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<b>Subject:</b> VISITING		

EFFECTIVE: August 30, 1998  
REVISED: May 25, 2004  
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REVISED: August 13, 2012  
REVISED: August 2, 2013  
REVISED: October 11, 2014  
REVISED: July 31, 2015

#### SUMMARY OF REVISIONS/REVIEW

Annual review completed with no changes.

**This Operational Memorandum is available for inmate review in the Institutional Inmate Library.**

APPROVED:



Ryan Mahr, Warden  
Nebraska Correctional Youth Facility

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I. PURPOSE

To set forth policy and procedures governing inmate visiting for the Nebraska Correctional Youth Facility (NCYF). Policies and procedures are necessary in order to attain NCYF's objectives to increase opportunities for inmate self-development and to maintain a safe, secure and humane environment for inmates, staff and the public.

II. GENERAL

- A. It is the belief of NCYF that supervised visits between inmates, family and friends can contribute significantly to the strengthening and maintenance of family ties, encourage socially-acceptable behavior, and assist in improving institutional stability. Therefore, NCYF encourages visits as a means of facilitating the rehabilitation and socialization process. All inmates shall retain visiting privileges for the duration of their incarceration as long as they abide by all rules and regulations governing such activities.
- B. ***NCYF shall ensure and facilitate inmate access to counsel and assist inmates in making confidential contact with attorneys and their authorized representatives; such contact includes, but is not limited to, telephone communications, uncensored correspondence, and visits. (ACA 4-4275)***
- C. ***This Operational Memorandum (OM) shall be made available to the inmate within 24 hours after arrival at NCYF. The inmate orientation information will include, but not be limited to, the following: (ACA 4-4499)***
- ***NCYF's address/phone number, directions to NCYF and information about local transportation.***
  - ***Days and hours of visitation.***
  - ***Approved dress code and identification requirements for visitors.***
  - ***Items authorized in the visitation room/area.***
  - ***Special rules for children.***
  - ***Authorized items that visitors may bring to give the offender (visitors cannot bring anything to "give" the inmate during a visit.)***
  - ***Special visits (for example, family emergencies)***
- D. **The number of visitors an inmate may receive and length of visits may be limited only by NCYFs schedule, space and personal constraints, or when there are substantial reasons to justify such limitations. (ACA 4-4498)**
- E. Visiting privileges may be suspended only by orders from the Warden/Designee.

III. PROCEDURE

VISITING—NDCS Rules and Regulations Chapter 4

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A. VISIT APPLICATIONS

1. Visitors will not generally be permitted to visit prior to submittal of the authorized visiting forms and approval by the Warden or designee. False or incomplete information on this form may result in a denial of visiting privileges.
2. It is the responsibility of each inmate to initiate the visiting process. Inmates may obtain Visitation Request Forms (VRF) (DCS-A-adm-012) from their Unit Case Workers and mail them to those persons they desire to have placed on their approved visiting list. Each prospective visitor must complete a VRF. The VRF can be returned to the facility for processing either by U.S. mail or by dropping it off in person. Forms can either be sent to the attention of the Visiting/Pass Clerk or in the same envelope as a letter to the inmate. If the form is sent to the inmate, it will be removed from the envelope and forwarded to the Visiting/Pass Clerk. It will be noted on the envelope that the form was removed.
3. If the VRF is complete, the Visiting/Pass Clerk forwards the form to the Administrative Lieutenant who will complete the National Crime Information Center (NCIC) check. Forms are accumulated and sent in when necessary.
4. If the VRF is incomplete, the Visiting/Pass Clerk will return the form with notation of problem(s) to the applicant.
5. A NCIC check will be done to verify the identity and to ensure the accuracy of the information on all visitor applicants submitting a VRF (both adults and minors). The designated staff will complete the NCIC. The visiting forms are either marked "OK" in red ink or the NCIC printout of the visitor's record is attached. All visiting forms are then returned to the Unit Case Manager.
6. In the case of Clergy VRF applications, the forms are sent to the Religious Coordinator for approval or denial and performs the procedures that follow.
7. At the housing unit level, a Unit Case Manager checks Siebel to see if the applying visitor is on another inmate's visiting list. The Unit Case Manager also verifies the information on the form for accuracy (i.e. relationship, criminal history, etc.). The Unit Case Manager recommends, approves or denies the visiting form and sends it, intact, to the Unit Administrator.
8. If approved by the Unit Administrator the visiting form is returned to the Pass Clerk/Visiting Corporal. The Pass Clerk/Visiting Corporal enters the visitor on the Corrections Websuite in Siebel and returns the bottom portion receipt to the inmate.
9. If denied by the Unit Case Manager and Unit Administrator, the visiting form is returned to the Pass Clerk/Visiting Corporal. The Pass Clerk/Visiting Corporal enters the denial on the Corrections Websuite on Siebel, and returns the bottom portion receipt to the inmate.
10. Visitors will not be authorized to be on the visiting list of more than one inmate housed within NDCS. In certain special circumstances, NCYF may consider granting one visitor permission to visit two or more inmates simultaneously (ie., a mother may want to visit her two sons during the same visiting period). Another exception to this policy is that an "immediate family" member may be granted permission to be placed on more than one

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inmate's visiting list if one person involved is a member of the inmate's immediate family. For purpose of visiting, "immediate family member" shall mean: spouse, mother, father, sister, brother, son, daughter, grandfather, grandmother, stepparent, stepsibling or person active in place of parent (as documented in the institutional file). Approval must be obtained in writing by the Warden or designee prior to the visit. If such approval is granted, it shall be communicated to the Pass Clerk/Visiting Corporal who will indicate it on the respective inmate's Siebel, visit databases.

11. The Pass Clerk/Visiting Corporal makes a copy to place in the inmates original visiting file then forwards the visiting form to the Records Office where it is placed in the inmate's main file.
12. The inmate has ten (10) working days after notification to appeal denials. They initiate this appeal by completing an interview request to the Warden.
13. Any person shown by substantial evidence to have a harmful or deleterious effect on the inmate or who constitutes a threat to the good order and security of the institution shall be excluded from an approved visiting list.
14. Whenever an inmate receives a VRF notification slip from the Pass Clerk/Visiting Corporal indicating that a particular visitor has been approved to visit him, it will be the responsibility of the inmate to notify the person that he/she has been approved to visit, and to insure that person is made fully aware of dress code, visiting policy and visiting hours.

