



WABASH VALLEY CORRECTIONAL FACILITY

NON-RESTRICTED

OPERATIONAL PROCEDURES

Manual of Policies and Procedures



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I. DEFINITIONS:

For the purposes of these operational procedures, the following definitions are presented:

- A. **Attorney:** Any member of the legal profession, admitted to a State bar that may be retained by or for an incarcerated individual or appointed by a court to represent the incarcerated individual.
- B. **Clergy:** A single spiritual advisor designated by the incarcerated individual who is an accredited representative or minister of the incarcerated individual's personally designated religion. Or another person, not a family member, designated by the incarcerated individual to provide spiritual advice and who may be listed on the incarcerated individual's visitor list, subject to the approval of the facility.
- C. **Contact Visit:** A visit in which the incarcerated individual and visitor(s) are not physically separated.
- D. **Official Incarcerated individual Visitor:** Any incarcerated individual visit who is visiting an incarcerated individual in regard to providing an official service for the benefit of the incarcerated individual or the community, such as attorneys, law enforcement, parole/probation officers, representatives of government agencies, elected officials, etc.
- E. **Department:** The Department of Correction
- F. **Denial:** An immediate denial of visitation for a specific situation or reason, generally for a single visit or until the situation is in compliance with visitation rules. (e.g., the visitor is dressed inappropriately; the visitor is attempting to visit when the incarcerated individual is not eligible for a visit.)
- G. **Electronic Devices:** Any electric or battery operated device, including, but not limited to: cameras, portable phones, radios, beepers, tape recorders, etc.
- H. **Ex-Incarcerated individual:** A person of any age convicted of a crime or a juvenile adjudged delinquent whose commitment to a department of correction (federal, state, or local), and/or the sentencing courts(s) has been discharged.
- I. **Employee/Staff Member:** Any and all persons employed by the Department, including contractors and volunteers.



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- J. Facility: The Wabash Valley Correctional Facility.
- K. Frisk Search: A search that is conducted on one half (1/2) of the person’s body at a time, utilizing a squeezing technique with both hands along the body and clothes of the person being searched, which includes the breast and genital areas. This type of search is a more thorough and detailed search of a person than a pat search.
- L. Gate Closure: The refusal to permit a visitor to visit any Department facility for an indeterminate period of time. (e.g., permanently banning a visitor from visiting any incarcerated individual in the Department due to a trafficking violation.)
- M. Individual Housing Unit Administrative Restrictive Status (IHARS): Incarcerated individuals who need to be separated from the general population for the safety and security of the facility, or the protection of staff or the public. Incarcerated individuals may also be placed on individual housing unit administrative restrictive status pending a determination as to whether or not they should be placed in an administrative restrictive status housing unit.
- N. Minor: Any person under the age of eighteen (18) years, except in the case where the person under the age of 18 years is the legal spouse of the incarcerated individual.
- O. Immediate family: The immediate family of an incarcerated individual is father, mother, siblings, spouse, children, grandparents, grandchildren including those with a “step,” “half” or adoptive relationship and those persons with the same relationship to the incarcerated individual's spouse.
- P. Maximum Security Unit: Those facilities designated by Policy 01-04-101, "Adult Incarcerated individual Classification," as maximum security and the restricted status housing units of all facilities.
- Q. Modified Frisk Search: A frisk search which is conducted on staff and visitors that is slightly less intrusive than the complete frisk search as indicated in these operational procedures.
- R. News Media: Any agency that gathers and reports news or a general circulation newspaper, new magazine, national or international news service, or radio or television news program holding a Federal Communication Commission license.



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- S. Non-Contact Visit: A visit in which the incarcerated individual and visitor(s) are separated by a physical barrier.
- T. Incarcerated individual: An adult or juvenile person committed to a department of correction (federal, state, or local) and housed or supervised in a facility either operated by the department of correction or with which the department of correction has a contract, including an adult or juvenile under parole supervision; under probation supervision following a commitment to a department of correction; in a minimum security assignment, including an assignment to a community transition program.
- U. Sex Offense: Criminal offenses that include but are not limited to any violation of Indiana Code chapters 35-42-4, 35-45-4, and offenses IC 35-44-1-5 and IC 35-46-1-3, aiding, inducing, or causing any of these offenses, and the same or similar offenses in other jurisdictions.
- V. Student: A juvenile person committed or ordered by a court to the care and custody of the Department, or to facilities contracting with the Department
- W. Suspension: The refusal to permit a visitor to visit at any Department facility for a determinate period of time. (e.g., taking away a visitor’s visiting privileges at all Department facilities for 30 days for a visitation rule violation.)

II. VISITATION AREAS:

The facility shall designate the following areas for incarcerated individual visitation in each sub-facility and/or security level of the facility:

- A. Special Control Unit (SCU; sub-facilities WVS): Since incarcerated individuals in the SCU are segregated incarcerated individuals in a maximum-security facility, it is in the best interests of the safety and security of the facility and all persons involved that incarcerated individual visitation is held by video conference. The designated visitation area for visitors visiting incarcerated individuals assigned to the SCU shall be the visitation booths in the central administration area of the SCU. The designated visitation area for the incarcerated individuals shall be the multi-purpose room on the top of their assigned range. In the event this room is occupied the incarcerated individual will be escorted to the multi-purpose room of on an alternative range.
- B. Unit Team North (sub-facility WVE): The designated visitation area for incarcerated



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individuals in WVE shall be the visitation room in the Incarcerated individual Services Building. This shall be a contact visiting area. Non-contact visitation booths adjacent to the visitation room are available for non-contact visits for incarcerated individuals in Restricted Status Housing DHU and open population incarcerated individuals.

- C. Unit Team South (sub-facility WVD): The designated visitation area for incarcerated individuals in WVD shall be the visitation room in the Southside Administration Building. This shall be a contact visiting area. Non-contact visitation booths adjacent to the visitation room are available for non-contact visits for incarcerated individuals in Restricted Status Housing Custody Control Unit (CCU) and general population incarcerated individuals in accordance with the procedures noted herein. Visitors of End of Life Care patients are required to visit during normal visitation hours only and are subject to all the same Visitation Rules as visitors of incarcerated individuals in general population. The only exceptions are that the visitors may visit every day and may stay through the entire visitation period upon written approval from the Deputy Warden of Operations.

Visitors of End of Life Care patients shall be issued a visitor badge at Visitor Processing. They are not authorized unrestricted movement while on facility grounds. They shall sign the visitor sign-in book located at Southside Control and must be escorted to and from Control and the Infirmary. They must also be escorted anytime they leave the Infirmary and move to another area in OSB, including purchase of items from OSB vending machines.

Visitors of End of Life Care patients shall not bring food into the facility and may not bring in more than twenty (20) dollars in change. They are not authorized to use the shower facilities in the Administration Building.

Casework Manager or designated Caseworker shall be responsible for the maintenance of visiting lists and shall ensure that visitors and incarcerated individuals are aware of visitation rules (Attachment 1).

- D. Security Level 1 (J Housing Unit; sub-facility WVA): The designated visitation area for incarcerated individuals in J Housing Unit (JHU) shall be the visitation room in JHU and the outdoor visiting area in the front of JHU adjacent to the visiting room. This shall be a contact visiting area.
- E. Individual Housing Unit Administrative Restrictive Status Guidelines:



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When a cell housing two (2) incarcerated individuals is placed on Individual Housing Unit Administrative Restrictive Status (IHARS) it may only be one incarcerated individual in that cell who actually caused the IHARS (i.e. pending conduct, pending investigation). Custody staff assigned to visit rooms shall attempt to establish; with the help of housing unit staff, Shift Supervisors, Unit Team or Count Room, the status of visitation for incarcerated individuals who are called out for a visit from a IHARS cell. Incarcerated individuals who did not cause the IHARS or are not non-contact per Policy 02-01-102, "Incarcerated individual Visitation," shall receive contact visits.

III. APPLICATION FOR VISITATION:

In order for family members and friends to visit incarcerated individuals, they must complete either a paper application or electronic application, currently through the GTL website (idoc.gtlvisitme.com) for visitation (To apply electronically, the applicant must register an account with the vendor, which is free of charge). State Form 14387, "Application for Visiting Privileges," shall provide visitors with the necessary information regarding visitation. The electronic version of State Form 14387 is virtually identical to the paper version. Incarcerated individuals shall be responsible for notifying family members and friends they want to visit of the processes available for applying for visitation privileges. Each facility shall designate a staff member to receive and process these applications.

Current and former Department employees, ex-incarcerated individuals, volunteers, ex-volunteers, and victims of the incarcerated individual they wish to visit shall submit a paper application and supplemental documentation through the United States Postal System in accordance with Sections IX and X of this policy and administrative procedure.

It is important that the application, both paper and electronic, is completed fully and all questions are answered truthfully. Failure to provide all necessary information may result in a delay in the processing of the application or a denial of visitation privileges. Falsifying an application shall result in the applicant being banned from all correctional facilities for a period of one (1) year.

This application, once approved, shall allow access to the facility to visit the designated incarcerated individual. The signature of the visitor on the paper application and the submission of a completed electronic application acknowledge agreement to all rules and regulations included in this policy and administrative procedure, and its attachments, including criminal background/warrant checks through IDACS.



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Children less than 18 years of age must have their application completed by their parent/legal guardian. An adult visitor who has the notarized permission of the child’s parent or legal guardian who has custody of the child (not the incarcerated individual) may be allowed to bring the child to the facility for the visit; however, both the child and the adult visitor must have an application on file to visit the incarcerated individual. State Form 48965, “Authorization for Minor Child to Visit,” shall be used to allow an adult, other than the child’s parent or legal guardian, to bring a child into the facility to visit an incarcerated individual. The parent authorization form must be notarized by a Notary Public and, if approved, must be presented each time the child visits along with a legible copy of the child’s birth certificate.

Criminal background/warrants checks shall be conducted on each adult and child (16 and older) applying to visit an incarcerated individual. When an active criminal warrant is found, the application shall be reviewed by the facility Investigations and Intelligence officer and/or Correctional Police Officer (CPO). The agency that issued the warrant shall be contacted and disposition made. Local law enforcement shall be notified of the information provided. The information on the applicant’s criminal history is treated as confidential and shall not be released to the incarcerated individual.

