduction for Legal Privileged Visitor Status or an issued Notice of Appointment for visiting non pro per/se inmates;
 - f. Privately employed mitigation specialists, paralegals, and legal assistants from private law firms, with a Letter of Introduction for Legal Privileged Visitor Status and accompanied by advisory counsel of record or a court appointed investigator when visiting pro per/se inmates; and
 - g. Court reporters and court-appointed interpreters when accompanied by an attorney with a valid state Bar Association Card.
2. Prior to the visit, the visitor's status shall be confirmed by proof of professional status or through Sheriff's Inmate Electronic Data (SHIELD) confirmation, along with an acceptable ID.
 - a. Proof of professional status shall be established by a State Bar Association Card, a listing of contract providers supplied by the Superior Court, or a Letter of Introduction for a Legal Privileged Visit or Status.
 - b. If the privileged visitor is not able to provide proof of profession or is a relative of the inmate, but does possess an ID, the visitor should be allowed an On-Site Video Visit, if approved by the jail facility commander or designee, on a case-by-case basis. If a video visit is approved, the type of visit will be based on the visitor's previously established video visitation account or as specified by the jail facility commander or designee.
 - c. If the visitor is unable to provide proof of profession and an acceptable ID with the same or similar name, the Privileged Visit may be denied.
 3. A privileged visitor shall have the option to utilize the video visitation system, which includes the remote system or on-site video options, with the following exceptions:
 - a. The number of On-Site Privileged Video Visits an inmate receives is unlimited, based upon facility space and availability.
 - b. Remote and On-Site Privileged Video Visits may have sessions based on facility and scheduling timeslot availability.
 4. Privileged Video Visits by officers of the court are **NOT** monitored or recorded unless an order to do so has been obtained by the court.

- C. Privileged Community Clergy Visits:
1. Privileged Community Clergy members professional status to visit as a privileged visitor may be confirmed through a notation in SHIELD made by the Custody Support Division (CSD).
 2. Privileged Community Clergy shall adhere to the requirements, as specified in this Office Policy and Attachment A of this Office Policy. These visits may be monitored but not recorded.
 3. Only Privileged Community Clergy members designated in SHIELD may conduct a **Privileged Visit**, all other clergy visits shall be conducted as a Special Visit.
- D. Special Visits: Special Visits shall be conducted in the visitation area, have no set time limit, and shall occur during regular visitation hours unless limitation is required for the security and orderly operation of the Office jail facility. Special Visits do not count against the other inmate visitation categories. If the visitor is unable to provide the required documentation, the visitor may be allowed to have a Video Visit, as specified in this Office Policy. Special Visits may be video, contact, or non-contact, in accordance with the inmate's security level. In-custody inmates shall not be used as an interpreter for Special Visits. The following are considered **Special Visits** and are normally recorded:
1. Clergy Special Visits may be authorized by the jail facility commander, designee, or an Office chaplain. The approval shall be verified in writing along with a Letter of Introduction for Special Visitor Status and those requirements noted in Attachment A of this policy. In the event a clergy requests a non-recorded visit with an inmate and has obtained prior approval from the CSD Commander, the visit shall be considered a **Privileged Community Clergy Visit**.
 2. Paralegals or legal assistants requesting a Special Visit with a member of their family or a pro per inmate shall require the approval of the jail facility commander or designee. Prior to granting the visit, the visitor shall be required to present a Letter of Introduction for Special Visitor Status, along with a valid ID.
 3. A pro per inmate must have approval from the jail facility commander or designee, as specified in Office Policy DI-5, *Pro Per Inmates*, prior to being granted a Special Visit with witnesses. In all cases, the visits shall be non-contact and recorded.
 4. Community partners may be authorized by the jail facility commander or designee. The approval shall be verified in writing along with a Letter of Introduction for Special Visitor Status.
 5. Law enforcement officers shall be allowed a Special Visit in the performance of their official duties.
- E. Courtesy Visit: A visit may be given at the discretion of the jail facility commander or designee. Courtesy Visits should be used for visits that do not fall into the other categories of visits. Courtesy Visits shall be video, contact, or non-contact in accordance with the inmate's security level. Courtesy Visits shall be conducted in the visitation area and have no set time limit unless limitation is required for the security and orderly operation of the Office jail facility. A Courtesy Visit does not count against the other categories of inmate visits. The following are considered **Courtesy Visits** and are recorded:

