

	STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION Marcy Correctional Facility	FACILITY OPERATIONS MANUAL TITLE: VISITING – INMATE VISITING	FOM. NO. MCF 43.01
			DATE 4/29/14
SUPERSEDES	DISTRIBUTION A,B	PAGE 1 OF 7	
REFERENCES	APPROVING AUTHORITY 		

I. AUTHORITY:

Superintendent

II. PURPOSE:

To set forth policy and establish regulatory procedures for administering the visiting program and to provide an effective visiting program that will enhance rehabilitative efforts, establish a normalization of social relationships, and satisfy security requirements of the facility.

III. APPLICABILITY:

To all inmates and personnel of the institution and especially to the Visiting Room staff. A copy of Department Directive 4403 is posted in the Visiting Room so it may be read by all inmates and their visitors.

IV. DEFINITIONS:

KVPR: Computerized Visit Process System

Local Visitors: People whose travel time to the facility is one hour or less.

Long Distance Visitors: People who have traveled in excess of 750 miles.

Social Service Visits: Visits which are limited to established agencies whose function is verifiable by department personnel.

Legal Visits: Visits with attorneys and governmental officials whose credentials and functions can be verified by department personnel.

Holiday: A day on which custom or the law dictates a halting of general business activity to commemorate or celebrate a particular event.

V. POLICY:

A. All regulations pertaining to visiting shall be made available to all inmates, visitors, and staff.

B. The number of visitors an inmate may receive will be limited to three (3) adults and two (2) lap children at any one time. Should more than the allowed number of visitors arrive for a visit, only the allotted number will be allowed to visit that inmate at one time. Those visitors who terminate their visits prior to the close of visiting hours may be replaced by other visitors, but will not be permitted re-entry for the duration of the visiting day.

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Those inmates who may have more than the allotted number of long-distance visitors (who they have not visited with for at least six months) may write to the Deputy Superintendent for Programs for special visiting considerations. The Deputy Superintendent for Programs will review the request and approve or disapprove the request.

Inmates shall not be denied access to visitation with persons of their choice except where there is clear and convincing evidence that such visitation would jeopardize the safety and security of the institution. No person shall be denied permission to visit solely because of sex, marital status, status as an ex-inmate, or having visited another inmate.

- C. Visiting privileges shall be suspended only by orders from the Superintendent or his designee. Upon suspension of visiting privileges, a notice shall be given to both the inmate and the visitor specifying the reasons for the suspension. Both inmate and visitor shall be allowed time to submit written or oral statements in opposition to the suspension. The visitor also shall be notified of his right to appeal and the procedure for appealing the decision of the Superintendent to the Commissioner.
- D. This institution shall provide a Visiting Room for inmates and their guests that allows ease and informality of communication in a natural environment as free from custodial constraint as possible. It shall be arranged with the comfort and privacy of the visitor in mind and to allow for socially acceptable physical contact during visiting.
- E. Visiting will be permitted only on weekends. Regular visiting hours are on Saturday and Sunday during the hours of 8:30 am and 3:00 pm. Exceptions to this policy are as follows
 - 1. **Legal Visits:** These visits must be by appointment only and scheduled. They may be scheduled for daytime or evening hours through the Inmate Record Coordinator. Under normal circumstances, the Visiting Room will be available for these visits.
 - 2. **Social Services Visits:** These visits must occur in a designated visiting area and are approved by the Superintendent.
 - 3. **Marriages:** Marriage ceremonies shall take place in the Visiting Room.

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4. **Long Distance Visits:** These are to be scheduled 30 days in advance. Requests for such visits are to be sent to the Superintendent for approval. These visits may take place in the Visiting Room.

5. **Holidays:** Legal holidays will be treated with same policy as weekend visits unless it is a floating holiday. Floating holidays will be treated with same policy as a weekday. A listing of standard holidays that are observed on a weekday on which visits will be allowed will be provided to the inmate population at the beginning of each year.

VI. PROCEDURE: A.

Terminating Visits when Visit Room Reaches Capacity:

1. We will ask for volunteers.

2. If there are not enough volunteers, visits will be terminated on the basis of "first in/first out" after a minimum of three hours before termination.

The Termination of visits remains our least desirable option to alleviate overcrowding. The Watch Commander will evaluate all possible options prior to his/her directing the termination of a visit.

3. All scheduled visits, authorized by the Superintendent or Deputy Superintendent, will be allowed to remain for the length of their scheduled visit whenever possible.

4. Long distance visitors will be permitted on weekdays but only on an annual basis and requests for such visits must be in writing and received by the Deputy Superintendent for Programs 30 days prior to the visit. The Superintendent will approve such visits and they must be limited to two weekdays.

- B. **Rules for the Visiting Room:** Violation of visiting Room rules and regulations by either inmates or visitors may result in the termination of a visit. Inmates and visitors are expected to abide by all facility rules and regulations so as not to disrupt or disturb the orderly operation of this area of the facility. All instructions and guidelines from staff in this area are to be followed.