Once a decision is made either approving or denying the application, the incarcerated individual shall be notified. The incarcerated individual is responsible for advising applicants that their applications have been approved or denied. The applicant’s approved Department visiting application must be on file prior to visiting.

Visitors shall be permitted to visit only one (1) incarcerated individual within the Department unless the visitor has other immediate family members incarcerated in a Department facility. Therefore, unless the visitor has other immediate family members in different facilities, the visitor shall not be allowed to visit other non-immediate family incarcerated individuals in other Department facilities.

Visitors may have their names removed from an incarcerated individual’s visiting list by making such a request in writing to the Warden or designee. Once the name is removed, the visitor must wait six (6) months before applying to visit the same or another incarcerated individual. Exceptions may be made for immediate family members.

Visitors who require a reasonable accommodation for a disability must contact the staff member responsible for processing visitors.

IV. VISITATION LISTS:



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The facility shall maintain an approved visitation list for each incarcerated individual. This information shall be maintained on the Incarcerated individual Information System (OIS) computer system. The visitation list shall be updated semi-annually, at a minimum, by staff assigned by the Unit Manager(s). The Caseworker’s Approval List (OIFAPP1) shall be page printed as a manual back up to the OIS computer system. This list shall be maintained at the respective visiting processing areas in three ring binders. Visitation lists are restricted information. Unless a person requesting information from a visitation list is authorized access in accordance with the Administrative Procedures for Policy 01-04-104, “The Establishment, Maintenance and Disposition of Incarcerated individual Records,” that person shall not be granted access. Persons requesting information from visitation lists shall submit such requests on State Form 6083, REVIEW AND/OR RELEASE OF OFFICIAL INCARCERATED INDIVIDUAL INFORMATION, and submit it for approval to the Supervisor of Classification.

A. SL/1 (J Housing Unit) Visitation Lists

Incarcerated individuals may request visitation from any person by mailing the person(s) State Form 14387, APPLICATION FOR VISITING PRIVILEGES available to incarcerated individuals in the unit. Applicants may also complete an electronic application through the GTL System. Applications must be filled out in their entirety by prospective visitors, or in cases of minor children, by their parent or legal guardian, and returned by mail, directly to the designated staff. The designated staff, after receiving the form shall:

1. Review the form for completeness;
2. Check the OIS listing to verify if the applicant has been incarcerated in the Department; and
3. Ascertain whether applicant meets all criteria according to Department Policy.

The designated staff shall complete the section on the form indicated "Office Use Only", mark the section approved or disapproved and if the application is approved:

1. Enter all required information into the computer (OIS) system;
2. Enter all information on State Form 40826, LIST OF APPROVED VISITORS located in the Visitation Book; and



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- The original form shall be sent to the Classification Department to be filed in the incarcerated individual's facility packet and an updated visitation list will be given to the incarcerated individual so that he may notify the person that they have been approved for visitation. If the application is disapproved, the designated staff shall make one (1) photo copy of the form and send the original to Classification for filing and send Denial/Restriction of Visitation Privileges to (state form 3779) the incarcerated individual so that he may notify the applicant of the denial.

Incarcerated individuals may request removal of a person(s) from a visitation list by completing State Form 10987, REQUEST FOR VISITING LIST CHANGES and submitting the form to his Caseworker. The Caseworker shall make the necessary changes on the OIS system and forward the State Form 10987 to the appropriate Visitor Processing Officer.

Applicable visitation rules shall be discussed with all incarcerated individuals during their facility orientation and made available to incarcerated individuals for review in their Incarcerated individual Handbook.

A list of rules and visitation guidelines (Attachment 2) shall be printed on or attached to the Application for Visiting Privileges and sent to the person(s) requesting visitation with incarcerated individuals.

Incarcerated individuals may request visitation from immediate family members or other approved persons in place of the immediate family members when the incarcerated individual does not have immediate family members (not to exceed 12) provided the request is consistent with these operational procedures. Incarcerated individuals may request visitation from any person, provided the request is consistent with these and other pertinent administrative and operational procedures.

B. General Population, CCU, SNU and SCU Visitation Lists

Incarcerated individuals may request visitation from any person, provided the request is consistent with these procedures. Incarcerated individuals may request visitation from any person by mailing the person(s) an APPLICATION FOR VISITING PRIVILEGES available to incarcerated individuals in the unit. Applications must be filled out, in their entirety by prospective visitors, or in cases of minor children, by their parent or legal



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guardian. The application shall be returned by mail / GTL, directly to the designated staff. The designated staff, after receiving the form, shall insure the form includes:

1. The incarcerated individual's name and number;
2. The name of the requested visitor;
3. The address of the visitor;
4. The relationship of the visitor to the incarcerated individual; and
5. The date of birth and sex of the visitor.

Visitation lists may be printed from the OIS computer system.

Incarcerated individuals may request visitation from no more than 12 approved visitors, provided the request is consistent with these operational procedures. Incarcerated individuals may initiate a visiting list change no more frequently than every ninety (90) days. Incarcerated individuals may request removal of names from their visiting list by use of State Form 10897, REQUEST FOR CHANGES ON VISITING LIST. The completed form is to be forwarded to the Casework Manager or designated caseworker. Visitors may be added only after the prospective visitor completes the Application for Visiting Privileges and returns it to the facility and it is approved.

The appropriate unit team staff and visitation application review personnel shall be responsible for the maintenance of visiting lists and shall ensure that visitors and incarcerated individuals are aware of visitation rules (Attachment 3).

V. RULES FOR VISITATION:

The facility shall establish visitation rules for each visitation area of the facility. These rules shall be included as attachments to these procedures. The facility shall ensure that incarcerated individuals and their visitors are aware of these rules. Minimally, these rules for incarcerated individual visitation shall include:

- A. Visitation schedule, including days and hours;
- B. Visitation restrictions, including the number of authorized visits and/or visitors;
- C. Visitors shall provide staff with picture identification in accordance with these procedures;



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D. Visitors' dress requirements (i.e., visitors shall wear clothing that poses no threat to the security, custody or maintenance of order at the facility; the wearing of expensive clothing or jewelry is discouraged; and no clothing that has frays, holes or is worn-out or torn shall be allowed); and,

E. Items that are not permitted in the visiting areas (Firearms, weapons, knives, ammunition, narcotics, medication, controlled substances, alcoholic beverages, marijuana, tobacco and tobacco related items, gum, cameras, video and audio recording equipment, electronic devices, and spiked heels or shoes with a heel longer than three (3) inches shall not be permitted in the facility unless in accordance with Department policies and procedures.)

F. If a visitor has to use the restroom, they will be given an option of terminating the visit exiting the facility or return to Visitor Processing (V.P.) to use the restroom there. If the visitor exits the visiting room to use the restroom at V.P. then they must go thru the entire pat down procedure prior to returning to the visiting room to continue with their visit. The visitor may only leave the visiting room to use the restroom at V.P. one time. If the visitor indicates they need to use the restroom a second time and leaves the visiting room the visit shall be terminated.

With the amount of time it takes for a visitor to leave the visit room, go back to V.P., use the restroom, then be processed back in and get to the visit room again, visitors shall not be permitted to exit the visit room to use the restroom after 3:00 pm. When a visitor exits the visit room after 3:00 pm, their visit shall be deemed ended. They will not be permitted to process back in.

Visitors in JHU shall be allowed the opportunity to use the restroom one time while on a visit. Due to the physical plant, the visitor will be allowed to use the restroom in JHU. However, the restroom will be kept locked at all times and a staff member will inspect the restroom prior to the visitor entering and immediately after the visitor exits the restroom.

Visitors will be notified of the procedure to allow them the opportunity to use the restroom prior to entering for the visit.

Visitation rules shall accompany the APPLICATION FOR VISITING PRIVILEGES, when mailed to prospective visitors with necessary information regarding visitation.

Additionally, the Warden shall ensure signs containing information regarding the possession and/or trafficking of controlled substances are posted in prominent locations so that both



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incarcerated individuals and persons visiting incarcerated individuals may read it prior to entering visitation areas. These signs shall contain the following information:

A person who, without the prior authorization of the person in charge of a penal facility, knowingly or intentionally:

- delivers or carries into the penal facility with intent to deliver an article to an inmate of the facility; or,
- carries or receives with intent to carry out of the penal facility an article from an inmate of the facility;

Commits trafficking with an inmate, a Class A misdemeanor. However, the offense is a Class C felony if the article is a controlled substance, a cellular telephone, or other wireless or cellular communications device. The offense is a Class D felony if the article is a deadly weapon.

A person who knowingly or intentionally possesses a cellular telephone or other wireless or cellular communications device while incarcerated in a penal facility commits a Class A misdemeanor.

A Class A misdemeanor is punishable by imprisonment for not more than one (1) year and a fine of up to \$5000.

A Class C felony is punishable by imprisonment up to four (4) years and a fine of up to \$10,000.

A Class D felony is punishable by imprisonment up to three (3) years and a fine of up to \$10,000.

Spanish:

Una persona que sin la previa aprobación del personal deliberadamente:

- Lleve o transporte un artículo a la institución para la entrega a un ofensor o
- Reciba un artículo de uno de los ofensores para transportar fuera de la institución, está cometiendo contrabando, una falta leve clase A.



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La ofensa es una felonía clase C si el artículo es una substancia controlada, un teléfono celular u otro dispositivo de comunicación con conexión inalámbrica.

La ofensa es una felonía de clase D, si el artículo es un arma mortal. Una persona que deliberadamente posea un teléfono celular u otro dispositivo de comunicación con conexión inalámbrica mientras esta bajo la custodia de una institución penal está cometiendo una falta leve de clase A.

Una falta leve clase A es sancionable con encarcelamiento por no más de un año (1) años y una multa de hasta \$5,000

Una felonía clase C es sancionable con encarcelamiento por hasta cuatro (4) años y una multa de hasta \$10,000

Una felonía clase D es sancionable con encarcelamiento por hasta tres (3) años y una multa de hasta \$10,000

The Department of Correction shall not tolerate trafficking with an incarcerated individual or the possession of controlled substances, tobacco or weapons while on Department property. All incarcerated individuals and visitors shall be subject to search. Refusal to be searched shall result in denial of the visit.

In all cases where a visitor and/or an incarcerated individual is found to be trafficking, the evidence shall be turned over to the Indiana State Police with a recommendation that the matter be prosecuted to the fullest extent. In addition, any visitor caught trafficking shall be permanently banned from visiting any incarcerated individual in the Department of Correction and any Department facility.

