

NEBRASKA

Good Life. Great Mission.

DEPT OF CORRECTIONAL SERVICES

NEBRASKA CORRECTIONAL YOUTH FACILITY

PROCEDURE

VISITING

REVISION DATE
April 30, 2019

NUMBER
205.2.1

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STATEMENT OF AVAILABILITY

***This Procedure is to be made available in law libraries or other resource centers**

EFFECTIVE: August 30, 1998
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SUMMARY OF REVISION/REVIEW

Incorporated Policy Directive 018-011.
Procedure I.D-Added prior employee visitation considerations.
Procedure I.P.1-Added reasons visitors may be denied access to visit.
Procedure I.O-Added paragraph permitting informal communications.
Procedure I.P.2-Added clarifying language about visiting suspension.
Procedure I.K-Updated visitor attire requirements.
Procedure I.M.1.c-Removed watch from list of items a visitor can bring to a visit.

APPROVED:



Charles West, Warden
Nebraska Correctional Youth Facility

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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.

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 Procedure shall be made available to inmates within 24 hours after arrival at NCYF. The inmate orientation information shall 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 (visitors are not authorized to 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 personnel constraints, or when there are substantial reasons to justify such limitations. (ACA 4-4498)***
- E. Visiting privileges may be suspended only by order from the Warden/Designee.

I. PROCEDURE

VISITING—NDCS Rules and Regulations Chapter 4

- A. VISIT APPLICATIONS

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1. Visitors shall not 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 shall be removed from the envelope and forwarded to the Visiting/Pass Clerk. It shall 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 Religious/Volunteer Coordinator who shall complete the National Crime Information Center (NCIC) check. An NCIC check shall 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 member shall 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.
4. If the VRF is incomplete, the Visiting/Pass Clerk shall return the form with notation of problem(s) to the applicant.
5. In the case of Clergy VRF applications, the forms are sent to the Religious Coordinator for approval or denial. Approved forms are then processed pursuant to the following (paragraphs 7, 8 and 9 below):
6. At the housing unit level, a Unit Case Manager shall check 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 approval or denial of the visiting form and sends it, intact, to the Unit Administrator.
7. 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 Website in NiCaMS and returns the bottom portion receipt to the inmate.
8. 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 Website on NiCaMS, and returns the bottom portion receipt to the inmate.
9. Visitors shall 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

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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 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 acting 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 shall indicate it on the respective inmate’s Siebel, visit databases.

10. 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.
11. The inmate has ten (10) working days after notification to appeal denials. The appeal process is initiated when the inmate submits a completed Inmate Interview Request Form to the Warden.
12. 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.
13. Whenever an inmate receives a VRF notification slip from the Pass Clerk/Visiting Corporal indicating that a particular visitor has been approved to visit, it shall 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 and older
 - a. Must complete and submit an individual Visitation Request Form (VRF) (DCS-A-adm-012) to the Warden / or designee.
 - b. May visit without parent or guardian.
2. Persons 18 years of age and under
 - 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 when accompanied by an authorized adult.

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- d. Parent, legal guardian, court appointed agent or other 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 individual are, however, 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.
 - f. All minors age 16 and older must also present a picture ID to the visiting staff on all visits.
3. Minors who are married do not need parental or legal guardian consent to visit their spouse, but must be approved visitors via the VRF process. Spouses shall be required to present a copy of their marriage license with the Visitation Request Form.

C. CRIMINAL RECORDS

Persons with criminal records shall 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 shall not be granted permission to visit during service of sentence. Ex-felons shall 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. Ex-misdemeanants shall 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 shall 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 visiting privileges.
3. The Warden/designee must review and approved/disapprove all VRFs 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.

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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 shall be done on all visit applicants submitting a VRF (applicable to adults and minors).
6. Following the release of an inmate on parole, or when an inmate is placed on escape status or bond, the Records Office shall stamp all current visitor application forms in the classification file "Deleted". The Records Office shall 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.