1. A person requesting a Courtesy Visit with a member of their immediate family shall be required to obtain the approval of the jail facility commander or designee, prior to being granted the visit.
 - a. Courtesy Visits may be used for, but not be limited to, death notification by the family member; or out-of-state visits that have unique circumstances.
 - b. If the Courtesy Visit is not approved, the visitor may be allowed to have a Video Visit, as specified in this Office Policy.
2. Bondsmen may be given Courtesy Visits at jail facilities with visitation areas and shall adhere to the Courtesy Visit procedures in this Office Policy.
 - a. Office jail facilities without visitation areas, require the bondsman to receive prior approval by the jail facility commander or designee.
 - b. If approved, the bondsman will be issued a visitor pass card for entry into designated jail facility areas for official business.
 - c. If the bondsmen are unable to provide proof of professional status, they may only be allowed to have a Video Visit, as specified in this Office Policy.
3. Notary publics and private process servers are eligible to be given **Courtesy Visits**. Notary publics and private process servers shall abide by the Courtesy Visit procedures in this Office Policy.
 - a. Notary publics and private process servers needing access to conduct official business in Office jail facilities require prior approval by the jail facility commander or designee.
 - b. If approved, notary publics and private process servers shall be escorted by Office personnel. The duration of notary publics and private process servers visit shall not be longer than reasonably necessary to complete their official business.
 - c. Office personnel shall not serve as a witness on any notarized document or accept service on behalf of any inmate.
 - d. If a notary public or private process server is unable to provide proof of professional status, they may only be allowed to have an On-Site Video Visit, as specified in this Office Policy. The official stamp of the notary must include the words *notary public*, the name of the county in which they are commissioned, the notary's name, the commission expiration date, and must include an image of the great seal of the state of Arizona, as specified in ARS 41-266.
 - e. Notary publics are not permitted to conduct business with their family members or friends who are in Office jail custody without the prior approval of the jail facility commander or designee. If approved, notaries shall not be allowed to discuss personal business. Doing so may be subject to the Courtesy Visit being terminated even if the notary service is not completed.
4. **Visitation Procedures:** Each jail facility shall provide an area which allows communication between inmates and their authorized contact or non-contact visitors. The visitation process shall not jeopardize the security and operation of the jail facility.

- A. All On-Site Video Visits shall be conducted at the Fourth Avenue Jail or the Lower Buckeye Jail. Privileged, Special, and Courtesy Visits may be conducted at each of the individual jail facilities.
- B. On-Site, Remote, or Privileged Video Visits must be scheduled a minimum of 24- hours in advance by the person requesting the visit.
 - 1. Visitors should be referred to the mcs0.org website, for information related to creating a video visitation account. All accounts are subject to approval by authorized detention personnel.
 - 2. Visitors shall be at least 18 years of age to be eligible for a Maricopa County Sheriff's Office (MCSO) video visitation account and must be approved prior to scheduling an On-Site or Remote Video Visit.
 - a. Minors under the age of 18 are not eligible to create a video visitation account and must be accompanied and supervised by an adult during a visit as specified in this Office Policy.
 - b. If it is discovered the account creator/visitor is under 18 years of age, Office personnel shall notify a supervisor and the Custody Bureau Intelligence Unit (CBIU).
 - c. Upon confirmation the account creator/visitor falsified their age, the account shall be terminated.
- C. Visitors shall only visit one inmate at a time regardless of the type of visit.
- D. Inmates shall be restricted to a maximum of two visitors per On-Site Video Visit, excluding visitors under one year of age when accompanied by two adults, for Remote Video Visits and Privileged Visits.
- E. Barring unusual circumstances, the jail facility commander or designee shall ensure visitation procedures provide for a Privileged Visit begin within 15 minutes of the request.
- F. Prior approval shall be granted by the jail facility commander or designee before a privileged visitor is authorized to bring in specialized equipment, such as video or photographic equipment. Additional information regarding requests to photograph an inmate are specified in Office Policy DJ-5, *Request to Photograph an Inmate*. Audio recording devices may be allowed with the visitation supervisor's approval; however, they may only be used in the visitation area.
- G. During a Privileged Visit, a high-risk inmate may be allowed to visit in a secured, non-partitioned area, separate from other visitors. Appropriate restraint devices shall be applied to the inmate to ensure the security of the jail facility and the safety of the visitor.
- H. The CSD is responsible for the screening of Privileged Community Clergy Visits.
 - 1. If a Privileged Community Clergy is approved they shall be issued a blue Jail Access Identification (ID) Card, as specified in Office Policy DH-1, *Jail Access*. The blue Jail Access ID Card must be presented each time a Privileged Community Clergy Visit is requested. The blue Jail Access ID Card personnel may visit inmates in designated areas of the jail facility as specified in Office Policy DH-1, *Jail Access* unless otherwise specified by the jail facility commander or designee.