#### B. AGE REQUIREMENTS

1. Persons 19 years of age and above
  - a. Must complete and submit an individual Visitation Request Form (VRF) (DCS-Adm-012) to the Warden / or designee;
  - b. May visit without parent or guardian.
2. Persons under 18 years of age
  - a. Must complete and submit individual VRF to Warden /designee;
  - b. Must be accompanied on visit by parent, legal guardian or court appointed agent or other authorized adult (age 19 or above);
  - c. Must submit notarized permission letter from parent, guardian or court appointed agent to visit accompanied by another authorized adult;
  - d. Parent, legal guardian, court appointed agent or another authorized adult who accompanies said minor must also be on the inmate's approved visiting list. (Except those individuals who are authorized as a part of their employment to accompany minors on visits are not required to be on a particular inmate's visiting list. Such individuals are required to submit a Visitation Request Form.)
  - e. Minors age 18 and under must have birth certificate to present to the visiting staff during their first visit.

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- f. All minors age 16 and older must also present a picture ID to the visiting staff on all visits.
3. Additional offspring (newborn or adopted) may be added to the inmate's visiting list by sending a letter to the Warden. A new VRF must be filled out for the newborn.
4. Minors who are married do not need parental or legal guardian consent to visit their spouse, but must be approved visitors via the Visitation Request Form process. They also will be required to present a copy of their marriage license along with the Visitation Request Form.

**C. CRIMINAL RECORDS**

Persons with criminal records will not automatically be excluded from visiting. In determining whether or not to approve a person with a criminal record, the nature and extent of that person's total criminal record, plus his or her history of recent criminal activity shall be weighed carefully against the benefits of visitation. The Warden or designee shall retain final authority to review, assess and approve/disapprove applications to visit. Appeals of denials to visits must be submitted in writing to the Warden. NOTE: Failure to list previous criminal convictions on the VRF can result in denial of visiting privileges.

1. Generally, parolees, probationers, or persons having pending charges will not be granted permission to visit during service of sentence and ex-felons will not be granted permission to visit for three (3) years after expiration of sentence, except for immediate family who may be considered at the end of one (1) year. If a member of an immediate family was incarcerated at this facility, they will not be considered for permission to visit for a minimum of three (3) years from the last date they were housed at NCYF. Ex-misdemeanants will not be granted permission to visit for six (6) months after expiration of sentence. Immediate family may be considered after three (3) months.
2. Exception may be made for a spouse/immediate family member who may be allowed to visit once a month by special approval from the Warden/designee. It will be the responsibility of the spouse/immediate family member seeking visiting privileges while on probation/parole to provide, with the VRF, a letter from the supervising probation/parole officer recommending either approval or denial of privileges.
3. The Warden/designee must review and approved/disapprove all VRF submitted by the victim of a sexual or violent offense, when that offense is committed by the inmate being visited if such information is known to NCYF staff.
4. Immediate family members having pending misdemeanor/felony charges may be considered for monthly special visits pending resolution of the charges.
5. An NCIC (National Crime Information Center) computer check to verify visitor identity and to ensure the accuracy of VRF information will be done on all visit applicants submitting a VRF (both adults and minors).
6. Following the release of an inmate on parole, when an inmate is placed on escape status, or bond the Records Office will stamp all current visitor application forms in the classification file "Deleted". The Records Office will also delete these previously approved visitor names from any computer records of approved visitors for this inmate. Corrections website automatically deletes all visitors when an inmate is released.

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**D. EMPLOYEE/EX-EMPLOYEE GUIDELINES**

1. Generally, ex-employees will not be granted permission to visit except with immediate family members. Special written approval from the Warden/designee is necessary.
2. Generally, departmental employees will not be approved to visit. Employees must make a written request to the Warden to be considered, as well as to the Warden of the facility where the employee is assigned.
3. It is the intent of NCYF to provide contacts between employees and family members who are serving sentences for felony convictions. Based upon the special security situations involved and the pressures which could result on either or both of these individuals, it is necessary that appropriate restrictions be maintained and that the inmate and the employee both be personally counseled relative to the following provisions:
  - a. It will be necessary that the Warden/designee authorizes any such visits in advance and that all visits will be conducted as special visits, since the employee will not be approved for placement on the regular visitation list. Both the employee and the inmate should be advised and confirmed in writing that the visits will be on a once per-month basis, will be conducted as special visits, will be scheduled for a time other than the regular visiting period, that the possibility exists that the visits will be monitored, and additionally, that the possibility of monitoring of phone calls and the reading of mail is existent because of the special security considerations important in the maintenance of a safe and secure environment for all individuals involved.
  - b. Family members who are employees will be pat searched prior to entering NCYF. No personal items will be allowed to be brought in, i.e., keys, driver's license, cash, etc.

**E. POSTING VISITING REGULATIONS**

1. The Pass Clerk/Visiting Corporal will ensure the visiting rules are posted near the entrance of NCYF and in the visiting room. The Pass Clerk/Visiting Corporal shall provide copies to any person upon request.
2. By posting of these rules, visitors and inmates shall be made aware that they must adhere to NCYF's posted rules, or they risk suspension or forfeiture of their visiting privileges.

**F. VISITING DAYS AND HOURS**

Friday:	Session I (Protective Custody) Session II (General Population)	1:00 p.m. to 3:00 p.m. 5:30 p.m. to 8:00 p.m.
Saturday:	Session I (General Population) Session II (General Population)	12:30 p.m. to 3:30 p.m. 5:30 p.m. to 8:00 p.m.
Sunday:	Session I (General Population) Session II (General Population)	12:30 p.m. to 3:30 p.m. 5:30 p.m. to 8:00 p.m.
Monday:	Session I (SMU Inmates only)	1:00 p.m. to 3:00 p.m.

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	Session II (Orientation, 90 Day Evals, and Safekeepers)	5:30 p.m. to 8:00 p.m.
Tuesday:	SMU (Incentive Level 5A and Above Extra Visit)	1:00 p.m. to 3:00 p.m.