D. EMPLOYEE/EX-EMPLOYEE GUIDELINES

1. Generally, ex-employees shall not be granted permission to visit except with immediate family members. Special written approval from the Warden/designee is necessary. For instances where a prior employee is attempting to visit an inmate who is not an immediate family member, the following shall be considered:
 - a. The nature of the prior employee's relationship to the inmate.
 - b. The length of time the prior employee has known the inmate.
 - c. Circumstances or reasons for employment separation including: eligibility for re-hire, intelligence reports, investigations and violations of work rules during employment.
 - d. Any investigation or intelligence information received after employment separation.
2. Generally, current departmental employees shall not be approved to visit except for immediate family. 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 are personally counseled relative to the following provisions:
 - a. It shall be necessary that the Warden/designee authorizes any such visits in advance and that all visits shall be conducted as special visits, since the employee shall not be approved for placement on the regular visitation list. Both the employee and the inmate should be advised and

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receive written confirmation, that the visits shall be on a once per-month basis, shall be conducted as special visits, shall be scheduled for a time other than the regular visiting period, that the possibility exists that the visits will be monitored, and additionally, 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 shall be pat searched prior to entering NCYF. No personal items shall be allowed to be brought in, i.e., keys, driver's license, cash, etc.

E. POSTING VISITING REGULATIONS

1. The Pass Clerk/Visiting Corporal shall 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 the posting of these rules, visitors and inmates shall be made aware they must adhere to NCYF's posted rules, or risk suspension or forfeiture of visiting privileges.

F. VISITING DAYS AND HOURS

Friday:	Session I (Orientation, 90 Day Evals, And Safekeepers)	1:00 p.m. to 3:00 p.m.
	Session II (General Population)	5:30 p.m. to 8:00 p.m.
Saturday:	Session I (General Population)	12:30 p.m. to 3:30 p.m.
	Session II (General Population)	5:30 p.m. to 8:00 p.m.
Sunday:	Session I (General Population)	12:30 p.m. to 3:30 p.m.
	Session II (General Population)	5:30 p.m. to 8:00 p.m.
Monday:	Session I (Restrictive Housing Inmates only)	1:00 p.m. to 3:00 p.m.
	Session II (Protective Custody)	5:30 p.m. to 8:00 p.m.

Note: General Population inmates shall 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.

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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) shall not be placed on another inmate's approved visiting list for six months. The deleted visitor's name(s) also shall 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 shall 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, shall 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 shall require visitors entering the facility to submit to a search of person and belongings, unless exempt from searches per Department policy.

J. PROCESSING VISITORS INTO NCYF

1. The Pass Clerk/Visiting Corporal shall 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 ensure that the visiting process is conducted with these points in mind, the following 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 valid photo identification and must present this document to the Pass Clerk/Visiting Corporal each time he/she enters NCYF. Expired identifications shall not be accepted.
 - 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 shall consult with the Shift Supervisor who shall make the decision as to whether or not to deny a visit.

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3. ***The Pass Clerk/Visiting Corporal shall ensure a record is kept of each visitor that enters NCYF. Visitors shall 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 entered NCYF.
4. After each visitor signs in, the Pass Clerk/Visiting Corporal shall log each visitor into the database, then print and sign the visitor pass.
5. After preparing the Visiting Permit, the Pass Clerk/Visiting Corporal shall 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 in 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 shall be searched by "pat search." This procedure shall be routine for all visitors entering NCYF.
 - (2) Female staff shall pat-search female visitors while male staff shall 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 shall 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 shall a visitor be requested to submit to a strip search.
 - (4) All minors shall be pat-searched and/or canine searched in the presence of their accompanying adult.

