

 <p>Good Life. Great Mission.</p> <p>DEPT OF CORRECTIONAL SERVICES</p>	POLICY OFFICIAL VISITORS TO CORRECTIONAL FACILITIES AND PROGRAMS		
	EFFECTIVE DATE November 30, 2024	NUMBER 120.01	PAGE 1 of 6
	STATEMENT OF AVAILABILITY Law Library Access		

EFFECTIVE: January 31, 1985

REVISED: August 11, 2014

REVISED: April 30, 2015

REVISED: April 30, 2016

REVIEWED: April 30, 2017

REVISED: April 30, 2018

REVISED: April 30, 2019

REVISED: June 30, 2020

REVISED: December 31, 2021

REVIEWED: April 30, 2022


REVISED: December 31, 2023

REVISED: November 30, 2024

SUMMARY OF REVISION/REVIEW

<p>Policy Directive 024-012 incorporated. PROCESS – II. – Language updated.</p> <p>Minor grammar changes throughout.</p>
--

APPROVED:



Rob Jeffreys (Nov 1, 2024 14:34 CDT)

Rob Jeffreys, Director
Nebraska Department of Correctional Services

 <p>Good Life. Great Mission.</p> <p>DEPT OF CORRECTIONAL SERVICES</p>	POLICY OFFICIAL VISITORS TO CORRECTIONAL FACILITIES AND PROGRAMS		
	EFFECTIVE DATE November 30, 2024	NUMBER 120.01	PAGE 2 of 6
	STATEMENT OF AVAILABILITY Law Library Access		

PURPOSE

To provide guidelines for the identification and reception of official visitors to Nebraska Department of Correctional Services (NDCS) facilities and programs.

NDCS team members shall receive official visitors in a courteous and professional manner and be sensitive to their specific needs/purpose. Neb. Rev. Stat. §83-186 defines certain public officials who shall be allowed to visit any facility in NDCS at any time. The warden of a facility or higher authority may permit other persons to visit facilities/NDCS operated buildings/sites consistent with applicable policy, see *Entrance/Exit Procedures* (Attachment A).

PROCESS

I. OFFICIAL VISITORS

- A. Members of the legislature
- B. Members of the judiciary
- C. Members of the board of pardons (governor, attorney general and the secretary of the state)
- D. Members of the board of parole
- E. Clergy/religious members (with approval of the director)

II. IDENTIFICATION

Each warden or building administrator shall maintain a current listing of official visitors. Reference materials containing photographs of official visitors shall be accessible to facility team members. The director's office shall assist in supplying this information (Attachment B) .

The listing and photographs shall be readily available to the shift supervisor and the team members involved in receiving visitors to the facility/NDCS operated building to aid in the identification of State officials or State senators who arrive for facility/NDCS operated building visits. See *Official Visitor Photographs* (Attachment B)

All official visitors will present official identification representing their respective position/agency.

III. RECEPTION

Consistent with state statute, official visitors may visit any facility/NDCS operated building at any time and will be processed as expeditiously as possible. When circumstances allow, advanced notice of official visitors is requested to provide NDCS team members time to allocate necessary resources to facilitate the visit.

The warden or the shift supervisor on duty shall be notified immediately upon the arrival of an official visitor. He or she will assist in the identification of the visiting individual when necessary. All official visitors will be required to sign the visitor's register before entering and when departing the facility/program.

 <p>Good Life. Great Mission.</p> <p>DEPT OF CORRECTIONAL SERVICES</p>	POLICY OFFICIAL VISITORS TO CORRECTIONAL FACILITIES AND PROGRAMS		
	EFFECTIVE DATE November 30, 2024	NUMBER 120.01	PAGE 3 of 6
	STATEMENT OF AVAILABILITY Law Library Access		

The warden or department head for NDCS operated buildings/sites or ranking team member will attempt to ascertain the purpose of the visit and any other information, which may assist team members in facilitating the request/movement within the facility/NDCS operated building/site of the official visitor.

IV. NOTIFICATION

It will be requested that all official visitors provide at least 24 hours' notice, where appropriate, to allow time to accommodate and facilitate the visit.

Key personnel throughout the facility or program shall be notified concerning the visitor's presence and appropriate security precautions taken where warranted.

The appropriate deputy director and director shall receive notice of all official visitors to include attendance at club/self-betterment functions. When circumstances allow, notification shall be completed prior to the visit. If the official visitor arrives on a weekend, holiday or after business hours, notification will be made to the appropriate deputy director who will then notify the director as soon as possible via e-mail.

V. SEARCHES

All official visitors will have their property searched similar to that of any NDCS team members.

All official visitors will walk through a metal detector and may be subject to a pat search by a trained NDCS team member of the same gender at the discretion of the director/designee. Official visitors are exempt from using the randomizer selector button when entering NDCS facilities.

VI. PUBLIC COUNSEL OR ANY EMPLOYEE OF THE OFFICE OF PUBLIC COUNSEL

A. The public counsel or any employee of the office of the public counsel (ombudsman and inspector general of the Nebraska correctional system) shall schedule facility visits in advance through the facility warden. Unscheduled visits require the approval of the public counsel, in consultation with the chair of the legislative executive board.

B. The public counsel or any employee of the office of the public counsel (ombudsman and inspector general of the Nebraska correctional system) may request to bring in the following items: digital camera, and laptop or tablet that does not have cellular capability. Members of the office of public counsel will present these items for inspection, and a notation will be made in the log at the front entrance.