**Note: General Population inmates will be allowed two (2) visiting sessions per visiting week (Friday, Saturday, and Sunday).**

G. VISITING LISTS

An inmate may receive visits from anyone he chooses subject to the approval of the Warden or designee. In making this determination, the Warden shall consider the effect that the presence of any given visitor may have on the facility, its staff, and/or the inmate confined within, and the probable effect such presence may have upon the rehabilitative progress of the inmate to be visited. Visitors may be refused admission to the facility for failing to abide by the rules and regulations. Such failure by the visitor may result in being removed from the inmate's visiting list. Such action by NCYF shall be set forth in a written statement from the Unit Administrator to the visitor(s) and the inmate to be visited. Such a statement shall also indicate the reason for the action. Inmates aggrieved by such action may appeal through the grievance procedure.

H. VISITOR DELETIONS

1. Any inmate may request that one or more persons listed on his approved visiting list be deleted from that list by completing a Deletion Request Form (DCS-A-adm-063). The deleted visitor's name(s) will not be placed on another inmate's approved visiting list for six months. The deleted visitor's name(s) also will not be reinstated on an inmate's visiting list for six months (if the visitor's name was previously removed at that inmate's direction).
2. A visitor may request deletion by submitting the request in writing to the Warden. Such visitor requested deletions require the visitor to wait six months before he/she may be placed on another inmate's list. The six-month waiting period will also apply to clergy status visitors, however, the Warden may waive the six month waiting period at the recommendation of the Religious Coordinator. In the event that the individual requesting deletion has not visited for a period of at least six months, the Warden may waive the six month waiting period to be added to another inmate's visiting list.

I. VISITING PROCEDURES

Each visitor, upon admission to the facility, will be required to verify his/her identity by providing a valid picture I.D. and provide other vital information requested by the Pass Clerk/Visiting Corporal. In addition, the Pass Clerk/Visiting Corporal will require visitors entering the facility to submit to a search of person and belongings, unless they are exempt per Department policy.

J. PROCESSING VISITORS INTO NCYF

1. The Pass Clerk/Visiting Corporal will search all visiting areas before and after each visiting session. Unannounced canine searches of visitors/visitor areas may also take place.
2. The function of the Pass Clerk/Visiting Corporal is to facilitate authorized and "special" visitors in and out of the institution, preserve security and maintain a record of visits. To

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ensure that the visiting process is conducted with these points in mind, the following basic rules and procedures shall be followed closely:

- a. Only those visitors listed on an inmate's authorized visiting list shall be permitted to visit. Each visitor must bring with him/her at least one form of photo identification and must present this document to the Pass Clerk/Visiting Corporal each time he/she enters NCYF. Expired identifications will not be accepted. Examples of acceptable photo identification cards are:
  - State drivers license/i.d. with photo, or a
  - Military Identification Card with photo.
- b. The Pass Clerk/Visiting Corporal shall exercise good judgment in establishing that each visitor has provided sufficient identification. If ever there is a question concerning the adequacy of a visitor's identification, the Pass Clerk/Visiting Corporal will consult with the Shift Supervisor who will make the decision as to whether or not to deny a visit.
3. ***The Pass Clerk/Visiting Corporal will ensure a record of each visitor that enters NCYF is kept. Visitors will sign-in on a Visitor Sign-in Log (Attachment #1) provided for this purpose upon entry into NCYF. (ACA 4-4503)*** Information asked for on this form shall include the name of the visitor, relationship of the visitor to the inmate, the date of the visit, and the time the visitor enters NCYF.
4. After each visitor signs in, the Pass Clerk/Visiting Corporal will log each visitor into the database, then print and sign the visitor pass.
5. After preparing the Visiting Permit, the Pass Clerk/Visiting Corporal will notify the appropriate housing unit to inform them of the inmate's visit.
6. ***NCYF's visiting area permits informal communication, including opportunity for physical contact. The no contact visiting area precludes physical contact and is not used except in instances of substantiated security risk. (ACA 4-4499-1) There is adequately designed space to permit screening and searching of visitors. Lockers/space is provided for the storage of visitor's coats, handbags, and other personal items not allowed into the visiting room. (ACA 4-4156)***
7. The dates of all visits with inmates shall be recorded on the database. There are no exceptions. This record shall not be revealed to the public without the written consent of the inmate and approval of the Warden.
8. Search of Visitors
  - a. Pat Search
    - (1) All visitors will be searched by "pat search." This procedure will be routine for all visitors entering NCYF. This involves patting-down the visitor's clothing and body without the physical removal of clothing other than shoes, wigs and the emptying of pockets. In addition to being pat-searched prior to entering the institution, a pat search may be conducted at any time during the visit at the discretion of visiting room staff or as

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directed by a supervising staff member. Visitors will also be required to pass through a metal detector or hand held wand.

- (2) Female staff shall pat-search female visitors while male staff will pat-search male visitors. However, female staff can pat-search male visitors with their consent. If/when a question arises as to the conduct of, or surrounding the circumstances of a pat search, the Shift Supervisor will be contacted.
- (3) If, after being pat-searched there is a reasonable suspicion that the person may be carrying contraband, further consensual searches may be requested. Only with the approval of the Security Administrator or higher authority who shall evaluate the grounds asserted to justify the search will a visitor be requested to submit to a strip search.
- (4) All minors will be pat-searched, canine searched in the presence of their accompanying adult.

b. Body Search

This type of search requires an individual to remove all of his/her clothing except undergarments. The searching officer then will inspect each item of clothing one-at-a-time as they are removed. He/she also shall observe the visitor in his/her undergarments.

- c. UNDER NO CIRCUMSTANCES will a visitor be physically searched unless he/she voluntarily consents. If a visitor refuses to consent to any type of search, the visit will be denied or terminated. The Shift Supervisor will be notified and a written report will be submitted to the Security Administrator.
- d. If contraband is found on the person or in the clothing of a visitor, or if there has been an attempt to pass contraband between an inmate and a visitor, the contraband shall be confiscated and the visitor will be asked to wait for law enforcement officials. NO FORCE or the locking of doors will be used in attempting to detain an individual. If the visitor leaves after attempting to introduce contraband, the facility will contact law enforcement and forward all relevant reports for possible legal action against the visitor.
- e. NCYF has the authority to order a private citizen to leave NCYF grounds. If a citizen refuses to leave, the Nebraska State Patrol or Omaha Police Department will be contacted to have the party(ies) removed.

f. Marking Visitors with Invisible, Skin-Marking Ink

Visitors will be marked just prior to entering the Sallyport and into the institution. After each visitor has been pat-searched, he/she will pass through the walk-through metal detector or hand held wand, and be stamped/marked by the Pass Clerk/Visiting Corporal with invisible skin-marking ink. Each marking shall be placed on the underside of the left wrist approximately two to three inches above the area where a wrist watch would be located (an alternative location, i.e. right wrist, may be used if the left wrist is not available due to an injury or prosthetic).