Any incarcerated individual found guilty in a disciplinary action of possession of a controlled substance or tobacco shall have his visiting privileges restricted to "non-contact" visits only. Additionally, an incarcerated individual found guilty of certain other disciplinary violations, including the possession or use of tobacco or tobacco-related products may have his visiting privileges restricted to "non-contact" visits only. For the first offense, these "non-contact" visits shall be for a period of six (6) months; second offense - twelve (12) months; any further offenses - permanently.

Signs shall be posted at the front entrance indicating the name of the facility. Additionally, signs shall be posted advising all persons entering the facility that they and their personal



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property are subject to search upon entry into the facility and at all times while the person is in the facility. This sign shall also advise "Attention: Surveillance Equipment in Use" and that trained K-9s may be in use in the facility and visitors shall be subject to search by these dogs.

The K-9 sign shall state:

NOTICE:

Drug and tobacco k-9's (dogs) may be in use today in the visiting room. These dogs are non-aggressive. All visitors will be searched prior to entering the visiting room and/or during the visit. If you do not wish to be searched, you may choose not to visit today.

These signs shall be posted in an area clearly visible by anyone entering the facility. These signs shall be presented in both English and Spanish.

VI. PERSONS EXEMPTED FROM THE VISITATION SCHEDULE:

Attorneys, clergy or government officials or persons from other agencies/organizations that are providing an approved service for the facility or the incarcerated individual (e.g. Mental Health professionals, Indiana Vocational Rehabilitation counselors, etc.) may be approved for visitation on a case by case basis. Such visits will not be considered as part of the incarcerated individual's regular visitation schedule and these visitors need not be on this incarcerated individual's visitation list (as determined in the procedures above). If the attorney, clergy or government official is not on the authorized visiting list, approval from the Warden, Deputy Warden or Litigation Liaison is required. The Litigation Liaison shall serve as the Warden's designee on all issues surrounding attorney visitation.

Where space is available and security of the facility or safety of the people involved will not be impaired, a special area is to be set aside for attorney-client interviews.

If space is available, arrangements may be made to allow clergy or approved spiritual advisors to have a separate space, outside of the regular visiting room/area, to meet with the incarcerated individual. In both cases, such space shall be observable by staff; however, staff shall not listen to the conversation. Areas in the facility where space allows separate areas to be set aside for attorney-client visits are as follows.

A. Attorney-client visits in the SCU may be in the assigned attorney booths of the non-contact



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visiting area. These two (2)-visiting booths provide for the passing of documents for reading/signing, one (1) sheet at a time.

- B. Attorney-client visits on the Southside may be in the private attorney visiting room adjacent to the general visitation area. These rooms allow for private conversation, while custody staff may maintain visual contact with the incarcerated individuals and visitors.

VII. VISITATION BY STAFF MEMBERS, EX-EMPLOYEES, EX-INCARCERATED INDIVIDUALS AND VICTIMS:

- A. Staff Members:

In accordance with the policy and administrative procedure for Policy 04-03-103, "Information and Standards of Conduct for Departmental Staff," staff shall notify the Facility Head in writing whenever a friend or relative is committed to the Department. A staff member may be permitted to visit an incarcerated individual who is an immediate family member. Additionally, with sufficient justification, a staff member may be permitted to visit an incarcerated individual who is a family member but not an immediate family member. In these cases, the staff member shall provide the facility with sufficient information to verify the relationship and the need for such visits.

A staff member must obtain prior written approval to visit an incarcerated individual. The staff member shall obtain State Form 51058, REQUEST FOR STAFF CONTACT WITH INCARCERATED INDIVIDUAL, from the facility. The staff member shall complete Sections I and II. The staff member shall provide as much information as possible, including information verifying the relationship, so that a decision can be made regarding the visit. The staff member shall submit the form to the Facility Head of his/her facility. The Facility Head shall review State Form 51058 and determine whether approval of the requested visit is in the best interests of the Department, incarcerated individual and staff member. The Facility Head shall consider such factors as the relationship between the staff member and the incarcerated individual, the staff member's work history with the Department and the potential impact on the facility and the incarcerated individual's adjustment. The Facility Head shall indicate his/her decision on the form and forward it to the Facility Head of the facility housing the incarcerated individual.

The Facility Head of the facility housing the incarcerated individual shall review the request. The Facility Head of the facility housing the incarcerated individual shall consider such factors as: the relationship between the staff member and the incarcerated individual; the



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incarcerated individual’s conduct history; the frequency of visits to the incarcerated individual; the incarcerated individual’s family background; and, the decision of the staff member’s Facility Head and any comments made by that Facility Head, etc.

If both Facility Heads approve the request to visit, the Facility Head of the facility housing the incarcerated individual shall return the State Form 51058 to the staff member’s Facility Head who shall note the approval. A copy of State Form 51058 with the approvals of both Facility Heads shall be given to the staff member who will be required to bring the form with him/her whenever a visit takes place. Additionally, a copy of the approved State Form 51058 shall be placed in the staff member’s personnel packet and a copy placed in the incarcerated individual’s packet. Once the approval is given by both Wardens, the staff member shall be required to complete an APPLICATION FOR VISITING PRIVILEGES and attach a copy of State Form 51058 in order to be placed on the incarcerated individual’s visitors list.

If either or both of the Facility Heads do not approve the request from the staff member to visit the incarcerated individual, the Facility Head of the facility housing the incarcerated individual shall forward the request with all recommendations to the Executive Director of Adult Operations. The Executive Director shall review the request and, if necessary, contact the facilities to obtain additional information before rendering a decision. If one of the facilities involved is not under the Executive Director’s supervision, State Form 51058 shall be forwarded to the other Executive Director, as appropriate, for review and approval. If either of the Executive Directors deny the request, the request shall be considered denied and the staff member shall not be allowed to visit the incarcerated individual. The decision of the Executive Director(s) shall be final.

Following approval/denial by the Executive Director of Adult Operations, the original State Form 51058 shall be returned to the originating Facility Head for filing and a copy shall be sent to the Facility Head of the facility housing the incarcerated individual. Once an approval has been granted for visits between a staff member and an incarcerated individual, the approval shall remain in effect until rescinded by the Executive Director of Adult Operations. If the request to visit is denied, the staff member may submit another request for visitation one (1) year from the date of the denial. If a staff member terminates his/her employment with the Department, any approval to visit an incarcerated individual shall be rescinded immediately and the staff member will be required to follow the procedures for ex-employees to visit incarcerated individuals.

If the request is approved and the incarcerated individual is transferred to another facility, the approval shall continue to be in effect unless the Facility Head or designee of the new facility



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determines that there is a reason to require the staff member to submit a new request.

B. Ex-Employees:

Ex-employees who wish to visit an incarcerated individual must make a written request for approval to the Facility Head of the facility housing the incarcerated individual prior to the visit. Generally, ex-employees shall not be allowed to visit an incarcerated individual who has been housed in the same facility in which the ex-employee was employed and who was incarcerated at the facility during the time the ex-employee was employed there. The Facility Head shall review the request and recommend whether the visit is in the best interest of the facility and the individuals involved. Unless the ex-employee and the incarcerated individual are immediate family members or special circumstances exist, visits by ex-employees shall not be authorized until one (1) year after the employee's separation from the Department. Ex-employees shall not be permitted to visit an incarcerated individual if the relationship between the incarcerated individual and the ex-employee started or resulted from contact between the ex-employee and the incarcerated individual during the ex-employee's period of employment with the Department. The Facility Head shall forward the request to the appropriate Executive Director of Adult Operations for review and approval/denial. The Executive Director shall render a decision and so notify the Facility Head submitting the request. The decision of the Executive Director shall be final. Ex-employees shall not be allowed to visit an incarcerated individual until the request to visit has been approved by the Executive Director. If the decision is to deny the request to visit, the ex-employee may submit another request one (1) year from the date of the denial.

In cases where an ex-employee has been terminated from employment or allowed to resign prior to termination, or during an investigation arising from a violation of Department rules or procedures involving an incarcerated individual, (e.g. trafficking, inappropriate contact) the ex-employee shall be denied visitation privileges permanently from all Department facilities. Such denials shall be noted in the OIS computer system. If the request is approved and the incarcerated individual is transferred to another facility, the approval shall continue to be in effect unless the Facility Head or designee of the new facility determines that there is a reason to require the ex-employee to submit a new request.

C. Ex-Incarcerated individuals:

Ex-incarcerated individuals shall not be permitted to visit incarcerated individuals in Department facilities without the prior written approval of the Facility Head of the facility housing the incarcerated individual to be visited. Ex-incarcerated individuals shall be



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approved or denied for visitation on a case-by-case basis. Permission for visits by ex-incarcerated individuals, who are not under any type of community supervision (e.g., parole or probation), may be considered after the ex-incarcerated individual has been discharged or released from parole or probation supervision for a period of one (1) year. Individuals who received county jail time, but have never received a court order for any type of community supervision, and who have not been incarcerated in a state or federal prison do not fall under the (1) year consideration, and can be approved or denied at the discretion of the Facility Head.

Ex-incarcerated individuals, including parolees, and probationers, may be considered for visits if special circumstances warrant such consideration. Special circumstances are visits that will aid in the incarcerated individual's re-entry programming. If still on probation / parole, the ex-incarcerated individual shall obtain written authorization from his/her parole / probation officer prior to consideration by the Facility Head. The original signed approval from the parole or probation officer must be sent to the Facility Head where the ex-incarcerated individual is requesting visitation. The Facility Head shall consider the safety and security of the individuals and the facility as well as the value of the visit to the incarcerated individual when granting approval or denial of requests to visit by ex-incarcerated individuals. Approvals to visit shall be for one (1) visit only unless otherwise specified by the parole or probation officer and the Facility Head. Denials of requests to visit shall be noted in the OIS computer systems. In cases of denials, the parolee or probationer may submit a request again no earlier than one (1) year from the date of the last denial. If the request is approved and the incarcerated individual is transferred to another facility, the approval shall continue to be in effect unless the Facility Head or designee of the new facility determines that there is a reason to require the ex-incarcerated individual to submit a new request.