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- b. UNDER NO CIRCUMSTANCES shall a visitor be physically searched unless he/she voluntarily consents. If a visitor refuses to consent to any type of search, the visit shall be denied or terminated. The Shift Supervisor shall be notified and a written report shall be submitted to the Security Administrator.
- c. 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 shall be asked to wait for law enforcement officials. NO FORCE or the locking of doors shall be used in attempting to detain an individual. If the visitor leaves after attempting to introduce contraband, the facility shall contact DCS investigators and/or law enforcement and forward all relevant reports for possible legal action against the visitor.
- d. 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 shall be contacted to have the party(ies) removed.
- e. Marking Visitors with Invisible, Skin-Marking Ink
- Visitors shall be marked just prior to entering the Sallyport into the institution. After each visitor has been pat-searched, he/she shall 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). If visible via an ultraviolet light, the Pass Clerk/Visiting Corporal shall signal Central Control to allow the visitor(s) to enter.
- f. 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 central 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, Central Control shall 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 the 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.

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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 shall report to the visiting area where he shall be strip-searched in the inmate shakedown room prior to entering. All items of clothing and personal items shall be inventoried on an Inmate Property Form (DCS-A-sec-004). The form shall 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 shall 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, casual attire is appropriate. However, clothing should not be distracting or offensive to inmates or visitors, and must be in good repair. Footwear in good repair is required to be worn at all times; open toe shoes are allowed. A lightweight outer jacket/sweater without any pockets may be worn into the visiting area.

1. Visitors must wear undergarments. Visitors may not wear multiple layers of undergarments. Females must wear one bra and one pair of underwear (10 years of age and younger are not required to wear a bra). Males must wear one pair of underwear/undershorts.
2. Visitors are not allowed to wear a combination of both khaki colored pants and shirt at the time of a visit. A visitor may wear khaki pants or a khaki shirt, but never at the same time during a visit.
3. Shorts and skirts must be below the knee when standing or sitting.
4. Shirts and dresses must cover the shoulders.
5. Clothing with pictures, symbols or language that may be considered profane or offensive by current public standards shall not be allowed.
6. The tops of clothing shall be no lower than the collar bone in front and back.
7. Children 10 years and younger may be allowed to visit if wearing shorts, skirts or rompers.
8. Clothing which is tight fitting (clothing shall be considered tight fitting if it reveals the outline of genitalia or the areola), revealing or made of see-through fabric shall not be allowed.

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9. Clothing is expected to be in good repair, without rips, tears or torn pockets allowing for access beneath the garment(s).
10. Hats, headbands, hooded clothing or outerwear are not allowed. Clergy are permitted to wear religious headwear.
11. Watches, exercise trackers and similar devices are not permitted.

Female visitors are encouraged to wear slacks/pants. Female visitors wearing skirts/dresses shall not be required to lift the garment to their waist to facilitate an appropriate pat search. Staff shall perform the pat search through the aforementioned clothing.

L. INMATE ATTIRE DURING VISITING

1. Pants: Inmates shall wear state-issued khaki long pants or personally purchased blue jeans. Pants shall be kept neat, properly buttoned and zipped at all times. Inmates shall wear underwear and may wear a belt. The belt shall be fastened at all times. Pants pockets must not have rips or holes in them. No sagging shall be allowed.
2. Shirts: Inmates shall wear a state-issued khaki shirt and white t-shirt. Polo shirts are not allowed in Visiting. Shirts shall be tucked into the pants. Shirts shall 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 15th and April 15th. Thermal shirts can only be worn in place of t-shirt; they may not both be worn with state-issued khaki.
3. Inmates may wear state-issued kitchen whites, if kitchen whites are clean and if coming directly from work.
4. Shoes and Socks: Inmates shall wear state-issued black shoes 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 shall be allowed to visit in the clothing that they are assigned by the Multi-Disciplinary Committee.
6. No 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. 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 shall be considered contraband. The Shift Supervisor shall be contacted and briefed of any suspected violations.