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If visible via an ultraviolet light, the Pass Clerk/Visiting Corporal will signal Central Control to allow the visitor(s) to enter.

g. Checking Visitors with the Ultraviolet Light as They Leave the Institution.

Whenever visitors leave the visiting room, they will be allowed to enter the Sallyport. However, while inside the Sallyport with all doors closed, the control control corporal shall shine the ultraviolet light on each visitor's left wrist area (or other area if the wrist was not available) to determine if the original invisible skin-marking is still there. If the mark is intact, (the Pass Clerk/Visiting Corporal shall signal the Central Control to allow the visitor(s) to leave). If the marking appears illegible, altered, or "suspiciously different" from what was originally stamped or written on or if no mark is visible at all, the Central Control shall notify the Shift Supervisor, immediately, and request instructions. The visitor(s) in question shall be detained inside the Sallyport with all doors closed until the Shift Supervisor authorizes that person(s) to pass through. The Pass Clerk/Visiting Corporal or person processing the person in will be consulted to verify the person's identity.

Any visitor who refuses to allow him/herself to be marked with invisible skin-marking ink shall not be permitted to enter the institution.

9. Inmate Processing

- a. Each inmate shall be notified by staff when they have a visit. He will report to the visiting area where he will be strip-searched in the inmate shakedown room prior to entering. All items of clothing and personal items will be inventoried on an Inmate Property Form (DCS-A-sec-004). The form will be signed by the officer conducting the strip search.
- b. At the end of a visit, each inmate shall be strip-searched and a second inventory of his clothing and personal items will be conducted by the staff conducting the search.

K. VISITOR DRESS CODE DURING VISITING

The Warden has established the dress code for visitors. When visiting at NCYF, proper attire is required. Clothing should not be distracting or offensive to inmates or other visitors. Please see Attachment #2 regarding the dress code for visitors.

L. INMATE ATTIRE DURING VISITING

- 1. Pants: Inmates will wear state-issued khaki long pants or personally purchased blue jeans. Pants will be kept neat, properly buttoned, and zipped at all times. Inmates will wear underwear and may wear a belt. The belt will be fastened at all times. Pant pockets must not have rips or holes in them. No sagging will be allowed.
- 2. Shirts: Inmates will wear a state-issued khaki shirt and white t-shirt or polo. Shirts will be tucked into the pants. Shirts will be properly buttoned with the exception of the top collar button, which is optional. Thermal shirts can be worn under the state-issued khaki shirt between October 15<sup>th</sup> and April 15<sup>th</sup>. Thermal shirts can only be worn in place of t-shirt, they may not both be worn with state-issued khaki.

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3. Inmates may wear state-issued kitchen whites if coming directly from work and if they are clean.
4. Shoes and Socks: Inmates will wear state-issued boots or white tennis shoes and socks at all times except when the Medical Department authorizes, in writing, alternative footwear.
5. Inmates housed on any segregated confinement status or inmates who are on Orientation status will visit in their state-issued jumpsuit, T-shirt, shorts, socks and shoes. The jumpsuit will be fully buttoned at all times.
6. No other clothing other than described above shall be permitted in the visiting area. Inmates and their respective visitors shall not be allowed to wear or exchange each other's clothing while visiting each other. No inmates shall be allowed to leave the visiting area with any item(s) of clothing that he did not have in his possession when he first entered the visiting area. All unauthorized items are subject to immediate confiscation and will be considered contraband. The Shift Supervisor will be contacted and briefed of any suspected violations.

M. APPROVED VISITOR ITEMS

1. Visitor Items – All property items will be searched prior to bringing them in the facility. Visitors are permitted the following items in the visiting room/area:
  - a. Heart medication and asthma medications. Other medication may not be taken into the visiting room without prior approval from the Warden. All medication must be in the original container.
  - b. Infant necessities will not exceed:
    - Two diapers (cloth or disposable) and baby wipes per session.
    - Two clear baby bottles with sealed formula.
    - One change of clothing.
    - One clear plastic bag or container.
    - One infant seat.
    - One blanket.
    - One pacifier/teething ring
    - Toys not furnished by NCYF, must be of a simple, non-weapon, plastic type appropriate for pre-school age children.
  - c. Visitors are allowed to take with them into the visiting area the following items:
    - One comb,
    - One watch,
    - One handkerchief,
    - Jewelry as appropriate,
    - One religious medallion/headwear,
    - Medical brace/necklace
    - One pair of prescription glasses, and

Medically-authorized prosthetic appliances, such as:

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- Wheelchairs
- Canes
- Artificial limbs
- Hearing aids
- Crutches
- Medical alert jewelry
- Service animals

2. Except as authorized, all personal belongings (not listed in the previous paragraphs) will be secured in vehicles in NCYF's parking lot prior to entering the institution or placed in lockers provided in the front lobby area of the facility.
3. Tobacco products may not be used on NCYF property and must be secured in the visitor's vehicle. These products may not be brought into the facility.

**N. APPROVED INMATE ITEMS**

Inmates in general population will be required to be in possession of his inmate I.D. card. In addition, inmates are permitted the following items in the visiting room/area:

- One ring.
- One watch.
- Two earrings and one necklace.
- One handkerchief.
- One comb.
- One pair prescription glasses.
- One religious medallion/headwear (rosaries are not permitted to be worn as necklaces).
- One religious book for a clergy visit.
- Authorized medical prosthetic appliances such as artificial limbs, wheelchairs, canes, hearing aids, crutches etc., heart and asthma medication
- Five picture tickets.

**Note:** Pawsitive Outcomes dogs are not allowed in the visiting area unless approved by the Warden or Assistant Warden.

**O. VISITOR/INMATE RESPONSIBILITY, CONDUCT AND BEHAVIOR**

Visitors and inmates must obey staff instructions and posted rules and regulations governing visits.

It is the responsibility of the visitor and the inmate to conduct themselves in a manner that will not bring discredit upon themselves or be disruptive to other visitors in the area. It is the responsibility of the visitor to supervise and maintain control over accompanying children. Neither visitors nor inmates are permitted to use corporal punishment on children or others when on NCYF property. If a child becomes disruptive during a visit and is not controlled by verbal direction from the supervising visitor or the inmate, the visit may be terminated. Children over the age of three (3) will not be allowed to sit on an inmate's lap. NOTE: Any abuse of a child will be reported to Health and Human Services, Child Protective Services and/or the Nebraska State Patrol.