The Facility Head may approve for regular visitation an ex-incarcerated individual who has children under the age of 18 with a current incarcerated individual, provided the relationship of the children to the incarcerated individual is verifiable and the ex-incarcerated individual visits the incarcerated individual with the mutual children each time. The ex-incarcerated individual shall be subject to the same application approval process as other ex-incarcerated individuals in this section of these operational procedures. The children shall be subject to the application approval process as outlined in Section V of these operational procedures.

D. Victims:



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Victims generally shall not be allowed to visit incarcerated individuals, unless the visit is for therapeutic reasons and a therapist has requested the visit and will be a part of the visit, or the Facility Head or designee determines that the visit will be in the best interests of the incarcerated individual’s re-entry into the community. Victims who are immediate family members of an incarcerated individual may submit a request to the Facility Head of the facility housing the incarcerated individual if they wish to visit the incarcerated individual. The Facility Head or designee shall determine whether the incarcerated individual has a Victim Notification (VN) flag involving the victim seeking to visit the incarcerated individual. The Facility Head or designee shall review the records regarding the actual crime and determine whether it appears that the victim and incarcerated individual can safely visit. Visits between victims and incarcerated individuals, if approved, may be non-contact visits or other restrictions may be placed on the visits, including a requirement that the visit be supervised. Visits with victims as a part of a victim reconciliation or restorative justice program may be approved by the Facility Head, if the program provides details of the program and supervision of the visit is provided and it does not appear that the visit will be a threat to the safety and security of the facility or the persons involved. If a visit between an incarcerated individual and a victim is approved and the incarcerated individual has a Victim Notification flag, the Facility Head or designee shall contact the Victim Notification Section in Central Office to advise of the intended visit. An incarcerated individual who is approved to visit with a victim may be permitted to meet with a Mental Health staff member either before of after the visit in accordance with the facility’s procedures for requesting Health Care services.

VIII. VISITATION RECORDS:

The visiting room officer shall maintain a record for every incarcerated individual documenting all of the incarcerated individual's visits, including visits by attorneys, government officials and clergy.

These records shall be maintained on the OIS computer system.

- A. Southside, CCU, Northside and SCU Visitation Records
All visitation sign in records will be kept on file at visitor processing. The OIS system will be used to maintain the incarcerated individuals’ visitation records at all times.

IX. VISITOR SEARCHES:



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All visitors attempting to visit an incarcerated individual shall submit to a search of their person and property. Minimally, all visitors shall be required to submit to a modified frisk search in accordance with Policy 02-03-101, "Searches and Shakedown." Frisk/modified frisk searches of a visitor's person shall be conducted by staff of the same gender as the visitor. The modified frisk search shall consist of all aspects of the frisk search conducted on incarcerated individuals with the exception of:

- A. It will not be necessary for the staff person conducting the search to inspect the mouth or nasal passage;
- B. The person being searched will not be required to bend at the waist and run his/her hands through the hair; and,
- C. Pulling the shirt/blouse out of the pants, if tucked into the pants.

If reasonable cause exists to believe the visitor is carrying prohibited property or contraband, staff may request that the visitor submit to a frisk search, with approval of the Facility Head or designee.

Additionally, visitors shall be subject to additional searches using metal detectors and ion scanning equipment. Visitors in the waiting area and in the visiting room may be searched by trained K-9s at any time while in the facility. Searches by K-9s shall be in accordance with the procedures for the search of persons using drug and tobacco detecting K-9s in the Department's Emergency Manual. The Facility shall ensure that visitors are informed of the proper behavior and actions when being searched by K-9s. This notification shall include a sign posted in the visitor waiting area and the visiting room as well as staff announcing the entrance of K-9s into an area for searches.

Visitors may be asked to submit to a strip search; however, strip searches are to be used only in the most extreme circumstances where reasonable cause exists to believe the visitor is carrying prohibited property or contraband and poses a serious risk to the security of the facility and/or individuals. The decision to request a visitor to submit to a strip search shall be made by the Facility Head or designee. In such cases, the visitor shall be given the option of either submitting to the strip search or being refused entry into the visiting area. The visitor shall be advised as to why the request is being made.

Any visitor who refuses to be searched shall be advised that they will not be permitted to enter the facility visiting area. In cases where a visitor refuses to be searched by any means during a visit,



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the visit shall be terminated and the visitor shall be escorted from the facility. Staff at the initial processing area and in the visiting area shall maintain a log of all visitors who refuse to be searched upon demand. The facility shall document the denial of a visit as established in these procedures.

Incarcerated individuals shall be strip searched prior to entering the visiting room and shall be strip searched immediately upon leaving the visiting room before being allowed to return to their living area or assignment. At the conclusion of the visit, the incarcerated individual shall be required to leave the visiting area first. The visitor shall be requested to wait until the incarcerated individual has been processed and searched. If staff finds any prohibited property or contraband on the incarcerated individual, staff shall identify the visitor and shall contact local law enforcement and the Office of Investigation & Intelligence /Correctional Police Officer.

When an Official Incarcerated individual Visitor concludes the visit with the incarcerated individual, he/she shall not be required to remain in the waiting area until the incarcerated individual goes through the search process prior to leaving the visiting area. Official Incarcerated individual Visitors shall be allowed to leave the visiting area as soon as the incarcerated individual leaves. If staff searching the incarcerated individual discovers any prohibited property or contraband in the incarcerated individual's possession after a visit with an Official Incarcerated individual Visitor, the staff member conducting the search shall follow standard procedures when such items are discovered and shall notify the Shift Supervisor. The Shift Supervisor shall notify the Facility Head as soon as possible. The Facility Head shall advise the appropriate Executive Director of Adult Operations of the incident and shall contact the Official Incarcerated individual Visitor's supervisor with the information.

Frisk and strip searches, use of metal detectors, x-rays, K-9's and inspection of purses, packages and bundles shall be governed by the standards established in Policy 02-03-101, "Searches and Shakedowns" and shall be consistent with the security needs of the facility.

X. VISITOR SIGN-IN:

Each visitor for SL/1 incarcerated individuals shall sign-in at the J Housing Unit visiting room.

Each visitor for Southside, CCU, North Side and SCU incarcerated individuals shall sign-in at the Visiting Processing Desks in the Administration Building. Both of these designated areas shall have access to the OIS computer system. State Form 14389, LOG OF VISITORS shall be used for this purpose. Both designated areas shall also have a supply of brochures regarding the Prison Rape Elimination Act (PREA). Officers assigned to JHU visitation and the Visitor Processing



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Desks shall confirm and update the visitor's date of birth (DOB), sex and current address. Prior to release into the authorized visiting area, the following procedure shall be completed.

Staff assigned to the facility entrance/exit areas shall ensure that the following procedures are followed when visitors to the facility are processed:

- A. Staff assigned to the entry/exit post shall greet visitors with “Good Morning”, “Good Afternoon” or “Good Evening” and ask, “May I help you?”
- B. Staff shall ask, “Do you have in your possession any firearms, weapons, knives, ammunition, cell phones, narcotics, tobacco, or controlled substances including alcohol or marijuana? Are you presently under the influence of an alcoholic beverage, narcotic, or controlled substance?” If the visitor responds negatively and no contraband or prohibited property is found during the search process, entry into the visiting room may be allowed. If the visitor responds affirmatively, or contraband or prohibited property is found during the search process, staff shall advise the visitor that he/she will not be allowed into the visiting room. If the visitor is in possession of prohibited property, the staff person shall advise the visitor what action (method of disposal of the prohibited property, such as putting in vehicle or a locker if available) may be taken so that the visit may proceed. If the property is contraband, the staff person shall notify his/her Supervisor immediately for instructions regarding how to proceed and whether law enforcement will be notified. Staff shall follow the entrance procedures for Policy 02-03-101, “Searches and Shakedown.” Cameras and recording equipment shall not be permitted into the facility without the prior written approval of the Warden or designee, except in cases involving news media as provided in the administrative procedures for Policy 00-03-101, "Distribution of Information" or department staff who need the equipment to carry out his/her duties.
- C. During the influenza season, staff shall question the visitor about influenza-like illness prior to entering the facility to visit. All visitors must be asked specifically if they have had, within the previous seven (7) days, any of the following symptoms:
 - 1. Fever
 - 2. Cough
 - 3. Body Aches
 - 4. Runny Nose
 - 5. Sore Throat



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Visitors with current symptoms observed during questioning or those who acknowledge having had any of the symptoms listed above in the previous seven (7) calendar days prior shall not be permitted to enter the facility.

Non-alcohol-based hand sanitizer should be available in all visitor entries and all visitors should be encouraged to use this product before entering the facility.”

- D. Ask the visitor if they are or have ever been an employee of the Department of Correction. If the answer to all of these questions is no, then the visitor will be processed for visitation. If the visitor answers affirmatively, facility staff shall determine whether the visitor has received the necessary approvals as indicated in these procedures. If the visitor has not received the necessary approvals, staff shall advise the visitor of the procedures and deny entry until the approvals are obtained. If it is determined that the visitor has not been truthful, the Warden shall be notified. The Warden shall submit a written report to the Executive Director of Adult Facilities. All facilities shall be notified that the individual shall not be permitted entry into any Department facility. The visitor has the right to appeal the decision to the Commissioner or designee for reconsideration.
- E. Ask the visitor the name of the person they wish to visit and, if they are visiting an incarcerated individual, the incarcerated individual’s DOC identification number.
- F. Look up the incarcerated individual’s DOC number on the incarcerated individual list.
- G. Look up the incarcerated individual in the Offender Information System (OIS) by the DOC number.
- H. Ask the visitor for their picture identification.
- I. Check OIS to ensure the visitor is on the caseworker’s approved list of visitors for that incarcerated individual. Ensure the visitor is in compliance with the dress code.
- J. Determine if there are any restrictions for the incarcerated individual. (VMR, non-contact, etc.)
- K. Determine if there are restrictions for this particular visitor.
- L. Document visitation information on State Form 14389, “Log of Visitors”.