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1. Cross visiting is not allowed without the permission of the Superintendent.
2. Children are to stay with their visit or stay in to play area and must not be left unattended. If a child is causing a problem, the accompanying parent or guardian will be asked to take the child out of the Visiting Room.
3. Visitors and inmates are not allowed to use the same bathroom. Appropriate bathrooms are marked accordingly.
4. Inmates are not allowed to handle money.
5. Only food bought from the vending machines will be allowed in the Visiting Room. The Visiting Room Officers are not responsible for the operation of the vending machines. Complaints regarding malfunctions must be made to the vending company.
6. A limited number of decks of playing cards and checker sets are available upon request from the Visiting Room Officer.
7. The Visiting Room Officer will assign the visit to a specific table. There will be no changing of tables. Chairs will not be moved from table to table. Inmates are to keep their feet under the side of the table facing the officer's desk. Once they are seated, inmates must stay at their assigned table after the beginning of their visit. To maximize usable space, the first three (3) rows of tables are for single visits. Due to a lack of floor space, inmates will sit facing the officer station with the visitor sitting on the opposite side. The remaining four (4) rows of tables will have the visitors sitting on the three remaining sides of the table.
8. No braiding or combing of hair and no manicuring will be allowed in the Visiting Room.
9. Inmates may wear a wedding ring and a religious medal. No watches are allowed.

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10. Inmates may wear either a state or personal shirt/sweater. Personal shirts will have either a pocket and/or fold down collar and sleeves at least 4 inches long. All shirts will be tucked into trousers. All button shirts must be completely buttoned at all times, with the exception of the top button. Sweatshirts and long underwear are not authorized at any time.
11. All hellos and good-byes will be said at the tables. There will be no gathering at the officer's desk.
12. Excessive physical contact is forbidden. Inmates and visitors may hold hands as long as they are in plain view of others.
13. In general, kissing, embracing, and touching are allowed at the beginning and the end of the visit as long as they would be acceptable in a public place and do not offend other inmates and visitors.
14. Visitors may leave money for placement into an inmate's account (their visit only) with the Visit Process Officer. The visitor will be required to complete a deposit envelope provided by the facility; enclose the check, money order or cash (limited to \$50.00 per visit); seal the deposit envelope; and present it to the Visit Process Officer assigned to visitor registration upon initial entry into the facility. The Visit Process Officer will verify the accuracy of the information on the envelope, i.e., the identification of the visitor and the inmate's name and D.I.N. Upon verification, the Visit Process officer will Place the sealed envelope in the Administration Lobby safe in the presence of the visitor. The Visit Process Officer is not required to view the contents of the envelope.

C. Outside Visiting Area Rules: The Watch Commander is responsible to evaluate all determining factors to alleviate over-crowding in the Visiting Room. Use of the outside visiting area will be at the discretion of the Watch Commander. Weather conditions, including temperatures, will be considered by the Watch Commander prior to opening.

1. SHU inmates shall not be permitted to utilize the Outside Visiting Area.
2. The outside visiting area will open at 10:00 a.m. and Close at 3:00 p.m. weather permitting.

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3. Inmates must sign up for the outside visit area at the officer's desk. This will be on a first come, first served basis.
4. At 10:00 am, the Visiting Room Officer will call the first inmates signed up on the list. The officer will call as many inmates and visitors this area will accommodate. Inmates and visitors will remain in the outside area for the duration of their visit.
5. Should the inmate decide not to go out when he is called, he will forfeit his turn and be dropped from the list.
6. Visitors and inmates may neither sit on the table tops, nor can they lay or sit on the ground or grass. Visitors and inmates will not sit on the same side of the table.
7. Inmates and visitors may come into the Visiting room from the outside area to use the bathroom or to purchase food from the vending machines. They will then return to the outside area. Small children will be accompanied by an adult.
8. In the event of a change in the weather conditions or other factors, a visitor in the outside visiting area may be required to return to the visiting room. If the visiting room is full, termination of visit procedures will be followed.
9. Contact regulations which apply inside of the Visiting Room will also be in effect in the outside area.

D. Visiting Room Area Search Procedures:

In accordance with DOCS Directive 4910, Search and Control of Contraband, the Visiting area is to be searched for contraband prior to and after visiting hours before Porters clean same.

1. Prior to visiting hours commencing, the Visiting area will be thoroughly searched by Visiting Room staff. Any discrepancies will be reported to the area supervisor immediately. This will include all bathrooms, garbage receptacles, tables, chairs, and outside visiting area when in use.

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2. Upon completion of visiting hours, the entire visiting area will be thoroughly searched by Visiting Room staff. Any discrepancies and discovery of contraband will be reported to the area supervisor immediately. This will also include all bathrooms, garbage receptacles, tables, chairs, and outside visiting areas when in use.

3. All empty soda cans will be bagged and secured, then placed into the designated containers outside the visitor exit area adjacent to the Visiting Room. These will then be taken to the Visit Process Trailer area by the Administration Porters under the supervision of the officer and picked up by the Outside Crew Officer at a later time. At no time will they be taken back into the facility.

E. VISIT ROOM CLICK CLICK:

Inmates and their visitors will have the opportunity to have pictures taken during their visit. Marcy's Click Click procedure is outlined below:

1. Vending machines will contain wooden "tokens" for purchase.
2. The tokens are in three different denominations (one, two, and three) indicating the number of photos you wish to purchase.
3. Each photo will cost \$2.00 dollars. Therefore, the cost of the tokens will be \$2.00, \$4.00, and \$6.00 dollars respectively.
4. Tokens CANNOT BE REMOVED FROM THE VISITING ROOM or saved for use on another visit. They must be redeemed on the date of purchase.
5. Once the Correction Officer announces Click Click, take your token to the photographer in order to receive your photos. The Click Click photographer will then place your token in the designated, lock box.
6. All other rules and procedures (i.e. poor quality pictures, gang signs, etc) will remain the same.
7. Tokens should be purchased prior to 1:30 p.m. in order to allow time for pictures to be taken before the photographer leaves. There will be a limit of six (6) photos per day/per inmate.