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Chapter 4 of the NDCS Rule Book, titled VISITING paragraph 004.05 states in part: Visitors may also be refused admission to the facility for failing to abide by the rules and regulations. Such a failure by the visitor may also result in the visitor being removed from the visiting list. Such action by the facility or Department shall be set forth in a written statement to the visitor or visitors and the inmate to be visited. Such statement shall also indicate the reasons for the action. Inmates aggrieved by such action may appeal through the grievance procedure.

Physical Contact

1. Physical contact between visitors and inmates is limited to a brief kiss and a short embrace at the beginning and end of the visit. Caressing is prohibited.
2. Inmates on "No Contact" status with a minor will have no contact at any time with a minor, including at the beginning and end of visitation. A visible separation will be maintained at all times.
3. An inmate and a visitor may hold hands during the visit. Hands shall remain visible above the tables at all times.
4. No materials such as blankets, cloth, etc., may be used as a lap cover, draped over tables, benches or chairs in the visiting area.
5. Chairs in the Visiting Room cannot be moved. Visitors and inmates will not be allowed to sit on each other's laps or straddle chairs, benches, etc. (Inmates may be permitted to hold children, age three and under, during visits) No exceptions to this provision shall be made.
6. Visiting Area. At the conclusion of the visit, inmates and visitors share a responsibility for cleaning up the immediate area which was used for the visit.

P. VISITATION RESTRICTION/SUSPENSION

1. Visitor Restrictions

It is the policy of NCYF to encourage visits between members of the community and inmates as a means of promoting the rehabilitation process. However, inmates and visitors share a responsibility with NCYF for proper conduct during the visiting process. Some actions which may result in either temporary or permanent visiting restrictions are:

- a. Improper inmate or visitor conduct during the visiting process.
- b. Disruptive behavior.
- c. Introduction of contraband or the attempt to introduce contraband into the facility or taking unauthorized items or property from the facility. VISITORS WHO HAVE BEEN FOUND INTRODUCING OR ATTEMPTING TO BRING CONTRABAND INTO THE NEBRASKA CORRECTIONAL YOUTH FACILITY MAY BE SUBJECT TO CRIMINAL PROSECUTION UNDER NEBRASKA LAW.
- d. Drinking of alcohol/use of illegal drugs or being under the influence of alcohol/illegal drugs.

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- e. Refusal to submit to a search of any type. (Types of searches may include: Canine, pat search, strip search or other searches as indicated/approved.) Refusal to allow oneself to be marked with invisible skin-marking ink.
- f. Violation of any posted visiting rules and regulations or failure to follow staff instructions.
- g. Leaving the visiting area and proceeding into an unauthorized area.
- h. Doing anything that jeopardizes the safety and good order of the facility.
- i. False or incomplete information on VRF or visiting or attempting to visit under a false identification.
- j. Poor sanitation and hygiene of the visitor(s).
- k. Positive detection by any of the means specified in Section J., #8 (Search of Visitors) above.
- l. Insufficient visiting room space available (maximum occupancy is 29 people).
- m. Refusal to clean up the area that was used for the visit.
- n. Unauthorized visits with other inmates or other inmate's visitors. The only exception would be when the visiting room is at capacity; inmates may share their table with another inmate and his visitor. (Unauthorized visits include any interaction with the inmates from the parking lot through the fence to the inmates on the yard.)
- o. Taking unauthorized pictures with other inmates and/or his visitors.
- p. Physical contact with a minor by an inmate on "no contact" status with minors.

2. Visit Suspension and Termination

- a. If Visiting Room staff observes behavior between an inmate and his visitor which ~~he/she feels is inappropriate or disruptive, that staff shall contact the Shift Supervisor and inform him/her of the situation.~~
- b. The Shift Supervisor shall make the decision as to whether or not to terminate the visit. If the Shift Supervisor determines that the behavior on the part of the visitor was serious enough to merit some type of suspension of visiting privileges, he/she will cite all available information on an Incident Report Form with a recommendation for a suspension of visiting privileges and submit it to the Unit Administrator's office.
- c. If the Unit Administrator concurs with the Shift Supervisor's report and recommendation, he/she shall endorse it by stating his/her concurrence with it and forward it to the Warden for a final decision.
- d. If the Warden agrees with the report, the Unit Administrator may suspend the visiting privileges of the visitor by stating that fact in a letter and citing the reasons for it. The statement of reasons may be deleted if it would jeopardize the security of the facility or the safety of any individual. The inmate involved will

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also receive a copy of the letter. In that same letter to the visitor, the Unit Administrator also will specify the length of time that the suspension is to last (i.e., whether permanently or for a specified period of time). In the case of an indefinite suspension, the Warden's letter will include a date when that visitor may resubmit an application for visiting privileges. A copy of this visiting suspension letter will be sent to all other facilities within the Department.

- e. Any inmate aggrieved by the removal of a visitor from his visiting list may appeal such action through the regular grievance procedures. Prior to the termination of a visit/suspension of visiting privileges for any of the above reasons, less-restrictive alternatives may be attempted. Such alternatives may include warning the inmate and/or visitor of their improper behavior.
- f. If the visiting privileges of an inmate's immediate family member are suspended, that individual may be allowed to visit on a monthly basis. Visits with immediate family who are ex-inmates may also be allowed on a monthly basis. It shall be the inmate's responsibility to initiate requests for such visits by completing a Special Visit Form (DCS-A-adm-034).

**Q. VISITING LIMITATIONS**

- 1. ***The number of visitors an inmate may receive and the length of visits may be limited only by the institution's schedule, space and personnel constraints, or when there are substantial reasons to justify such limitations. (ACA 4-4498)***
- 2. There shall be no limit to the number of visitors an inmate may have on his authorized visiting list, however all visitors must be approved by the facility for visiting. Visitors will not generally be granted permission to visit prior to their submittal of a VRF and prior to its subsequent approval. Specific visiting policies limiting visitation are as follows:
  - a. No more than four adults may visit an inmate during any one visiting period. There may be four minors present as long as they are supervised by one adult visitor. If it is necessary for more than four minors to visit, it must be approved in advance on a special visiting form. NCYF reserves the right to impose reasonable restrictions on the number of visitors who may visit an inmate at one time to prevent overcrowding in the visiting room or to eliminate difficulties in supervising the visits.
  - b. Visitors who leave the institution or the Visiting room will not be permitted to resume their visiting privilege for that session.
  - c. Once an inmate completes a visit by leaving the visiting room, his visits for that day are terminated, with the exception of clergy visits.
  - d. Special visiting restrictions may be imposed by the facility due to scheduling, space, and personnel constraints.