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- M. If there are minor visitors, verify by documentation that the accompanying adult is the parent, legal guardian or has minor authorization to bring the child into the facility to visit. All visitors 16 years and older must possess an approved picture identification (e.g., valid driver’s license, state identification card, or passport).
- N. Explain what property they are allowed to carry in with them and that they must possess their identification at all times while inside the facility.
- O. Explain the procedure of locking unauthorized property in the lockers where applicable or have the visitor return the items to the vehicle.
- P. All allowable items shall be placed in a container prior to the search procedure.
- Q. Prior to physically searching the visitor, staff shall instruct the visitor to submit to a search using a metal detector (either a walk-through or a hand-held metal detector).
- R. Following the visitor passing the metal detector and before the visitor retrieves his/her personal property, if the facility has ion scanning equipment, the visitor shall be asked to submit to a search using the ion scanning equipment in accordance with Department procedures.
- S. A modified frisk search shall be conducted on the visitor in accordance with Policy 02-03-101, “Searches and Shakedown.”
- T. Property including shoes shall pass through the x-ray machine, if applicable. Facilities without an x-ray machine shall physically inspect personal items.
- U. If the visitor cannot pass the walk-through metal detector, then the handheld metal detector shall be utilized. If the visitor cannot pass the search with the handheld wand, then the visitor will be afforded the opportunity for a strip search. Approval must be received by the Facility Head or designee prior to a strip search. If the visitor refuses the strip search a gate closure will be initiated. If a visitor has a medical apparatus, medical brace, etc. the visitor shall remove the apparatus/brace so the area of the body and the medical device can be searched. If inspecting the device would cause any privacy concerns the visitor shall be offered to go into the bathroom and submit to the requested search up to and including a strip search if needed to properly search the area. If the visitor does not want/or for medical reasons the device cannot be searched the visit shall be a non-contact visit. Providing medical documentation will not supplement for the item being searched;



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however, in rare instances where items cannot be removed from the body due to constant need the visit shall be a non-contact visit. If a visitor arrives in his or her own regular wheelchair, they shall be required to switch to a wheelchair provided by the facility. If the visitor is in a motorized wheelchair, they will be requested to move to a wheelchair provided by the facility, while their wheelchair is being searched. Once the search is complete the visitor will be allowed to move back to their motorized wheelchair. In the event that they cannot comply with these requirements the visit shall be non-contact.

- V. The visitor shall retrieve his/her property from the x-ray machine where applicable.
- W. At this time the visitor is allowed to enter the facility and directed to the proper visiting room where applicable.
- X. After the visit is completed, the time shall be documented on State Form 14389 “LOG OF VISITORS”.
- Y. The visitor must proceed to the entry/exit checkpoint to have their identification verified prior to exiting the secured perimeter.

When an official incarcerated individual visitor comes to a facility to visit an incarcerated individual, the visitor will be given an identification badge different from the badge given to the family and friends of an incarcerated individual.

XI. VIDEO VISITATION:

- A. Incarcerated individuals and visitors using video visitation shall be subject to the same rules and procedures as regular visitation as outlined in these operational procedures. Incarcerated individuals or visitors that violate or abuse the rules governing video visitation may have their video visitation privileges temporarily or permanently suspended. Suspensions resulting from an administrative action shall be initiated by the Facility Head or the Assistant Facility Head based upon a staff member’s recommendation and justification indicating reasonable knowledge, or information that video visitation suspension is appropriate. Suspensions resulting from a disciplinary action may be initiated by a Hearing Officer, or designated staff. Temporary suspensions shall be for a determinantal length of time.

Suspensions for incarcerated individuals housed in WVCF shall be:

1. First Offense: Three (3) month suspension of video visitation;



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- 2. Second Offense: Six (6) month suspension of video visitation; and,
- 3. Third Offense: Permanent suspension of video visitation.

Suspensions shall be entered into OIS as visiting restrictions.

Incarcerated individuals receiving suspensions from video visitation privileges shall receive documentation noting the suspension, the length of the suspension and the reason(s) for the suspension.

- B. Visitors for video visitation must appear on the incarcerated individual’s approved visitation list.
- C. Video visitation may be monitored by staff in real-time or archives. A poster near the kiosk shall notify incarcerated individuals that video visits may be monitored. The Facility Head shall determine the staff members granted access to the video visits.
- D. The Facility Head or designee shall determine the days and times that video visitation shall be available.

XII. IDENTIFICATION:

All visitors age sixteen (16) years and older shall be required to produce positive, photo identification before entry to the visiting area. All visitors must present valid identification each time they visit. The only forms of identification accepted by the Department are:

- A. A valid driver’s license from the state of residence
- B. A valid state photo identification card from the state of residence
- C. A valid passport.
- D. A valid military ID
- E. A valid government identification card, including foreign governments.

Additionally, all minor visitors to VMR incarcerated individuals will be required to provide a copy of a birth certificate no matter the age and additional identification may be required in other special circumstances as required by the Facility Head or designee.

Visitors under the age of eighteen (18) years old shall be accompanied by a parent or legal guardian at all times while on the facility grounds. This procedure does not apply to an incarcerated individual's spouse who is under the age of eighteen (18) years. Based upon a request from the incarcerated individual, the Warden may grant an exception to this requirement. In cases



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where a parent or guardian cannot accompany a minor child, the Warden may approve another responsible adult to accompany the minor child during a visit. In these cases, the accompanying adult must be on the incarcerated individual's visitor list. Also, the minor child's parent or legal guardian must sign and have notarized State Form 48965, AUTHORIZATION FOR MINOR CHILD TO VISIT, prior to the minor child being authorized to visit. Minor children under the age of sixteen (16) years of age shall be assigned a computer generated identification number in the OIS computer system. All visitors shall be logged into the OIS computer system and entered on the State Form 40826, LIST OF APPROVED VISITORS.

The official incarcerated individual visitor will need to provide identification indicating that he/she meets the requirements to be considered an "official" incarcerated individual visitor and shall advise staff that they are at the facility to visit the incarcerated individual in an official capacity on behalf of the their agency or organization.

XIII. PUBLICATION AND DISTRIBUTION OF VISITATION RULES:

The incarcerated individual shall be advised during his orientation that prospective visitors are to be informed as to the rules and procedures governing visitation before the visitor attempts to visit. It is the responsibility of the incarcerated individual to ensure that any prospective visitors are made aware of the facility's visitation procedures. Copies of visiting rules shall be available for incarcerated individuals to include with APPLICATION FOR VISITING PRIVILEGES mailed to prospective visitors.

Incarcerated individuals shall be informed of visitation rules during orientation. Signs posted at the Visiting Processing Desk; the visitor's waiting area, and the Visiting Room shall also be posted to inform visitors of items A – E, below. Visitor shall, prior to visitation with an incarcerated individual at the facility, be advised of the following rules:

- A. Visitors, including their person, personal property and vehicles while on Department property is subject to search at any time;
- B. The items which may be brought into the visiting area by the incarcerated individual and the visitor;
- C. The statute (IC 35-44-3-9) which addresses trafficking with an incarcerated individual (This statute shall be posted in a conspicuous place in the waiting area); and,



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- D. "Visitors enter the facility and visiting area at their own risk and the Department shall assume no responsibility for any injury or damage to property." (This information shall be posted in a conspicuous place in the waiting area.)
- E. Incarcerated individuals are not allowed to use the restroom during visits unless for medical reasons. If it is a medical reason then the documentation is to be presented to the officer(s) in charge of the visit room(s).

The visitation rules below shall be written documents attached to these operational procedures. Items A through D shall be incorporated into State Form 41746, NOTICE OF PLACEMENT ON APPROVED VISITING LIST.

- F. Level One Visitation Rules.
- G. Northside, Southside, CCU and SCU Visitation Rules.
- H. End of Life Care South Side Infirmery Rules.

Upon request from an incarcerated individual or a visitor, the facility shall advise what types of transportation may be available to the facility for visitors. This information may include various sources of public transportation or any forms of privately operated transportation that may be available. The facility shall make no recommendations regarding potential sources of transportation.

XIV. SPECIAL VISITS:

Special visits may be granted, with the prior approval of the Commissioner, Warden, Deputy Wardens, Unit Team Manager, Shift Supervisor, or Casework Manager, on a case by case basis. Consideration shall be given to sources of transportation, accessibility to the facility by visitors, the distance a visitor must travel, military leaves, pending military deployments, death in the family and any special circumstances.

Special visits may be granted based on:

- distance of travel;
- frequency of visits; and,



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- a verifiable emergency (i.e., serious illness or death of a family member or similar emergency) exists.

Consideration shall be given to the objectives of rehabilitation as well as to the safety and security needs of the facility. Special visits are not permitted on holidays and weekends due to the volume of visitors. ANY exceptions concerning special visits must be approved by the Warden or designee(s) listed above.

Members of the news media may be granted special visits in accordance with Policy 00-03-101, "Distribution of Information."

XV. RESTRICTED STATUS INCARCERATED INDIVIDUALS:

A. Northside and SCU

Visits for incarcerated individuals in Administrative Restricted Status Housing (DHU) shall be conducted in the non-contact visiting area in the Offender Services Building. Protective Custody incarcerated individuals in SL/4 shall use the non-contact visiting area in the Offender Services Building the same as Administrative Restricted Status Housing (DHU) incarcerated individuals. SCU incarcerated individuals in Administrative Restricted Status Housing and long-term Disciplinary Restricted Status Housing shall be subject to video visitation.

B. Southside and CCU

Visits for Southside incarcerated individuals in Administrative Restricted Status Housing and Disciplinary Restricted Status shall be subject to video visitation.

Notification of non-contact visitation due to incarcerated individual assignment shall be in accordance with the procedures noted herein. This procedure does not apply to Security Level 1 (JHU) incarcerated individuals.

XVI. DENIAL AND SUSPENSION OF VISITATION AND GATE CLOSURES:

Visitation privileges may be denied, suspended or placed on gate closure status by the Warden or Deputy Warden. Incarcerated individuals or visitors who violate or abuse the rules governing visitation at the facility may have their visitation privileges temporarily or permanently suspended.



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An incarcerated individual's visitation privileges also may be temporarily suspended for administrative reasons, such as during lockdowns. Temporary suspensions of an incarcerated individual's visitation privileges may be for all visits or may be limited to a specific visitor. Temporary suspensions of an incarcerated individual's or visitor's visitation privileges shall be for a determinate length of time and shall be limited to no more than thirty (30) days. However, visitation privileges for a specific visitor may be permanently denied and a gate closure issued if it is determined that to allow such visits would threaten the safety and security of the facility. Any temporary suspension for a period of more than sixty (60) days or permanent suspensions (gate closures) shall be reported to the Executive Director of Adult Facilities. Any suspension of an incarcerated individual's visitation privileges and gate closures shall be noted on the OIS computer system.