2. The CSD shall notate the authorization of the Privileged Community Clergy Visit in SHIELD between the indicated clergy and the inmate. Upon requesting a Privileged Community Clergy Visit, visitation personnel shall ask for an acceptable ID and access SHIELD to confirm the privileged status of the visit; possession of a Letter of Introduction is not required at the time of the visit. CSD personnel shall manage the number of inmate Privileged Community Clergy Visit requests.
5. **Visitation for Inmates in Administrative or Disciplinary Restrictive Housing:** Inmates in restrictive housing may have Remote Video Visits using the kiosks or Inmate Tablet Visits; however, special conditions or limitations may be placed on their visitation privileges.
6. **Visitation Hours:** Visitation shall only be conducted on designated days and hours, as determined by command personnel. Detention personnel may also discontinue visitation for scheduled periods during meals or as necessary for the security and safety of the jail facility.
7. **Designated Visitation Areas:** Visits shall only take place in designated visitation areas, which includes video terminals located in the inmate living areas or the inmate tablet docking stations.
8. **On-Site Visits:** Persons requesting a visit at a jail facility with an inmate, whether video, non-contact, or contact, shall provide an acceptable ID and accompanying credentials as applicable, and must have an active visitation account registered.
 - A. A Justice Web Interface (JWI) query for criminal history and warrant check shall be conducted by detention personnel on each on-site visitor.
 1. If a warrant is found, the supervisor shall be notified immediately.
 2. Detention personnel shall contact the Operations Information Center (OIC) to confirm the warrant.
 3. If the warrant is valid and the visitor is believed to be the individual named on the warrant, the supervisor shall be advised and request a sworn officer be dispatched to make the arrest.
 4. The visitor should not be alerted of the active warrant and shall be allowed to continue a visit pending their contact with a sworn officer. If the visitor concludes their visit prior to the arrival of a sworn officer, non-sworn personnel shall **not** physically detain the visitor based solely upon the warrant. However, delay tactics, such as extending visit limits or asking to reconfirm visitor identification are appropriate, particularly in felony cases, as long as the visitor has **not** asked for or been **refused** exit from the jail facility.
 - B. Valid Credentials and Accompanying Items: The following are types of valid credentials and accompanying items along with an acceptable ID are for jail facility access purposes. No other types of valid credentials and accompanying items are acceptable unless authorized by the supervisor or jail facility commander:
 1. State Bar Association Cards in conjunction;
 2. Court orders in conjunction;
 3. Letters of Introduction;
 4. Notary Commission Certificate or a valid notary stamp as specified in ARS 41-266; and
 5. Bond agent license number.

- C. If applicable credentials shall be verified with the corresponding issuing agency such as but not limited to:
 - 1. Bondsmen utilize the Arizona Department of Insurance and Financial Institutions;
 - 2. Notaries Publics utilize the Arizona Secretary of State's office; and
 - 3. Arizona Attorney's utilize the Arizona State Bar.