**R. TYPES OF SPECIAL VISITS**

The Warden or designee must authorize all visitors.

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1. Special Extended and Emergency Visits:

*These types of visits are intended primarily to accommodate "immediate" family members who visit less than once per month because of long distance (over 200 miles from NCYF) or because of limitations imposed upon NCYF due to space, scheduling or staffing restrictions. Special/emergency visits may also be granted for reasons of hospitalization or for inmates in segregation status when the security or the good order of the facility/community is not jeopardized. Persons not on an inmate's approved visiting list, but who may be considered for special visiting privileges include prospective employers, attorneys, members of the clergy, and social service representatives. These people may be able to offer valuable assistance to inmates and, therefore shall be allowed to visit with the approval of the Warden or designee. These visits shall not count against the inmate's regular visiting time for that week. (ACA 4-4501)*

- a. Immediate family members not on the inmate's approved visiting list may be approved by the Unit Administrator when that person(s) is listed as such in the classification study.
- b. ***Specifically, whenever an inmate knows at least one working day (Monday through Friday) in advance that he is expecting a visitor who would fall under these "special visit" guidelines, he shall request visiting consideration by submitting a Special Visit Form to his Unit Case Manager who will verify the information noted on the form. The Unit Administrator shall make the final approval/disapproval decision. If approved, the "form" will be forwarded to the Pass Clerk/Visiting Corporal where he/she will keep it on file until the requested visit day arrives. If the visitor does not arrive on the expected day, the Pass Clerk/Visiting Corporal will note on the form the fact that the visitor failed to show. The Pass Clerk/Visiting Corporal then shall initial his/her name to the form, date it, and forward it to the records office for filing in the inmate's permanent record file. A special visit may be extended with the permission of the Unit Administrator. (ACA 4-4500)***
- c. Special visits will be applied to the number of visits an inmate is allowed per week.
- d. The prospective visitors must be on the inmate's approved visiting list and must receive approval to visit from the Security Administrator and Unit Administrator. The Unit Administrator shall then schedule both the day of the visit and the length of the visit, and shall forward this information to the pass Clerk/Visiting Corporal.
- e. If the visit is to occur at a community hospital, before reporting to the hospital, the inmate visitor(s) must first report in person to the Pass Clerk/Visiting Corporal at the facility. The Pass Clerk/Visiting Corporal shall ensure proper visitor identification, process the visit per established procedures, and prepare a Visiting Permit, on the back of which shall be listed the approved length of the visit. The Pass Clerk/Visiting Corporal shall then call the hospital and notify the supervising security staff of the visit. Visits may only take place between 0730 to 1930 hours, seven- (7) days a week.

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- f. The inmate visitor(s) shall then report to the hospital and present the visiting permit to the supervising security staff. No person shall be allowed to visit who has not presented a valid visiting permit or of whom the employee(s) has not received advance notification from the Pass Clerk/Visiting Corporal. Both conditions must be satisfied before a visit can occur. Once the visitor(s) arrive at the hospital, the supervising security staff shall check the visitor(s) visiting permit and identification before allowing the visit. Visitors will be pat-searched as if they were visiting the inmate at the facility. The same visiting rules apply. Staff will monitor the visit closely to ensure contraband is not introduced. The inmate will be searched after the visit.

2. Restrictive Housing Visits.

***NCYF policy, procedure, and practice provide that inmates in Restrictive Housing have the opportunity for visitation unless there are substantial reasons for withholding such privileges. (ACA 4-4267)***

There are three types of segregation classifications, which affect visitation policies:

- a. **Administrative Segregation:** which occurs when an inmate needs to be segregated but no disciplinary sanctions have been imposed. Generally, inmates in this classification shall have similar visiting privileges as those afforded to the general population. However, visits may be denied for reasons of security or for the good order of the facility.
- b. **Disciplinary Segregation:** which occurs when an inmate loses some privileges as a result of disciplinary action. Inmates in this status may be denied visits for reasons of security or for the good order of the facility. If granted, visits may be for a duration of two hours. Longer visits may be authorized, depending upon a review of the circumstances and approval by the Warden or designee.
- c. **Immediate Segregation:** which occurs when an inmate commits a violation of rules and regulations that is under investigation.

Inmates on Administrative Segregation to include Immediate Segregation and Disciplinary Segregation status will be allowed visitation on Monday afternoons from 1:00 p.m. to 3:00 p.m. Restrictive Housing inmates and their visitors will be seated in the Visiting Room so that as much allowable space separates them from other Restrictive Housing inmates.

3. Special Management Unit Incentive Levels Program

Inmates participating in the Special Management Unit Incentive Levels Program level 5A and above have the opportunity for an extra visit each month. Extra visits will occur on Tuesdays from 1:00 pm – 3:00 pm. Level 5A inmates are required to submit a special visit request form to their Unit Case Manager no later than 48 hours before the date and time of the extra visit session. The inmate can receive an extra visit from a person on their approved visiting list. Visitors approved for monthly special visits will not be given additional visits.