Additionally, visitors who violate the visitation rules/procedures may be denied visits to a particular incarcerated individual, to a specified facility or to all Department facilities. Denial of these privileges shall be based upon the Department's interest in security, safety and order of the facility and the safety of the individuals involved.

Denial or suspension of visitation privileges or gate closures shall be given to the incarcerated individual and visitor in writing by the Warden or appropriate Deputy Warden. This notice shall include the reason for the denial, the name of the staff person making this decision and the right of the incarcerated individual to appeal the decision through the "Incarcerated individual Grievance Process," Policy 00-02-301. The Executive Director of Adult Facilities shall be notified, in writing, of all gate closures. The Executive Director of Adult Facilities shall notify all facilities of gate closures. The denial or suspension of visitation privileges or gate closures shall be logged in the OIS computer system. State Form 3779, DENIAL/RESTRICTION OF VISITATION PRIVILEGE shall be used to notify the incarcerated individual of the decision to deny or restrict visitation privileges. The Restrictions Reports shall be printed routinely by the facility to monitor the denial or suspension of visitation privileges or gate closures. Additionally, the Facility Head or designee issuing the suspension or gate closure shall send an e-mail to all other facilities notifying the facilities of the suspension or gate closure. The e-mail shall indicate the name of the visitor, the incarcerated individual who was being visited, the reason for the suspension or gate closure and, if it is a temporary suspension, the date that the suspension will end.

Additionally, the visitor shall be advised that while the suspension or gate closure is in effect, the visitor shall not be permitted to visit incarcerated individuals in any Department facility. Whenever possible, the incarcerated individual and the visitor should be notified of the suspension or gate closure within two (2) weeks of the initial decision. The denial or suspension of visitation privileges or gate closures shall be logged in the OIS computer system.



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In cases where an incarcerated individual's visitation privileges are suspended due to either the incarcerated individual's behavior or based upon security needs of the facility, it shall be the responsibility of the incarcerated individual to advise any prospective visitors as to this suspension. Visitors who come to the facility to visit incarcerated individuals whose visitation privileges have been suspended shall be advised that the incarcerated individual may not receive visitors and the approximate date when the suspension may be lifted.

Visitors whose visitation privileges to visit an incarcerated individual are denied or suspended or who are the subjects of gate closures may submit a letter to the Warden of the facility causing the denial, suspension, or gate closure to request that the denial, suspension, or gate closure be reconsidered. The Warden or designee shall review the request and determine whether the denial, suspension, or gate closure was applied in accordance with this policy and administrative procedure. If the incarcerated individual was transferred to another Department facility since the denial, suspension, or gate closure was issued, both facility Wardens shall discuss and come to a decision. In the case of disagreement between the Wardens, the appropriate Regional Director shall decide. If the Warden or designee determines that the denial, suspension, or gate closure is to be rescinded, the Warden shall ensure that all appropriate staff at the facility and any other facilities are notified of the decision and that the visitor shall be allowed to visit the incarcerated individual again. If the decision of the Warden or designee is to uphold the denial, suspension or gate closure, the visitor shall be advised that he/she may appeal the decision of the Warden by writing to the appropriate Regional Director. The visitor shall explain the circumstances of the denial and why the visitation privilege should be reinstated. The Regional Director shall contact the Warden who has denied visitation and determine the reasons for this action. The appropriate Regional Director shall notify the visitor of his/her decision. The Regional Director shall maintain a file of all requests to reinstate visits and the decision to uphold or reverse the restriction. The decision of the Regional Director shall be final.

If the action of the Facility Head is upheld, the visitor may apply again to have visitation reinstated no earlier than one (1) year from the date of the Executive Director's denial. The visitor shall send a letter to the Facility Head of the facility housing the incarcerated individual requesting that visitation be reinstated. The Facility Head shall review the request and any previous materials relating to the request. If the decision of the Facility Head is to lift the visitation restriction, the Facility Head shall send a letter to the visitor advising that the restriction has been lifted and that the visitor may commence visiting the incarcerated individual again. If the visitation restriction is upheld, a letter shall be sent to the visitor advising that they may again apply for visitation no earlier than one (1) year from the denial. The visitor shall be advised that the decision of the Facility Head may be appealed to the Executive Director of Adult Facilities.



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If the visitor appeals the Facility Head’s denial, the Executive Director of Adult Facilities shall review the appeal. If the Executive Director overturns the Facility Head’s decision upon review or on appeal, the Executive Director shall notify the visitor and Facility Head issuing the gate closure as to the decision. The Facility Head shall be instructed to lift the gate closure and allow the visitor to have visits at the facility. Also, the Executive Director making the decision shall send an e-mail to all facilities advising that the gate closure has been lifted. If the Executive Director upholds the Facility head’s decision, the visitor shall be so notified and advised that this decision may be appealed to the Facility Head of the facility housing the incarcerated individual one (1) year from the date of the Executive Director’s decision.

XVII. VOLUNTEERS/MENTORS:

Volunteers/Mentors are subject to all provisions of these operational procedures, the Administrative Procedures for Policy 01-03-103, "The Development and Delivery of Community Involvement" and the Administrative Procedures for Policy 01-03-104 “Faith and Character Based Housing Program.” Visits by volunteers/mentors as a part of an approved volunteer program at the facility shall be in addition to an incarcerated individual’s normal visiting schedule. Volunteers/Mentors shall be advised of the facility's visitation rules/procedures during the volunteer's orientation training.

Persons who are providing services to incarcerated individuals in a volunteer capacity may be allowed to visit an incarcerated individual outside of the approved volunteer program. Persons who are on an incarcerated individual's visitation list may be permitted to provide volunteer services at the facility housing the incarcerated individual if the volunteer’s program duties are such that visiting the incarcerated individual would be in the best interests of the program and the incarcerated individual. Volunteers may be allowed to visit an incarcerated individual at a facility not receiving their services. However, they are to report to the Facility Head or designee of the facility where their services are provided and the Facility Head of the facility housing the incarcerated individual that they are visiting an incarcerated individual at another Department facility.

XVIII. BODY AND STRIP SEARCHES OF VISITORS:

All visitors shall be advised that they are subject to frisk search prior to being allowed each entry into the facility or visiting area. Visitors may be asked to submit to a strip search; however, strip searches are to be used only in the most extreme circumstances where reasonable cause exists to believe the visitor is carrying prohibited property or contraband and poses a risk to the security of



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the facility and/or individuals. The decision to request a visitor to submit to a strip search shall be made by the Warden or designee. In such cases, the visitor shall be given the option of either submitting to the strip search or being refused entry into the visiting area. The visitor shall be advised as to why the request is being made.

Additionally, visitors shall be subject to additional searches using metal detectors and ion scanning equipment. Visitors in the waiting area and in the visiting room may be searched by trained K-9s at any time while in the facility. Searches by K-9s shall be in accordance with the procedures for the search of persons using drug and tobacco detecting K-9s in the Department’s Emergency Response Manual. Facilities shall ensure that visitors are informed of the proper behavior and actions when being searched by K-9s. This notification shall include a sign posted in the visitor waiting area and the visiting room as well as staff announcing the entrance of K-9s into an area for searches.

Official incarcerated individual visitors shall be subject to the same “modified” frisk search and other search procedures (i.e. metal detector, ion scan, etc.) as all other incarcerated individual visitors unless the Facility Head authorizes an exception to the search procedures.

Body and strip searches, use of metal detectors, x-rays and inspection of purses, packages and bundles shall be governed by the standards established in Policy 02-03-101, "Searches and Shakedowns" and shall be consistent with the security needs of the facility.

A refusal by a visitor to submit to a search of either the visitor's person or belongings carried into the facility shall be sufficient cause to deny a visit. The facility shall follow the procedures noted herein for documenting the denial of a visit.

Incarcerated individuals shall be strip searched prior to entering the visit room and shall be strip searched immediately upon leaving the visiting room before being allowed to return to their living assignment. At the conclusion of the visit, the incarcerated individual shall be required to leave the visiting area first. The visitor shall be requested to wait until the incarcerated individual has been processed and searched. If staff finds any prohibited property or contraband on the incarcerated individual, staff shall identify the visitor and shall contact local law enforcement.

XIX. BODILY CONTACT BETWEEN INCARCERATED INDIVIDUAL AND VISITORS:

A. Contact Visits

Visits shall be as informal and private as possible. Incarcerated individuals and visitors may be physically separated. In those cases where an incarcerated individual and visitor



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are permitted contact, an incarcerated individual and his visitor(s) shall be permitted to shake hands or embrace at the beginning of their visit. There will be no kissing or embracing during the actual visit, or at the conclusion. The incarcerated individual and visitor (s) will sit across from each other in their designated assigned seats. Children may sit on an incarcerated individual's lap only if the child is too small to sit in a chair.

When an official incarcerated individual visitor concludes the visit with the incarcerated individual, they will not be required to remain in the waiting area until the incarcerated individual goes through the strip search process prior to leaving the visiting area. If staff searching the incarcerated individual discovers any prohibited property or contraband in the incarcerated individual's possession after a visit with an official incarcerated individual visitor, the staff person conducting the search will follow the standard procedures when such items are discovered and will notify the Shift Supervisor. The Shift Supervisor shall notify the Facility Head as soon as possible. The Facility Head will advise the appropriate Executive Director of the incident and shall contact the official incarcerated individual visitor's supervisor.

B. Non-Contact Visits

1. Incarcerated individuals and visitors may be physically separated. Contact visits may be denied for an incarcerated individual assigned to the facility in accordance with the procedures noted herein and shall require the same notice and right to appeal as outlined in these procedures.
2. Incarcerated individuals who are found guilty of certain violations of the applicable disciplinary code shall be subject to non-contact visits for prescribed periods of time. Following review and approval by the Warden or designee, incarcerated individuals who have been found guilty of the following disciplinary code offenses shall be permitted only non-contact visits:
 - a. Testing positive for the use of a controlled substance.
 - b. Refusal to submit to a test to determine the presence of a controlled substance.
 - c. Possession and/or distribution of a controlled substance.
 - d. Possession of a firearm or deadly weapon, including ammunition, or an explosive device.