M. APPROVED VISITOR ITEMS

1. Visitor Items – All property items shall be searched prior to bringing into the facility. Visitors are permitted the following items in the visiting room/area:

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a. Heart and asthma medications. Other medications may not be taken into the visiting room without prior approval from the Warden or facility physician. All medication must be in the original container.

b. Infant necessities will not exceed:

- Four diapers (cloth or disposable) per session.
- Two clear baby bottles, fully sealed, with formula.
- Eight wet wipes inside one clear plastic bag or container.
- One blanket.
- One pacifier/teething ring
- Toys must be of a simple, non-weapon, plastic type as appropriate for pre-school age children. Toys will not be furnished by the facility.

c. Visitors are allowed to take with them into the visiting area the following items:

- One comb.
- One handkerchief.
- Jewelry: one ring, two earrings and one necklace
- One religious medallion/headwear.
- Medical brace/necklace.
- One pair of prescription glasses, and

Medically-authorized prosthetic appliances, such as:

- 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) shall 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. Tobacco products may not be brought into NCYF.

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.

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- 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.
- Legal materials for an attorney visit.

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 shall 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 five (5) shall not be allowed to sit on an inmate's lap. NOTE: Any abuse of a child shall be reported to Health and Human Services, Child Protective Services and/or the Nebraska State Patrol.

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. NCYF shall permit informal communications, including the opportunities for limited brief contact. Devices that preclude physical contact shall not be used, except in instances of substantial security risk, or as a sanction through the inmate disciplinary process.
2. Visitors and inmates must accept responsibility to behave in a mature, responsible manner and be respectful of the rights of other inmates and their visitors.
3. 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.

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4. Inmates on “No Contact” status with a minor shall have no contact at any time with a minor, including at the beginning and end of visitation. A visible separation shall be maintained at all times.
5. An inmate and a visitor may hold hands during the visit. Hands shall remain visible above the tables at all times.
6. No materials such as blankets, cloth, etc., may be used as a lap cover, draped over tables, benches or chairs in the visiting area.
7. Chairs in the Visiting Room cannot be moved. Visitors and inmates shall not be allowed to sit on each other’s laps or straddle chairs, benches, etc. No exceptions to this provision shall be made.
8. Visiting Area. At the conclusion of the visit, inmates and visitors share a responsibility for cleaning up the immediate area 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. A visitor refuses to show appropriate identification.
- b. Improper inmate or visitor conduct during the visiting process.
- c. Disruptive behavior.
- d. 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.
- e. Drinking of alcohol/use of illegal drugs or being under the influence of alcohol/illegal drugs.
- f. 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.

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- g. Violation of any posted visiting rules and regulations or failure to follow staff instructions.
- h. Leaving the visiting area and proceeding into an unauthorized area.
- i. Doing anything that jeopardizes the safety and good order of the facility.
- j. False or incomplete information on VRF, or visiting or attempting to visit, under a false identification.
- k. Poor sanitation and hygiene of the visitor(s).
- l. Positive detection by any means as specified above in Section J., #8 Search of Visitors.
- m. Insufficient visiting room space available (maximum occupancy is 29 people).
- n. Refusal to clean up the immediate area used for the visit.
- o. Unauthorized visits with other inmates or other inmate's visitors. (Unauthorized visits include any interaction with the inmates from the parking lot through the fence to the inmates on the yard.)
- p. Taking unauthorized pictures with other inmates and/or his visitors.
- q. 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 shall cite all available information on an Incident Report Form, with a recommendation for a suspension of visiting privileges, and submit 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 Warden may suspend the visiting privileges of the visitor. Suspensions shall be in accordance with

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NDCS Visiting Restriction Guidelines (Attachment #8). Based on the severity of the incident, the Warden/designee has the discretion to suspend visitation on the first offense for all rules violated (attached exclusions may range from denial of visiting for the day, suspension of visiting for a specified period, or permanent removal from the approved visiting list). A violation that poses a significant risk to security or injury to another person can result in an immediate and permanent restriction. Permanent removal shall only occur with the written approval of NCYF's Warden/designee. Visiting suspensions shall occur by stating that fact in a letter to the person, and citing the reasons for it.