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4. Inmates who Have Committed Crimes in Which Victim(s) were Minor Aged Children (Under 19 Years of Age):
- a. The file of each inmate will be reviewed to determine if any record exists meeting the above criteria. Newly committed inmate files shall be reviewed by receiving staff at NCYF in which the inmate is housed. If such a record exists, the person reviewing the record will list out the information on the inmate Summary of Crimes Against Minors form (DCS-A-adm-105-pc).
  - b. Once the inmate has been identified, the siebel database for "prior contact with minor" will be updated. This entry will automatically update the Siebel classification study and the visitor's list databases. In addition, the records office will red-ink stamp "no contact with minor" to the front cover of the inmate file. This information shall also be placed on the inmate's visiting card.
  - c. These procedures are applicable to crimes in which the victims were minor aged children (under 19 years of age). This includes current and prior convictions and any verifiable plea agreements regarding same. Arrests without convictions may be considered if a pattern of prior abuse exists.
  - d. The following offenses committed against minor children shall be considered:
    - (1) Murder
    - (2) Manslaughter
    - (3) Sexual Assault
    - (4) Assault
    - (5) Incest
    - (6) Terroristic Threats
    - (7) Kidnapping
    - (8) False Imprisonment
    - (9) Fondling
    - (10) Child Abuse
    - (11) Pornography
    - (12) Contribution to the Delinquency of a Minor
    - (13) Any other related offenses
  - e. The visitation restriction procedures for crimes against minor aged victims are as follows:
    - (1) The file of each inmate shall be reviewed to determine if any record exists meeting the above criteria. Newly committed inmate files shall be reviewed by the Unit Case Manager to determine if initial restrictions are required.
    - (2) Once the inmate has been identified, the Records Office will stamp the front cover of the inmate file with a red-inked stamp titled "contact with minor". The Pass Clerk/Visiting Corporal will also stamp the inmate visiting card with the same red-inked stamp.
    - (3) Identified inmates shall be prohibited from visitation with any minor aged children until specific restrictions are imposed by the Warden following classification.

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- (4) Upon classification, the Case Manager shall review all available information for each inmate to obtain necessary details of previously identified conviction records as well as to identify any additional applicable offense records. If such record exists, the Case Manager reviewing the record will list out the information on the Inmate Summary of Crimes Against Minors Form, submitting the form to the Warden for review.
- (5) Once effected inmates have been identified, the SQLE database for "prior contact with minor" will be updated by the Case Manager. This entry will automatically update the SQLE classification study and the visitor's list databases. Any additionally identified inmates shall have inmate files and inmate visiting cards stamped according to procedures as stated above.
- (6) Inmates returned to NCYF from bond, court, etc., or as a parole violator shall have files reviewed upon admission and upon reclassification. Identification procedures and visitation restrictions shall be the same as for newly committed inmates.
- (7) The Warden shall have the authority to impose visiting restrictions on identified inmates on a case-by-case basis. The Warden will indicate restrictions on the Crimes Against Minor Aged Victims Form (DCS-A-adm-105-pc). Case Managers will ensure the inmate signs and receives a copy of the form. If the no physical contact with minor aged children restriction is imposed, additional actions may include restricting these inmates to visiting children/youth at designated times and/or designated authorized areas, excluding visitors under the age of 19 from the inmate's approved visiting list, and/or suspension of all visiting privileges until the inmate has received treatment intervention. The visits shall be closely monitored by visiting room staff. Any violation of this policy will result in immediate termination of the visit, removal of the inmate and the visitor from the visiting area, and the issuance of a misconduct report. Penalties imposed against inmates will be consistent with agency disciplinary procedures. Actions imposed on visitors will be handled administratively by the Warden. Factors considered in making the above determination may include, but are not limited to, the following considerations:
  - (a) Length of time since last child-related offense occurred.
  - (b) Seriousness of prior offense(s).
  - (c) Number of prior offense(s).
  - (d) Mental health status of minor child and/or inmate.
  - (e) Age of requested visitor and relationship to inmate.
  - (f) Inmate history of violence.
- (8) Identified inmates will receive written notice of their visiting status relating to minor children and the guidelines for visits involving minors via the Crimes Against Minor-Aged Victims form.
- (9) The Warden has the authority to modify or eliminate visiting restrictions imposed as provided in this policy. Such modification or elimination shall

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normally be in consultation with appropriate mental health, program and custody staff.

- (10) Inmates may request a modification or elimination of visiting restrictions imposed at the time of their scheduled custody review, but no less than annually, by submitting an Inmate Interview Request Form to their respective Unit Case Manager.

5. Inmate to Inmate Visits:

Community Custody inmates may be authorized to visit immediate family members incarcerated at NCYF once every three months. Inmate to inmate visits may occur when the following criteria are met:

- One inmate must be on community custody status.
- The community custody inmate will initiate the visit request.
- The inmates must be immediate family as defined by current departmental guidelines.
- Each facility's Warden or designee must approve the visit.
- The visit will generally occur during regular visiting hours.
- The community custody inmate will be strip searched upon arrival and upon leaving NCYF.
- An approved volunteer sponsor will provide transportation.
- The approved volunteer sponsor may also participate in the visit if the sponsor is on the visiting list of the inmate to be visited.
- If the approved volunteer sponsor is not on the visiting list, he/she will be required to stay in the front entrance of the facility during the visit.
- The community custody inmate must produce his/her inmate I.D. prior to being allowed to visit at a secure facility.
- Visits may be approved once every three months.
- If the facilities are in the same city, the visit may be done on pass; if the facilities are in different cities, the visit may be done on furlough.
- If the visit occurs during furlough, it will be considered an outside family activity.

6. Holidays:

Inmates will be allowed visits on Thanksgiving Day, Christmas Day and New Years Day, regardless of the days upon which the holiday falls. All other holidays will be treated as any other day relative to whether or not visits are allowed. If these other holidays fall on regular visit days, then visits will be allowed, but if they are on non-visit days, then no visits will be allowed. These visits will not affect the number of allowed visits during the

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rest of the visiting week. The Pass Clerk will be responsible for posting a memo to the inmate and the public at least 2 weeks prior to each holiday.

7. Professional and Public Official Visits

Attorneys-of-record and public officials may visit inmates at NCYF without formal placement on an inmate's visiting list. Due to limited private space, the institution requests to have prior notice of an attorney's visit. Attorneys will be admitted to the institution during regular administrative or visiting hours after presenting proper credentials and identification. If special circumstances exist, they may be allowed to visit on non-visiting days and during non-visiting hours, but only with the prior approval of the Shift Supervisor or higher authority.

Attorneys will be entered into the database as they come to visit. Social Security Number or VRI are not required.

Attorneys-of-record who utilize paralegals to conduct legal research regarding an inmate's case must first forward a letter to the Warden identifying the paralegal, the inmate client, and the nature of the business to be conducted. No person acting in the capacity of a paralegal shall be admitted into the institution without a letter of endorsement from his/her attorney-of-record.

All professionals and public officials shall be pat searched when visiting an inmate on non-"official" business.