C. Members of the office of inspector general of Nebraska correctional system, and members of the office of public counsel (ombudsman's office) will have their property searched similar to that of any NDCS team members, are required to walk through a metal detector and may be subject to a pat search by a trained NDCS team member of the same gender at the discretion of the director/designee. Members of the office of inspector general of Nebraska correctional system, and members of the office of public counsel (ombudsman's office) are exempt from using the randomizer selector button when entering NDCS facilities.

 <p>Good Life. Great Mission.</p> <p>DEPT OF CORRECTIONAL SERVICES</p>	POLICY		
	OFFICIAL VISITORS TO CORRECTIONAL FACILITIES AND PROGRAMS		
	EFFECTIVE DATE November 30, 2024	NUMBER 120.01	PAGE 4 of 6
	STATEMENT OF AVAILABILITY Law Library Access		

VII. ELECTRONIC COMMUNICATION DEVICES

- A. NDCS prohibits all persons from introducing an electronic communication device within an NDCS facility without prior authorization, or as specifically authorized by NDCS policy.
- B. No person is permitted to provide an electronic communication device to an incarcerated individual of the facility without prior authorization, or as specifically authorized by NDCS policy.
- C. An electronic communication device is any device, which, in its ordinary and intended use, transmits by electronic means writings, sounds, visual images, or data of any nature to another electronic communication device. An electronic communication device does not include any device provided to an incarcerated individual by NDCS.
- D. A person who intentionally introduces within a facility or intentionally provides an incarcerated individual of a facility with any electronic communication device without prior authorization or as specifically authorized by NDCS policy commits an offense for which he/she may be criminally charged.
 1. The following individuals are exempt from prosecution for this offense:
 - a. An attorney or an attorney's agent visiting an incarcerated individual who is a client of the attorney
 - b. The public counsel or any employee of his/her office
 - c. A peace officer acting under his/her authority
 - d. An emergency responder or firefighter responding to emergency incidents within a facility
 - e. A person acting with the permission of the director or in accordance with NDCS rules, regulations, or policies. (See Neb. Rev. Stat. § 28-936)
- E. The procedure for obtaining approval to introduce an electronic communication device within an NDCS facility is as follows:
 1. A *Cellular/Wireless Device Institutional Use Request (Attachment A)* from Policy 104.05 *Electronic Communication Devices* must be completed and submitted to the director. Only the director or his/her designee can grant permission to introduce an electronic communication device within an NDCS facility.
 2. If approved, human resources at Central Office will issue an institutional use card which will include the approved person's photo, name, title, phone number, brand and model of the device. To be valid, the information on the card must be accurate.
 3. Prior to proceeding past the first institutional check point, the card and authorized device will be presented for verification. The card will be retained at the access point, providing inventory and tracking control.

 Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	POLICY OFFICIAL VISITORS TO CORRECTIONAL FACILITIES AND PROGRAMS		
	EFFECTIVE DATE November 30, 2024	NUMBER 120.01	PAGE 5 of 6
	STATEMENT OF AVAILABILITY Law Library Access		

4. Upon exiting the facility, the device will be presented for verification, and the card returned to the individual.
5. If an electronic communication device is approved, individuals introducing such a device are required to abide by all departmental and facility restrictions regarding photography in NDCS facilities. The taking of photos/video must be approved, in advance, by the warden or communications division.

VIII. ESCORTS

All official visitors, members of the office of inspector general of Nebraska correctional system, and members of the office of public counsel (ombudsman's office) will be escorted by an NDCS team member who is equipped with a radio, TAC alert and keys to accommodate efficient movement based on the visitor's itinerary. Generally, the warden/designee shall also accompany members of the legislature, judiciary and board of pardons when visiting a facility/program.

The escorting team member's primary purpose is to provide for the safety and accountability of the visitor while inside an NDCS facility. If an emergency should occur, the visitor will immediately be moved to the closest safe and secure location and notification of their presence there will be communicated to central control.

If an official visitor, member of the office of inspector general of Nebraska correctional system, or member of the office of public counsel (ombudsman's office) requests privacy with an incarcerated individual or team member (while in the secure side of the facility), then the escort will allow space without compromising the visitor's safety. The escorting team member will stand at sufficient distance so as not to impede the confidentiality between the visitor and the person with whom they are conversing.

IX. REPORTS

Written reports regarding the visit will be made, as needed, by the warden/shift supervisor or department head for NDCS operated buildings/sites. Particular attention shall be paid to any requests for additional information or follow-up requests or concerns expressed by the official visitor. The appropriate deputy director and director shall receive copies of these reports.

REFERENCE

I. STATUTORY REFERENCE AND OTHER AUTHORITY

- A. Neb. Stat. Stat. §83-186, §83-192, §28-936, §29-2248, §81-1108.15, §47-911, §81-8,245

II. NDCS POLICIES

- A. 104.05 *Electronic Communication Devices*

III. ATTACHMENTS

- A. Entrance/Exit Procedures
- B. Official Visitor Photographs

<div> NEBRASKA </div> <div> Good Life. Great Mission. </div> <div> DEPT OF CORRECTIONAL SERVICES </div>	POLICY OFFICIAL VISITORS TO CORRECTIONAL FACILITIES AND PROGRAMS		
	EFFECTIVE DATE November 30, 2024	NUMBER 120.01	PAGE 6 of 6
	STATEMENT OF AVAILABILITY Law Library Access		

IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) – None noted