- e. The statement of reasons may be deleted if it would jeopardize the security of NCYF or the safety of an individual. The inmate involved shall also receive a copy of the letter.
- f. In the letter to the visitor, the Warden/designee shall also specify the length of time that the suspension shall last (i.e., whether indefinitely or for a specified period of time). In the case of an indefinite suspension, the letter shall include a date when the visitor may resubmit an application for visiting privileges. Visitors that are suspended from visiting at NCYF are suspending from visiting all NDCS facilities. Exceptions may be considered by the Warden if immediate family members are involved.
- g. 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.
- h. The Warden may modify the condition of a visit based on results of any part of the search procedures. (For example, a positive indication from a canine search.) Additionally, behavior on the part of an inmate or visitor may require a modification.

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 5-7D-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 shall 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:

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- 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 shall not be permitted to resume their visiting privilege for that session. An exception shall be made for visitors using the restroom. In the event that a visitor would need a restroom, he/she shall be escorted by staff to the A-Building (lobby) restrooms. The visitor shall be escorted by staff when returning to the Visiting room.
- c. Once an inmate completes a visit by leaving the visiting room, his visit for that day is terminated, with the exception of clergy visits.
- d. Special visiting restrictions may be imposed by NCYF due to scheduling, space, and personnel constraints.

R. TYPES OF SPECIAL VISITS

The Warden or designee must authorize all visitors.

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. Non-family members may be approved at the discretion of the Warden. In cases of a verifiable death or critical illness to an inmate's immediate family member, the inmate should be notified as possible (Attachment #7). An inmate visit to an immediate family member with a verified critical illness may be approved, as long as NCYF security is not jeopardized. 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)

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- 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 shall verify the information noted on the form. The Unit Administrator shall make the final approval/disapproval decision. If approved, the form shall be forwarded to the Pass Clerk/Visiting Corporal where he/she shall 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 shall 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 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 shall 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 NCYF. 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 supervising security staff of the visit. Visits may only take place between 0730 to 1930 hours, seven- (7) days a week.
- 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 shall be pat-searched as if they were visiting the inmate at the facility. As hospital posts are assigned only to male NCYF staff, for the purpose of visitor pat searches in a community

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hospital setting, female visitors may authorize by verbally stating such approval, to consent of a pat search completed by a male NCYF staff member. This exception shall only be made when: an inmate is residing in a community hospital, the visitor is approved to visit said inmate and said female visitor verbally consents to a pat search as conducted by the male staff person assigned to the hospital duty. The same visiting rules apply. Staff shall monitor the visit closely to ensure contraband is not introduced. The inmate shall 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 two types of restrictive housing classifications, which affect visitation policies:

- a. **Immediate Segregation:** which occurs when an inmate commits a violation of rules and regulations that is under investigation.
- b. **Long-Term Restrictive Housing:** which occurs when an inmate is placed in the Restrictive Housing Unit as an administrative decision. Longer visits may be authorized, based on the inmate's earned incentives by the through their behavior plan as approved by the Multi-Disciplinary Review Team.

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

3. Behavior Plan

Inmates participating in the Behavior Plan may receive extra visits based on the individual's behavioral implementation plan by the Multi-Disciplinary Review Team. One extra visit opportunity may be approved per month when an inmate reaches his individual incentive list as noted in the Behavior Plan. Extra visits shall occur on Tuesdays from 1:00 pm – 3:00 pm. The inmate can receive an extra visit from a person on their approved visiting list. Visitors approved for monthly special visits shall not be given additional visits.

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 shall 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

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such a record exists, the person reviewing the record shall list out the information on the inmate Summary of Crimes Against Minors form (DCS-A-adm-105-pc).