- D. Minors under the age of 18 shall be accompanied and supervised by an adult during a visit.
 - 1. Minors under one year of age are not counted as visitors. Minors one through 17 years of age are considered visitors.
 - 2. Minors under the age of 14 are not required to provide identification unless their age or identity is in question.
 - 3. Minors between the ages of 14 and 17 are required to present a current ID, such as a school ID card.
 - 4. A minor who is married to an inmate shall provide a marriage certificate and valid identification. The married minor shall not be required to be accompanied or supervised by an adult.

9. **Visitors with a Service Animal:** The Office adheres to the Americans with Disabilities Act Amendment Act of 2008 (ADAAA) defines service animal as any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this Office Policy. Dogs whose sole function is to provide comfort or emotional support do **not** qualify as service animals.

- A. The work or tasks performed by a trained service dog must be directly related to the person's disability, such as, but not limited to:
 - 1. Assisting individuals who are blind or have low vision with navigation and other tasks;
 - 2. Alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
 - 3. Pulling a wheelchair;
 - 4. Alerting and protecting a person who is having a seizure;
 - 5. Alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone;
 - 6. Providing physical support and assistance with balance and stability to individuals with mobility disabilities; and
 - 7. Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

- B. When it is not obvious what service an animal provides, visitation personnel shall **not** ask about the person's disability, require medical documentation, require a special identification card or

training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. Visitation personnel should only ask two questions:

1. Is the dog required because of a disability?
2. What work or task has the dog been trained to perform?

C. Under the ADAAA, any state and local governments, business, and nonprofit organizations serving the public shall allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. The service animal shall be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work, or the individual's disability prevents using these devices. A person with a disability cannot be asked to remove the dog from the premises unless:

1. The dog is out of control and the handler does not take effective action to control the dog; and
2. The dog is not housebroken.

D. When there is a legitimate reason to ask for the dog to be removed, visitation personnel shall offer the person with a disability the opportunity to obtain services without the animal's presence.

10. **Visitation Dress Code:** The visitation dress code shall be enforced. Questions concerning appropriate dress shall be referred to a supervisor to determine whether the visit will be permitted. Dress code requirements apply to all visitors, including video and privileged visitors/officers of the court. Dress code violations include, but are not limited to, the following:

- A. Wearing swimming attire;
- B. Wearing clothing, which is above mid-thigh, to include cutoffs, shorts, dresses, and skirts;
- C. Wearing see-through clothing, including, but not limited to, sheer blouses or any other clothing considered to be revealing;
- D. Not wearing a shirt, or wearing clothes which make the breasts visible;
- E. Wearing clothing, such as a tube top, tank top, or halter top which exposes excessive cleavage, the midriff, or the shoulders, regardless of the visitor's gender;
- F. Having bare feet;
- G. Wearing or displaying clothing or paraphernalia which identifies a specific gang by name or logo;
- H. Any visible gang related tattoos; or
- I. Inmates not fully clothed in their Office jail issued uniform.

11. **Subject to Search:** All visitors entering a jail facility are subject to a search prior to, during, or after a visit with an inmate, as specified in Office Policy DH-1, *Office Jail Access*. Searches of all persons shall be conducted using electronic metal detectors, hand wands, secondary searches, and/or millimeter wave body scanners. Secondary searches may only be performed with prior approval of a supervisor. Searches of all personal property and food items shall be conducted using X-ray machines. Refusal to be searched shall automatically cause the visit to be canceled and all future on-site visits may be denied. A memorandum

shall be completed and forwarded through the chain of command to the appropriate custody bureau chief or division commander and the individual's name shall be added to a list of prohibited visitors.