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- e. Multiple findings of guilt for use or possession of tobacco, tobacco associated products or unauthorized tobacco substitute products (including, but not limited to, more than one lighter, more than one box of matches, more than one package of cigarette rolling papers, etc.)
 - f. Possession of escape materials.
 - g. Unauthorized possession of an electronic device (e.g., cellular telephone, pager, etc.) or altering an approved electronic device to use it as a charger for a cellular telephone.
3. Additionally, upon approval of the Warden, an incarcerated individual may be considered for non-contact visits for violations of other disciplinary codes, including, but not limited to:
- a. Assaults/batteries
 - b. Sex related offenses
 - c. Physically resisting staff
 - d. Possession, use or making of intoxicants
 - e. Trafficking
 - f. Violations that occur in the Visiting Room.
 - g. Escape or attempted escape
 - h. Unauthorized business activity
4. Upon review by the Deputy Warden of Operations, a written recommendation may be made to the Warden to place an incarcerated individual on non-contact visitation status. If the Warden determines that the evidence supports the action, the incarcerated individual shall be allowed only non-contact visitation based on the following guidelines:
- a. First offense - Six (6) months of non-contact visits.
 - b. Second offense - Twelve months of non-contact visits.
 - c. Third and subsequent offenses - Permanent non-contact visits.

In order to impose either 12 months of non-contact or video visits or permanent non-contact or video visits the incarcerated individual must have been placed on six (6) months and/or 12 months of non-contact or video visits previously. The incarcerated individual must have progressed through the lower levels of non-



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contact or video visits. Simply finding an incarcerated individual guilty of any of the above offenses and not imposing non-contact or video visits shall not entitle the incarcerated individual to be given a longer period of non-contact or video visits following the next finding of guilt. Additionally, non-contact or video visits imposed in a prior period of incarceration or in a prior commitment period shall not be considered when imposing non-contact or video visits in the current commitment.

These restrictions shall not be considered as a part of any disciplinary action taken against the incarcerated individual for guilty findings for any of the indicated offenses; but shall be an administrative action in addition to any disciplinary action taken against the incarcerated individual. The Disciplinary Hearing Body or Screening Officer shall notify the Warden or designee of any incarcerated individual who has been found guilty of any disciplinary code violation which may result in a recommendation for non-contact visits.

- When a decision is made to permit only non-contact visits, the incarcerated individual shall be notified in writing, on State Form 43324, MODIFICATION OF VISITING PRIVILEGES. This notification shall include: the reason for the imposition of the non-contact visits; the time period for the imposition of non-contact visits; and, the incarcerated individual’s right to appeal the decision through the procedures for Policy 00-02-301, “Incarcerated individual Grievance Process.” In those cases where the non-contact visits apply only to a specific visitor, the visitor shall be notified in writing of the decision and his/her right to appeal this action to the Commissioner or designee.

Following the imposition of non-contact visits and the exhaustion of appeals through the Grievance Process, an incarcerated individual who has been placed on non-contact visit status can request his visits be reinstated at the close of the restriction time frame (i.e. 6 months, 12 months). The incarcerated individual shall submit a written request to the appropriate Unit Team Manager asking that the imposition of non-contact visits be reconsidered. The Unit Team Manager shall review the request and the incarcerated individual’s record during the restriction period (i.e. 6 months, 12 months) and render a decision.

An incarcerated individual who has been placed on permanent non-contact visit status may request that this status be reviewed two (2) years from the date of the decision to impose non-contact visits. The incarcerated individual shall submit a



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written request to the Unit Team Manager asking that the imposition of non-contact visits be reconsidered. The Unit Team Manager shall review the request and the incarcerated individual’s record during the two (2) year period and render a decision submitting a recommendation to the Warden. If the Warden denies the request, the incarcerated individual may appeal the decision to the Executive Director. The Executive Director shall review the request and the – Warden’s comments and render a decision. The decision of the Executive Director shall be final. If the request is denied, the incarcerated individual may submit another request to the Warden one (1) year from the date of the final denial.

When non-contact visits are imposed, the information desk, visitor processing desk and Classification Department shall be notified. Any passes issued shall specify, "Non-contact visits." In such cases, the visitor shall be notified, in writing, of the decision. When a visitor arrives for an incarcerated individual on non-contact visit status, it is the responsibility of the Visiting Processing Officer to notify the Visiting Room personnel of the impending non-contact visit. The Non-contact visit status will be recorded in the OIS system under the caseworker’s approval list by the accomplishing the following procedures:

Go to the Caseworker’s Approval List (PF9)
 Go to create (PF1)
 Enter the following:

Name, Last: A.
 Name, First: Non-Contact
 Visitor Type: O
 Visitor Status: R

Comments: List date when non-contact status begins and whether this is first, second or permanent.

To remove non-contact status simply press (PF3) to terminate the record.

- 6. Non-contact visits shall be conducted in the designated space provided.



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- a. Incarcerated individuals in North Side general population will report to the Incarcerated individual Services Building where they will be strip searched and escorted to the non-contact visiting area.
 - b. Incarcerated individuals from North Side Administrative Restricted Status Housing units shall be escorted from the living unit to Incarcerated individual Services Building. Segregated incarcerated individuals shall be strip searched by the escorting staff.
 - c. Incarcerated individuals in South Side open population will report to the visiting room/annex where they will be strip searched and escorted to the non-contact visitation area. Incarcerated individuals in Southside Administrative Restricted Status Housing, 7 or Disciplinary Restricted Status Housing shall be escorted from the unit to the visiting room/annex. Segregated incarcerated individuals will be strip searched by escort staff. Segregated incarcerated individuals shall visit in the non-contact visiting room adjacent to the visitation room.
7. The incarcerated individual shall be placed in the non-contact visiting space before the visitor is allowed to enter the conference room. Restraints (if employed) may be removed after the door is secured (Northside only). Restraints may not be removed from CCU incarcerated individuals.
 8. All non-contact visits shall be supervised.
 9. Non-contact visits for incarcerated individuals in general population shall be for a maximum of two (2) hours, but may be shortened or extended as time and space permits.
 10. Non-contact visits will be restricted to a maximum of two (2) adult visitors or one (1) adult and one (1) child.

XX. SUPERVISION OF VISITING ROOM:

- A. The following rules shall be maintained in the visiting area Post Orders:
 1. Direct visual supervision of the entire visitation area shall be maintained at all times. Staff shall roam the visitation area to view all interactions between



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incarcerated individuals and visitors. While mirrors or cameras can augment direct supervision and compensate for blind spots, staff will position themselves with a direct line of sight on interactions between incarcerated individuals and visitors.

2. Staff shall immediately intervene on inappropriate behavior, which may include behavior outside the bounds of permitted intimacy, or involve any violation of visiting regulations that may prove uncomfortable, disruptive, or offensive to other incarcerated individuals and visitors.
3. Should inappropriate behavior result in an incident report or termination of the visit, staff must provide the reasons for terminating a visit in writing.
4. Notices will be posted informing visitors of the potential for monitoring anywhere in the visiting area.
5. Staff shall ensure that pictures are only taken during the first five minutes of the visit, and that the following rules are adhered to. During the picture taking process, the visitor and incarcerated individual will not be permitted to make physical contact with one another. No hand gestures or signs will be allowed. Their stance will be side by side, not face to face, or any other position.

XXI. RESTRICTIONS ON VISITS WITH MINORS:

Incarcerated individuals who have a current or prior sex offense adjudication and/or conviction involving a minor may be restricted from receiving visits from minors (i.e. persons under the age of 18 years of age excluding spouses who are not the incarcerated individual’s victim).

A. Intake Assessment:

1. When an incarcerated individual is received at a Department Intake Unit, staff at the Intake Unit shall review the incarcerated individual’s records to determine whether there has been either a conviction as an adult or adjudication as a juvenile for a sex offense involving a minor. Staff at the Intake Unit shall complete the INITIAL SEX OFFENSE CHECKLIST for all incarcerated individuals committed for a sex offense and shall include information relating to the offense. If there is such a conviction/ adjudication, the incarcerated individual’s record shall be marked with a “Y” (for Yes) in the “VMR” (Visitor-Minor Restriction) field in the Incarcerated individual Information System (OIS). This data is entered into the “Current Classification”



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screen. The “VMR” flag can then be viewed in the “Current Classification” screen and above the Incarcerated individual’s DOC Number on the “Visitor List” and “Visitor Log” screens. This screen shall be reviewed as part of A & O upon transfer to other facilities.

2. Any incarcerated individual identified as having a sex offense involving a minor shall be notified in writing of the visitation restriction with minors. State Form 3779, “Denial/Restriction of Visitation Privilege,” shall be used for this purpose. The incarcerated individual shall be advised that his visitation with minors will be restricted until his record has been thoroughly reviewed and he meets with the Unit Team at the facility. A copy of the completed State Form 3779 shall be placed in Section 5 of the incarcerated individual’s facility packet.

3. The following visiting restrictions for minor visitors shall be imposed:
 - a. Incarcerated individual with no current or previous sex offenses involving a minor – No restrictions on minor visitation.
 - b. Incarcerated individual with no sex offense(s) in the current commitment period and a previous sex offense that did not involve a minor – No minor restriction
 - c. Incarcerated individual with a no sex offense(s) in the current commitment period and a previous sex offense involving a minor:
 - (1) If the incarcerated individual was discharged from supervision 10 or more years prior to the current commitment – Non-contact visits with minors.
 - (2) If the incarcerated individual was discharged from supervision less than 10 years from the current commitment – No minor visitation.
 - (3) If the incarcerated individual has multiple sex offenses involving minors or the use of force or threat of force was used involving a minor – No minor visitation.
 - d. Incarcerated individual with a sex offense involving a minor in the current commitment period: No minor visitation.