8. Clergy Visits:

- a. All clergy wishing to visit an inmate are required to submit a completed VRF that will be processed per procedures as stated in Section A of this OM.
- b. Upon completion of an NCIC, the VRF will be routed to the Religious Coordinator.
- c. The Religious Coordinator will contact the clergy and request a copy of current ministerial credentials as outlined in the Operational Memorandum Religious Services. ~~No person will be allowed to visit as clergy without proper and valid credentials.~~
- d. When the documentation for the clergy is received, the Religious Coordinator will make the appropriate notation on the bottom of the form and return it to the inmate. The Religious Coordinator will inform the Pass Clerk/Visiting Corporal of the disposition. If approved, the Pass Clerk/Visiting Corporal will make the addition to the visiting record. The original top portion of the VRF will be forwarded to Records Office to be placed in the inmate's central file.
- e. Disapproval of the VRF will be made only following consultation with the Assistant Warden. The inmate will be informed in writing of the decision per procedures.
- f. The inmate is responsible for informing the clergy of approval or disapproval of his/her visits with the inmate.

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- g. Any clergy who has been disapproved may appeal in writing that decision to the Warden.
- h. Any inmate who disagrees with an action may appeal by writing an Interview Request form to the Warden.
- i. The Religious Coordinator will maintain a list of all approved clergy. The Pass Clerk/Visiting Corporal may access the list through the institution's database.
- j. Clergy will only be added to an inmate's list at the request of the inmate.
- k. Up to two clergy may visit up to four inmates at a time during regular visiting hours as posted.
- l. Clergy visits will not count against an inmate's regular visiting time for that week.
- m. "Emergency" visits by clergy will be verified and approved prior to arrival of the clergy. Accurate details of the emergency must be discussed to the highest level administrative, duty officer, or Shift Supervisor available at the time of the request.
- n. As with all visitors, clergy must present valid photo ID.
- o. Pastoral acts performed by clergy in addition to visitation include:
  - Communion may be served during visiting. No wine may be used for the inmates; only grape juice in a sealed container. All unused portions must be removed immediately. The clergy performing communion will be allowed to bring in no more than two (2) ounces of wine for his own consumption during communion. A worship manual and communion elements are authorized.
  - Baptism may be performed with prior approval with the request made to the Religious Coordinator ten (10) days before visiting date. Baptism by sprinkling will be performed in the Religious Coordinator's office or visiting room. No guests are allowed.
- p. Clergy wishing to give religious instructions requiring religious material will use the material stored in the Visiting Room. The visiting clergy may provide appropriate study material to the Religious Coordinator to be placed in the Visiting Room.
- q. Visiting clergy may perform marriage and family counseling. Normally these sessions will take place during regular visits.
- r. Other requests for services may be discussed with the Religious Coordinator.

**S. INMATE CHANGE OF STATUS**

During "Initial Orientation" each inmate will be asked to designate an individual to be contacted in the event that either an emergency or major change of status occurs or to coordinate the weekly desired visiting days. Initial Classification personnel will transpose, legibly, that information onto a florescent orange, self-adhesive file folder label which will be positioned in

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the center lower portion inside the front cover of the inmate's permanent record file. It is the responsibility of the inmate to keep this label updated by submitting an Interview Request Form to the Records Office.

Major change or status will be considered transfer to another institution or change of visiting status (i.e. placed in immediate segregation). It is the responsibility of the inmate to notify any visitor of an intra or inter-institution changes. Where the inmate is unable or not allowed to personally notify someone, the inmate's case manager will attempt to notify the visitor of the change of status. If, after a reasonable effort, the inmate's case manager is unable to contact the visitor to relay a major change of status, then the inmate will be notified.

T. **TRANSPORTATION OF VISITORS**

***NCYF has available information for visitors about directions to the institution and information about local public transportation systems posted in a bulletin board in the lobby designated for this purpose (ACA 4-4504).***

IV. **REFERENCE**

- A. Nebraska Department of Correctional Services (NDCS) Rules and Regulations Chapter 4, AR 002.01, Media Access Policy and AR 205.02, Visiting.
- B. ACA Standard(s): 4-4156, 4-4267, 4-4275, 4-4498, 4-4499, 4-4499-1, 4-4500, 4-4501, 4-4503, and 4-4504.
- C. Attachment(s): #1 Inmate Visitation Sign-In Sheet  
#2 Visitors Dress Code





## Nebraska Correctional Youth Facility Visitor Dress Code

The Warden has established the dress code for visitors. When visiting at NCYF, proper attire is required. Clothing should not be distracting or offensive to inmates or other visitors.

The following items CANNOT be worn to visit inmates at NCYF:

1. No shorts or Bermuda shorts: This is applicable for both male and female visitors over the age of 10. Children 10 and under may wear shorts.
2. No skirts/dresses/skort/culottes less than knee length (top of knee) (10 years of age or under are excluded). Female visitors are encouraged to wear slacks/pants. Dresses with slits must not have slits that go above the knee.
3. No halter tops, tube tops, sleeveless dresses or shirts, spaghetti/string tied tops, v neck tops, backless tops, muscle shirts, tank tops, half shirts, crop tops, or other clothing revealing bare shoulders, a bare midriff, or any part of the breast, chest or back. (10 years of age or under are excluded).
4. No hooded clothing of any kind.
5. No clothing with profanity, references to drugs or alcohol, references to gang, references to gang violence, racial slurs, or offensive phrases of any kind.
6. No form fitting clothing including tights/leggings, tight knit biker pants, spandex, stirrup pants, or tight stretch pants (10 years of age or younger are excluded).
7. Bras and undergarments will be worn at all times (i.e., females must wear underwear and bra, males must wear underwear/shorts).
8. Sweat pants and jogging pants will be permitted if they are clean and in good repair. They should not be tight or form fitting. Break away wind pants are not allowed.
9. No torn or altered clothing. No khaki-colored pants and shirts may be worn as a complete outfit.
10. No see through clothing of any kind.
11. All outerwear and hats will be secured in the front entrance area. No jackets are allowed (half sleeved jackets will be allowed in the visiting room).
12. All wigs and hairpieces will be checked.
13. No gum, cigarettes, lighters, monies, or any type of electronic devices (i.e. radios, games, pagers, cell phones, etc.) are allowed in the institution. These items must be left in your vehicle.
14. No sagging, or bagging of pants will be allowed. All visitors must wear their pants at their waist.
15. All undershirts must be tucked in. If the visitor is not wearing an undershirt then the outer shirt must be tucked in. Sweatshirts do not have to be tucked in.

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