12. **Strip Search:** All inmates concluding a Contact Visit outside of their housing unit shall be strip searched prior to returning to their housing units. Strip searches shall be conducted as specified in Office Policy DH-3, *Search and Contraband Control*.
13. **Contraband:** Procedures regarding contraband found during a visit are specified in Office Policy DH-3, *Searches and Contraband Control*.
14. **Visitors Storage of Personal Property:** A locker or secured area shall be provided for visitors to store unauthorized personal property at their own risk. Personal property, which is not authorized in the visitation area includes, but is not limited to, cellular phones, purses, tobacco products, wallets, jewelry, and money. A list of unauthorized items can be found in Office Policy DH-1, *Office Jail Access*, Attachment A.
15. **Visitors with a Criminal History:** Members of the public may visit inmates through video visitation regardless of their criminal history.
 - A. This does not prohibit jail facility commanders from barring visitors from on-site visits for reasons which may include, but are not limited to, violations of visitation rules, refusal of search procedures, past institutional behavior, or any other reason that may pose a threat to jail security or members of the public.
 - B. Inmates who are assigned to the work release program are prohibited from visiting in-custody inmates.
 - C. The Office should not prohibit visitors on-site visits with a criminal history who are practicing attorneys with valid State Bar Association.
 - D. The Office may allow on-site visits to community partners and other professional entities with a criminal history in designated visitation areas on a case-by-case basis.
16. **Termination or Suspension of a Visit:** A visit may be terminated or suspended by the jail facility commander, a supervisor, or other authorized employees. The supervisor has the ability to request the visit not be charged to the inmate and the appropriate deletion be made in SHIELD. Reasons for terminating or suspending a visit include, but are not limited to, the following:
 - A. Disciplinary or medical restrictions exists;
 - B. The visitor appears to be under the influence of alcohol or drugs;
 - C. The visitor refuses to submit to a search, as specified in this Office Policy;
 - D. The visitor refuses to provide proper identification, as specified in this Office Policy, or has provided false identification;
 - E. The visitor violates the visitation dress code;
 - F. The visitor and inmate engage in any physical contact, including, but not limited to, fondling or fighting;
 - G. The visitor disrupts other visitors;
 - H. The visitor or inmate violates jail facility rules, local, state, and federal laws;

- I. The security of the jail facility requires it;
 - J. There is insufficient visitation space;
 - K. Children are not properly supervised or are left unattended during the visit.
 - L. The visitor is observed consuming alcohol, using drugs, or displaying drug paraphernalia during the visit;
 - M. The visitor or the inmate shows any undergarments, nudity, or displays photographs depicting nudity or sexual behavior during the visit; or
 - N. The visitor uses cellular phones or other electric devices during Non-Privileged Visits. This includes taking photographs.
17. **Requests for Visitation Recordings:** The Inmate Electronics Records Team (IERT) in the CBIU is responsible for coordinating the release of the following records to law enforcement agencies: inmate visitation personal/non-legal video recordings and inmate electronic communications, including electronic messages, digital photographs and e-cards which is a digital image of a greeting card. Office employee requests shall take precedence over outside agencies' requests. All other requests for recordings and electronic records shall be processed on a first-come, first-served basis. The IERT Supervisor, or designee, shall be responsible for the coordination of requests for recordings and electronic communications.
- A. Office Employee Requests, Outside of the CBIU:
 - 1. Initiating Requests: The *Inmate Video Visitation Recordings Request* form shall be completed. The form is located on the Office's shared drive in the Official MCSO Forms folder. The signature of the requesting employee and the employee's division commander or designee is required
 - 2. Forwarding Requests: The request shall be forwarded to the CBIU Commander or designee upon approval by the IERT Supervisor, or designee.
 - 3. Approved Requests: The IERT Supervisor or designee shall produce the requested recordings and notify the employee when the information is available.
 - B. CBIU Requests:
 - 1. Initiating Requests: The *Inmate Video Visitation Recordings Request* form shall be completed.
 - 2. Forwarding Requests: The requesting employee, their supervisor, and division commander or designee shall sign the form. The request shall be forwarded to the CBIU Commander or designee for authorization and signature. The request shall then be forwarded to the IERT Supervisor or designee.
 - 3. Approved Request: The IERT Supervisor or designee shall produce the requested recordings and electronic communications and notify the employee when the information is available.
 - C. Law Enforcement Agency Requests:
 - 1. Law enforcement agencies outside of the Office requesting video recordings and electronic communications shall be required to produce a subpoena, court order, *Inmate Video*

Visitation Recordings Request form, or any other approved form to the IERT Supervisor or designee prior to being provided with any information.