- b. Once an inmate has been identified, the NiCaMS database for “prior contact with minor” shall be updated. This entry shall automatically update the Siebel classification study and the visitor’s list databases. In addition, the records office shall red-ink stamp “no contact with minor” to the front cover of the inmate file.
- 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 receiving staff and the Unit Case Manager to determine if initial restrictions are required.
 - (2) Once an inmate has been identified, the Records Office shall stamp the front cover of the inmate file with a red-inked stamp titled “No contact with minor”.
 - (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 shall 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" shall be updated by the Case Manager. This entry shall 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 shall indicate restrictions on the Crimes Against Minor Aged Victims Form (DCS-A-adm-105-pc). Case Managers shall 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 shall 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 shall be consistent with agency disciplinary procedures. Actions imposed on visitors shall be handled administratively by the Warden. Factors considered in making the above determination may include, but are not limited to, the following:
 - (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.

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- (8) Identified inmates shall 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 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 shall 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 shall generally occur during regular visiting hours.
- The community custody inmate shall be strip searched upon arrival and upon leaving NCYF.
- An approved volunteer sponsor shall 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 shall 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 shall be considered an outside family activity.

6. Holidays:

Inmates shall be allowed visits on Thanksgiving Day, Christmas Day and New Year's Day, regardless of the days upon which the holiday falls. All other holidays shall 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 shall be allowed, but if they are on non-visit days, then no visits shall be allowed. These

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visits shall not affect the number of allowed visits during the rest of the visiting week. The Pass Clerk shall be responsible for posting a memo to the inmate population 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 shall 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 shall be entered into the database as they come to visit; Social Security numbers or VRFs 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 shall be processed per procedure as stated in Section A of this Procedure.
- b. Upon completion of an NCIC, the VRF shall be routed to the Religious Coordinator.
- c. The Religious Coordinator shall contact the clergy and request a copy of current ministerial credentials as outlined in Procedure 208.1.1, *Religious Services*. No person shall be allowed to visit as clergy without proper, valid credentials.
- d. When documentation for clergy are received, the Religious Coordinator shall make the appropriate notation on the bottom of the form and return it to the inmate. The Religious Coordinator shall inform the Pass Clerk/Visiting Corporal of the disposition. If approved, the Pass Clerk/Visiting Corporal shall make the addition to the visiting record. The original top portion of the VRF shall be forwarded to Records Office for placement in the inmate's central file.

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- e. Disapproval of the VRF shall be made only following consultation with the Assistant Warden. The inmate shall be informed in writing of the decision, per procedure.
- f. The inmate is responsible for informing the clergy of approval or disapproval of his/her visits with the inmate.
- 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 shall maintain a list of all approved clergy. The Pass Clerk/Visiting Corporal may access the list through NCYF's database.
- j. Clergy shall 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 shall not count against an inmate's regular visiting time for that week.
- m. "Emergency" visits by clergy shall be verified and approved prior to arrival of the clergy. Accurate details of the emergency must be discussed with 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 shall be allowed to bring in no more than two (2) ounces of wine for his/her own consumption during communion. A worship manual and communion elements are authorized.
 - Baptism may be performed with prior approval. The baptism request must be made to the Religious Coordinator ten (10) days before visiting date. Baptism by sprinkling shall be performed in the Religious Coordinator's office or visiting room. No guests are allowed.

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- p. Clergy wishing to give religious instructions requiring religious material shall use the material stored in the Visiting Room. The visiting clergy may provide appropriate study material to the Religious Coordinator for placement in the Visiting Room.
- q. Visiting clergy may perform marriage and family counseling. These sessions shall not take place during regular visits.
- r. Requests for other services may be discussed with the Religious Coordinator.

S. 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).

T. MEDIA REPRESENTATIVE VISITS

Credentialed media representatives approved to visit with an inmate are authorized to bring two pens and one pad of legal size paper for the purpose of taking notes. The pens and pad of paper shall be inspected by staff prior to entering the visiting room, and at the end of the visit with the inmate (inspected, but not read). The inmate is not authorized to bring any documents to the visit session or take any notes back to his cell.

IV. REFERENCE

- A. Nebraska Department of Correctional Services (NDCS) Rules and Regulations Chapter 4.
Policy 002.01, *Media Access Policy* and Policy 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):

Attachment #1 Inmate Visitation Sign-In Sheet

Attachment #2 Inmate Immediate Family Notification Form