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B. Housing Facility Assessment:

1. Upon receipt of the incarcerated individual at the facility and during the admission and orientation (A & O) process, staff shall determine whether the incarcerated individual is a “VMR” incarcerated individual. If the incarcerated individual is a “VMR” incarcerated individual and has requested that minors be placed on his visitation list, the staff in A & O shall advise the incarcerated individual’s Unit Team of the “VMR.” During the Unit Team’s first meeting with the incarcerated individual, the “VMR” designation will be discussed with the incarcerated individual. The incarcerated individual shall be advised as to any minor visitation restrictions. Unit Team staff shall complete the facility review determining whether the incarcerated individual should be allowed to have minor visitation. Until the Unit Team completes the review and advises the incarcerated individual, the incarcerated individual shall be restricted as per the Department Intake Unit’s determination.
 - a. The incarcerated individual must not have had any disciplinary code violations for any sex related offenses during the preceding 12 months.
 - b. The intended visitor must be documented in the incarcerated individual’s packet as the incarcerated individual’s child or grandchild (including step-children and step-grandchildren) and must not have been a victim of the incarcerated individual.
 - c. The incarcerated individual has not been adjudicated/convicted of any other sex offense and there is no documentation, in the incarcerated individual’s records, indicating the incarcerated individual has/had multiple victims. If the incarcerated individual has multiple counts for sex offenses in the current commitment period, these offenses shall count as only one (1) offense if there was a single victim.
 - d. The incarcerated individual must not have had any other visitation restrictions for sexually related activities within the preceding 12 months.
 - e. There must be no known court orders restricting/prohibiting the incarcerated individual’s contact with the intended minor visitor(s).



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f. The circumstances surrounding the triggering adjudication(s)/conviction(s) indicate the minor, though legally incapable of consenting, was not compelled by force or threat.

2. The Unit Team shall review the responses to the above questions. If the responses to Questions a, c, d, e and f are in the negative and the response to Question b is in the affirmative the incarcerated individuals shall be permitted or denied visitation with minors as indicated in the procedures above.

If any of the responses to Questions a, c, d, e or f are in the affirmative or if the response to Question b is in the negative, the incarcerated individual shall not be permitted to have visits with minors.

The Unit Team shall notify the incarcerated individual in writing of its decision regarding visits with minors. If there is a restriction, either non-contact or no visits, the Unit Team shall use State Form 3779 for this purpose.

C. Incarcerated individuals who are denied visits with minors shall automatically receive a Case Review to ensure that the restriction is appropriate. The Facility Head or designee shall forward all pertinent material regarding the reason for the restriction to the Division of Mental Health in Central Office.

The SOMM Program Manager in Central Office shall complete a Case Review of the incarcerated individual and make a determination as to whether there should be any changes in the decision of the Unit Team. The decision of the Central Office staff shall be final. There shall be no appeal through the Incarcerated individual Grievance Process of this decision as the decision to restrict the visits will automatically be reviewed by Central Office.

The SOMM Program Manager in Central Office shall submit a copy of the Case Management Review Summary to the Facility Head of the facility housing the incarcerated individual with a decision regarding whether visits with minors are to be permitted and any restrictions on these visits. The Facility Head shall review the decision in the Case Management Review Summary and ensure that the decision is implemented. The Facility Head shall ensure that the Case Management Review Summary is filed in the incarcerated individual's facility packet.

If the decision is to grant the visits, the Facility Head shall ensure that the incarcerated individual is notified that the requested visits are granted contingent on the following:



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1. The incarcerated individual must consent to send State Form 50270, SEX INCARCERATED INDIVIDUAL VISITATION WITH MINOR VISITATION DISCLOSURE at his expense to the parent/legal guardian of the intended visitor(s) and the parent/legal guardian must complete the form. This form shall indicate the incarcerated individual’s offense; the circumstances of the offense; an agreement to accept responsibility for a minor to visit the incarcerated individual; agreement to abide by all of the facility’s visitation rules; and, the conditions of the visit. This form must be completed and returned to the facility.
2. Whenever a visit occurs, a picture identification card must be presented for each minor visitor. (Picture identification cards are available from the Bureau of Motor Vehicles License Branches).

The child (ren) may visit the incarcerated individual only in the company of the parent/legal guardian unless prior approval has been given, in accordance with these procedures, to allow another adult to accompany the child (ren) to the facility. If all of the above conditions are met, visits with the requested minor(s) who are immediate family may occur.

If the intended minor visitor is the legal spouse of the incarcerated individual and the marriage can be verified through the incarcerated individual packet or by the spouse providing documentation, the spouse shall be permitted to visit the incarcerated individual. In cases where the spouse was the victim of the incarcerated individual, if approved in the Case Management Review, the spouse may be allowed to visit the incarcerated individual.

Once visitation has been granted, the Facility Head shall ensure that the approval is noted in the “Comment” field in the “Caseworker’s Approval List” in OIS while retaining the “Y” indicator on the “VMR” field. The original approval and Case Management Review Summary shall be filed in the incarcerated individual’s packet with other visitation documents.

- D. The decision to allow an incarcerated individual to have visits with minors shall be honored by all facilities as long as the incarcerated individual continues to meet the stated criteria and continues to make progress towards his RAP.
- E. During the development of the Incarcerated individual’s Re-Entry Accountability Plan (RAP) the Unit Team shall discuss any restrictions placed on the incarcerated individual’s visitation with minors. The Unit Team shall advise the incarcerated individual that if the incarcerated



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individual makes substantial progress in meeting the needs identified in the RAP, the incarcerated individual may have the restriction lessened or removed. Substantial progress means that the incarcerated individual has made significant strides in completing any programs identified that may impact the likelihood that the incarcerated individual will re-offend. For example, if the incarcerated individual successfully participates in the SOMM Program, the approved Substance Abuse Program or other programs, such as “Thinking for a Change” or an approved Anger Management Program, the Unit Team may consider lessening the visitation restriction.

1. The incarcerated individual’s minor visitation restrictions shall be reviewed during each RAP review. If the Unit Team determines that the incarcerated individual has made significant progress in addressing the areas in the RAP, the Unit Team shall contact SOMM staff, if available at the facility, to discuss modifying the restrictions on minor visitation. The Unit Team shall submit a recommendation based upon its findings and the input from the SOMM staff to the Facility Head for a decision.
 - a. If the Facility Head approves lifting the restriction, the Unit Team shall notify the incarcerated individual that he may have contact visits with his children.
 - b. If the Facility Head denies the lifting of the restriction, the Unit Team shall advise the incarcerated individual of the decision and the reason for the decision. The incarcerated individual shall be advised that he shall be reviewed again in six (6) months.
 - c. The decision of the Facility Head shall be final.
2. Incarcerated individuals who have been placed on no minor visitation shall be required to remain on this restriction for one (1) year before being considered for non-contact visits with minors. The Unit Team shall meet with the incarcerated individual during the next RAP review following the end of the one (1) year period and shall review the incarcerated individual’s behavior and progress in addressing those areas indicated in the RAP. If the Unit Team believes that the incarcerated individual’s behavior has been appropriate and that he has made appropriate progress in addressing the issues in his RAP, the Unit Team shall contact SOMM staff, if available at the facility, to obtain their opinion about lifting the restrictions on the incarcerated individual’s visitation with minors. The Unit Team shall submit a recommendation based upon its findings and the input from the SOMM staff to the Facility Head for a decision.



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- a. If the Facility Head approves the recommendation, the Unit Team shall advise the incarcerated individual that he has been approved for non-contact visits with minors.
- b. If the Facility head denies the lifting of the restriction, the Unit Team shall advise the incarcerated individual of the decision and the reason for the decision. The incarcerated individual shall be advised that he shall be reviewed again in six (6) months.
- c. In cases where these incarcerated individuals are granted non-contact visits, they will be required to remain on non-contact visits for at least one (1) year. After being on non-contact visits with minors for one (1) year, they may be considered for contact visits in accordance with the above procedures.
- d. The decision of the Facility Head shall be final.

F. The Unit Team shall review any disciplinary actions taken against the incarcerated individual, any visitation restrictions imposed, the incarcerated individual’s progress toward completing the requirements in the RAP and whether the incarcerated individual continues to meet the criteria for minor visitation. The Unit Team shall make a determination as to whether the incarcerated individual’s minor visitation status should be revised and, if a change appears appropriate, submit a recommendation to the Facility Head.

If the incarcerated individual, after having been approved for visits, fails to continue to meet any of the above criteria or exhibits any behavior that raises concerns about the safety or security of the facility or the public, the approval for any visits with minors shall be rescinded immediately.

G. In certain cases, visits with minors may be permitted even if the incarcerated individual does not meet all of the above criteria and a Case Management Review has not been conducted. Unless prohibited by a court order, the Facility Head may approve a visit with minors who are immediate family members in the following situations:

- 1. The incarcerated individual is in the last stages of a terminal illness and it appears that the incarcerated individual’s death is imminent.
- 2. A therapeutic visit is requested by the victim’s licensed therapist. If the victim is in



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therapy and the victim’s therapist believes that the visit is necessary for the successful treatment of the victim, the therapist may request a special visit. The therapist must submit a request on his/her letterhead stating the purpose of the visit and those to be present at the meeting. Additionally, the therapist must provide a signed statement from the victim or the victim’s parent/legal guardian, if the victim is still a minor, authorizing this visit and a copy of the therapist’s state license. The Facility Head shall review this request and determine whether it appears that to permit such a visit will be in the best interests of all parties. If the proposed visit appears to be appropriate, the Facility Head or designee shall contact the incarcerated individual to ensure that the incarcerated individual agrees to such a meeting. If the Facility Head approves such a visit and the incarcerated individual agrees to the visit, a written notification, indicating the date and time of the visit, shall be sent to the therapist. The permission for such a therapeutic visit shall be for one (1) visit only. If the therapist believes that another visit is necessary, the therapist must obtain approval for any subsequent visits, in accordance with the above process.

3. The facility receives a court order instructing it to allow the incarcerated individual to visit with a specific minor. If a facility receives a court order for a VMR incarcerated individual to be permitted visitation with a minor, the facility shall contact the Division of Legal Services as soon as possible. The Division of Legal Services shall contact the court and advise the facility as to what action is to be taken.

XXII. EMERGENCY SITUATIONS:

When the Warden determines that an emergency situation exists as presented in Policy 02-03-102, "Emergency Response Operations," any or all visits shall be suspended. Any visits in progress shall be terminated and the visitors escorted from the facility.

In cases where the Warden or designee determines that it is in the best interest of the facility, visitors or incarcerated individuals, the Warden or designee may suspend the visitation privilege. In those cases, the Warden or designee shall notify the individuals involved that the visit is terminated. The individuals involved in the terminated visit shall be advised if and/or when a visit may occur again.

XXIII. APPLICABILITY:

These procedures are applicable to all Wabash Valley Correctional sub-facilities and incarcerated individuals.



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Approved this 4th day of October, 2022

/S/ Signature on File
Frank Vanihel, Warden
Wabash Valley Correctional Facility