

Visiting Program Guidelines

Effective October 1, 2012



*Making a better visiting
experience for you and your
family.*

Introduction

Visitation is a privilege, which greatly enhances an offender's ability to be successful upon release from custody when the privilege is used to maintain a positive relationship.

- In addition to enhancing the safety of our correctional facilities, DOCCS wants to ensure that visiting is family friendly and the visiting experience for offenders and their loved ones is positive.
- Appropriate discipline of the few offenders and visitors who violate the visiting rules will enhance the benefits to the many that use their visiting privileges in a positive way.

Identification

All adult visitors are required to present photo identification when being processed to visit an offender in DOCCS.

Acceptable forms of photo identification must be **valid**, and **current** (not expired) and may include:

- A driver's license with photo;
- A Department of Motor Vehicles non-driver photo identification;
- Government issued photo identification;
- Armed Services I.D. with photo;
- Employment identification with a photo.

To ensure faster processing, it is recommended that you use the same identification at every visit, regardless of who you are visiting and where.

Lawyers and other persons entering for official visits can use:

- Government issued employee photo identification.
- A court issued employee picture identification or a Unified Court System attorney secure pass identification card.

Visitor Processing/Searches

Visitor processing has not changed, but we have clarified our rules.

- All persons entering a correctional facility are subject to search, as a condition of entry; and any visitor who refuses to comply with any search procedure will not be permitted entry into the correctional facility.

Substance Detection/Ion Scan

Visitors may be subject to random ion scanning or other non-intrusive test for detection of drugs and explosives.

- A substance detection/ion scanner test is a search using a handheld collection unit to take surface samples from the person's hands, clothing, personal items, purses/handbags, packages or any other articles.
- A positive test result may occur when a person has come into contact with drugs or explosives (knowingly or unknowingly), whether the person has used that substance or not.
- If the test is positive, a second test of the same area is done. A confirmed positive test or test refusal will result in the denial of entry into any correctional facility for 2 consecutive days.

Metal Detector

You will have to pass through a metal detector.

- Clothing containing metal (e.g. decorative buckles, buttons or studs) or wire, including, but not limited to underwire bras, may cause the metal detector to alert and require further processing.
- If you wear clothing containing metal, you may have to go through a limited visual search, personal item search, or strip search before entry into the facility will be permitted.
- If you choose not to go through the additional search, your visit will be denied. Your decision to decline to be searched will not affect future visits.
- Special processing arrangements can be made for visitors with a pacemaker or defibrillator, or for those who require assistance to ambulate (e.g., a wheelchair or crutches), and are unable to pass through the walk through metal detector.

Limited Visual/Personal Item

If a metal detector alerts and the visitor cannot reveal or remove the detected object due to its personal nature, staff may pursue several search options.

- If you do not want to be searched, you will be allowed to leave. Deciding to leave instead of being searched will not hurt your ability to visit in the future.

Limited Visual Search

A limited visual search is a search done in a private area where an officer or staff member of the same sex will visually inspect the area in question.

- The visitor will lift any clothing or under garments necessary, to show the staff that no contraband is hidden on the visitor's person in the area in question. If a staff member of the same sex is not available, a personal item search is used instead.

Personal Item Search

A search of personal items may be conducted as an alternative to a limited visual search or when a staff member of the same sex is not available.

- The visitor is allowed to enter a private area or room to remove items of a personal nature including braces, underwire bras, etc., and given a paper bag in which to place the personal items.
- The visitor is also allowed to wear a large white shirt as an outer covering during reprocessing procedures. The visitor will be reprocessed via a hand scanner or walk-through metal detector. The bag and its contents shall be discreetly inspected for contraband.

Strip Searches

If a visitor to a correctional facility has complied with all of the search processes and a supervisor determines that further processing is warranted, the superintendent or the officer of the day may authorize a consensual strip search after reviewing the matter.

- The superintendent must have reasonable cause to believe that contraband is concealed upon the person, based upon specific and explainable facts and inferences reasonably drawn from those facts.
- The visitor has the option to submit to the requested search procedure or to refuse.
- If a visitor refuses to submit to a strip search the visit will be denied.

- Refusing to submit to a strip search is not proof of guilt and future visits cannot be denied because you refused a strip search.

Religious Apparel

A visitor is not routinely required to remove religious headwear during search procedures. However, if staff determines, following the use of the hand scanner, that removal of the headwear or any other item of religious apparel is necessary, the item shall be removed in a private area in the presence of a security or civilian staff member of the same sex. If there is no staff member of the same sex on duty, and the visitor still refuses or cannot remove the item due to its religious significance in the visitor processing area, the visit will be denied.

Contraband

Do not bring **weapons, drugs, alcohol, cell phones, memory cards** and other prohibited items into the correctional facility. If you do, you may lose your visiting privileges. You may also be arrested and criminally prosecuted.

- Do not give *anything* (money, identification, medicine, etc.) to an offender without permission from staff.
- Do not hold anything for another visitor or an offender.

Clothing

Visitors should wear clothing that enhances a family atmosphere. Inappropriate clothing will result in you being denied entry into the facility.

Please wear:

- Complete attire with appropriate undergarments.
- Comfortable footwear (bare feet are not allowed).
- Weather appropriate attire when necessary.

Prohibited Dress

- See-through (sheer) clothing, bare midriffs or backs.
- Plunging necklines, short shorts or athletic shorts.
- Shorts or skirts shorter than mid-thigh length are not allowed.
- Bathing suits.
- Attire displaying obscene/offensive, derogatory language or drawings; or promoting illegal activity.

NOTE: Clothing containing metal (e.g. decorative buckles, buttons or studs) or wire, including, but not limited to underwire bras, may cause the metal detector to alert and you may have to go through a strip search or limited visual search before your visit will be permitted.

Starting October 1, 2012, new rules for visitor and offender misconduct go into effect.

Visitor Suspensions

Visitor sanctions apply at all DOCCS correctional facilities and for all incarcerated offenders visited. If a visit is terminated, visiting privileges may be suspended for up to one week until the superintendent makes a decision reinstating, limiting, suspending, or indefinitely suspending the visitor's visiting privileges.

Many categories of serious visitor misconduct now include as the maximum penalty imposition of an “Indefinite Suspension” of visiting privileges. An indefinite suspension of visiting privileges has no predetermined end date, but instead the visitor may request that the superintendent of the facility housing the offender to be visited review the matter on an annual basis for possible restoration of visiting privileges.

Offender Suspensions

An offender found guilty of misconduct before, during or after the visitation process, may have his or her visiting privileges suspended. Certain types of misconduct, such as smuggling contraband, or sexual misconduct when other visitors are in the area, can result in a loss of visits with all visitors.

An offender found guilty of drug related charges *under any circumstances*, can lose visiting privileges with all visitors for 6 months for a first offense or 1 year for a second or subsequent offense.

*For further information regarding the visiting experience,
review our Handbook for Families and Friends on our
website www.doccs.ny.gov*



Andrew M. Cuomo
Governor

Brian Fischer
Commissioner

2012

Language Access: This brochure is available in the six most common non-English languages spoken by individuals with limited-English proficiency in the State of New York.