- a. The subpoena, court order, *Inmate Video Visitation Recordings Request* form, or any other approved form shall, at a minimum, contain the inmates name and booking number and specific *start* and *end* dates for video recordings and electronic communications.
 - b. The end date of the requested recordings shall not exceed 30 calendar days from the date of the request.
 - c. Law enforcement agencies shall be responsible for supplying the media used to create copies of the recording. The requesting law enforcement agencies shall provide at least two CD-Rs or DVD-Rs for an original copy and a secondary copy for each request. If the request exceeds the capacity of a single CD-Rs or DVD-Rs, the requesting agency shall provide as many disks as deemed necessary by the IERT Supervisor or designee to make the original and secondary copies of the requested information.
2. The IERT Supervisor or designee shall verify the name and identity of the requestor by reviewing the respective agency-issued identification card. This information shall be documented in the Inmate Electronic Records Database.
 3. A copy of the recordings provided to a law enforcement agency shall be maintained by the IERT for one year pursuant to the Office retention schedule.
18. **Security of Video Visitation Digital Recordings:** The IERT Supervisor shall maintain video visitation recordings and electronic communications in their secure area. Access is restricted to the CBIU, the IERT Supervisor, and as authorized by the CBIU Commander or designee.
19. **Retention of Recordings and Records:** Inmate video visitation recordings are retained on the video visitation vendor's system for 60 calendar days. The electronic record communications shall be maintained for the life of vendor's contract. As a result of a subpoena, evidentiary value, court order, or litigation hold, all items shall be retained beyond the normal retention schedule. Requests for document preservation shall be preserved by the Inmate Video Visitation Administrator.

Attachment A

SUMMARY OF CLERGY VISITATION**PRIVILEGED CLERGY VISITS**

1. Clergy visitors shall pass through metal detectors and/or body scanners, as applicable for entry into a jail facility. Unless a security concern, does not have to secure personal items.
2. All items brought into the jail facility may be inspected either electronically or manually.
3. Clergy materials permitted for visits include, but are not limited to, the following:
 - A. Bible, Koran, Book of Mormon, electronic Bibles, and other religious texts.
 - B. Prayer books, pamphlets, religious magazines, and scripture study material.
 - C. Items used for religious services such as bread, oils, or Native American smudge.
4. Jail facility commanders or designees have final approval authority of all religious items prior to being issued to inmates. If approved by the jail commander, religious materials for inmates may be left with an inmate with the permission of the Visitation personnel and are subject to search, in accordance with the *Informational Handbook for Inmates*.
5. A Contact Visit is permitted except as specified in this Office Policy.
6. Visitation hours are according to the inmate's classification, as posted. Visitation requests outside the normal posted hours shall require the authorization of the jail facility commander or designee.

SPECIAL CLERGY VISITS

1. Clergy visitors shall pass through metal detectors and/or body scanners, as applicable for entry into a jail facility. All personal items shall be secured in a visitor locker.
2. All items brought into the jail facility may be inspected either electronically or manually.
3. Clergy materials permitted for visits, include, but are not limited to, the following:
 - A. Bible, Koran, Book of Mormon, electronic Bibles, and other religious texts.
 - B. Prayer books, pamphlets, religious magazines, and scripture study material may be left with Visitation personnel for the inmate, in accordance with the *Informational Handbook for Inmates*.
4. Other religious items shall not be brought into a jail facility unless prior permission has been obtained by the jail facility commander or designee.
5. A Contact Visit is **not authorized** for an inmate who has been classified as Non-Contact or for security or health reasons, as specified in this Office Policy.
6. Visitation hours are according to the inmate's classification, as posted. Visitation requests outside the normal posted hours shall require the authorization of the jail facility commander or designee.