

MICHIGAN DEPARTMENT OF CORRECTIONS

“Committed to Protect, Dedicated to Success”

MEMORANDUM

DATE: August 28, 2017

TO: Wardens
Correctional Facilities Administration

FROM: Kenneth T. McKee, Deputy Director
Correctional Facilities Administration

SUBJECT: Visiting Standards – Effective: September 4, 2017

This memorandum supersedes all other Visiting Standards and must be displayed in a prominent location which is available for visitors to review. The standards are to be applied uniformly at each facility. Deviation from these standards is not permitted without authorization of the Correctional Facilities Administration (CFA) Deputy Director.

NOTE:

These standards apply to all CFA facilities including the Detroit Reentry Center. The standards do not apply to the Special Alternative Incarceration Facility.

A. FORMS

Visiting forms include:

- CAJ-334 *Visitor List*
- CAJ-103 *MDOC Visiting Application*
- CAJ-356 *Outreach Volunteer Application*
- CAJ-290 *Permit to Search Opposite Sex*

The CAJ-334 *Visitor List* allows a prisoner to identify immediate family members and not more than ten others from whom s/he would like to receive visits. The date received is identified by the Resident Unit Manager (RUM)/designee’s dated signature. This date establishes the point of reference in determining the prisoner’s eligibility to add or delete non-family members from his/her approved visiting list.

An immediate family member is identified as a grandparent, parent, stepparent, spouse, mother-in-law, father-in-law, child, step-child, grandchild, sibling (this includes minor sibling), step-brother, step-sister (this includes minor step-brother and step-sister), half-brother and half-sister (this includes minor half-brother and half-sister). An aunt and uncle may be included if adequate verification is provided that they served as a surrogate parent.

The CAJ-103 *MDOC Visiting Application* must be completed for all persons requesting to be added to the prisoner’s visiting list. Parole or discharge from a Michigan Department of Corrections (MDOC) facility

results in the deactivation of all of a prisoner's visitors. All persons who wish to visit a prisoner who is re-incarcerated must once again go through the approval process and must submit a new visiting application.

Visiting applications may be sent by the prisoner to those persons s/he wishes to visit. The application may also be picked up in person at a MDOC facility or obtained from the MDOC website located at www.michigan.gov/corrections. Copies of the visiting application will not be mailed by a MDOC facility to a proposed visitor.

The proposed visitor must return the completed application to the facility where the prisoner is housed. Incomplete applications will not be processed. The proposed visitor is encouraged to include a self-addressed-stamped-envelope (SASE) with his/her visiting application. The SASE will be used to provide notification of his/her approval or denial for placement on the prisoner's visiting list. If a SASE is not included with the application, the MDOC will provide notification to the proposed visitor only if the visiting application is denied, or is incomplete.

The information provided on the completed application will be verified. Verification will include follow-through with law enforcement agencies. Copies of documents/certificates which verify the relationship of the proposed visitor with the prisoner may be requested. If the proposed visitor is an immediate family member of the prisoner and is on probation or parole, a letter from his/her parole/probation officer granting permission to visit with the prisoner must be submitted with the application.

If the proposed visitor is a minor, a copy of the minor's birth certificate, copy of the minor's certificate of adoption, or copy of the court order establishing paternity must be submitted with the visiting application. These copies of documents will not be returned to the sender.

If the proposed visitor is denied placement on a prisoner's approved visiting list, both the prisoner and the proposed visitor will be provided written notification of the denial. *Note: Copies of completed MDOC Visiting Applications are not to be given to prisoners.*

The CAJ-356 *Outreach Volunteer Application* is used by a religious organization with an established outreach program to apply for recognition by the Department as an outreach volunteer group. The information provided on the completed application will be verified, which will include follow-through with law enforcement agencies. The application is submitted to the CFA Special Activities Coordinator. The religious organization will be notified in writing of the approval/denial of the recognition.

B. VISITOR TRACKING

All visits and all visitors must be entered into Visitor Tracking; this includes personal, clergy, attorney, and outreach volunteer visits.

Staff entering information into the Visitor Tracking record shall verify that it is not a duplicate of a record already in the system and shall ensure that identification information and type of identification are correctly entered.

Note: If it is the first visit to any MDOC facility by a member of the clergy, and the clergy has documentation of his/her clergy status, the visit is to be allowed. Staff processing the visit must collect information necessary to complete the LEIN check, via the CAJ-329 *Professional/Visitor LEIN Request*. The LEIN must be processed and cleared prior to any subsequent visits to a MDOC facility. Notation that

the LEIN is clear must be noted in the “Comments” section of Visitor Tracking. LEIN’s which do not clear must be referred to the CFA Special Activities Coordinator. The clergy will be notified in writing of the approval or denial.

The Visitor Tracking system shall be updated immediately when there is a change in the status/situation of a prisoner or visitor; e.g., marriage, discharge, visitor restriction, smocking of a visitor (see K-13), etc.

C. REQUIRED IDENTIFICATION

Adult visitors shall be required to present a valid pictured driver’s license, state identification card, military identification card, passport, or other government issued identification for identification verification prior to each visit. Temporary identification cards and driver’s licenses that do not contain a photograph must be accompanied by other photographic identification. Note: A restricted or suspended license may be used for identification purposes. Discrepancies in the information recorded in Visitor Tracking and the visitor’s identification may cause a visit to be delayed or denied until the information can be verified.

Female prisoners who have given birth during their incarceration may be permitted to visit with their newborn infant prior to the receipt of the birth certificate with the Warden’s approval. Denial of such a visit will require written notification of the CFA Deputy Director with reason for the denial identified.

Visitors of the Amish faith shall be required to present non-photographic identification as authorized by the CFA Deputy Director.

D. NUMBER OF VISITS ALLOWED

The maximum number of visits each prisoner is permitted will vary based on security level as identified below. Visits not used during a month will not be carried over to subsequent months.

- At Level I, the facility may permit any or all allowed visits to take place on a weekend.
- At Level II and above, only two of the allowable visits may be on a weekend; except that prisoners enrolled in the Vocational Village, Calvin College and Pell Grant programs at the Richard A. Handlon Correctional Facility, shall be allowed four visits per month on weekend days.
- If a visit is terminated because of a mobilization, that visit shall not be counted as one of the allowable visits for the month.

Level I: 8 per month	Level V: 4 per month (GP and Protection)	STG I: 3 per month
Level II: 7 per month	Segregation: 4 per month (Administrative, Punitive and Temporary)	STG II: 2 per month (See PD 04.04.113 for additional information about visits with prisoners having STG II designation).
Level IV: 5 per month (GP and Protection)		RSAT Parolees: 7 per month

E. NUMBER OF VISITORS ALLOWED

A maximum of five persons may participate in a visit with a prisoner. Children less than two years of age will not be counted in that number. Space restrictions in non-contact booths may require the facility to limit the number of non-contact visitors to less than five, as directed by the Warden.

F. ALLOWABLE MINOR CHILDREN VISITS

A person under the age of 18 may be placed on a prisoner's approved visitor list only if s/he is:

1. An emancipated minor; or
2. The child, stepchild, or grandchild of the prisoner; or
3. The sibling, half-brother, half-sister, step-brother or step-sister of the prisoner.

Please refer to PD 05.03.140 *Prisoner Visiting*, for a list of the circumstances when a person under the age of 18 shall not be permitted to visit. A minor (unless an emancipated minor) must be accompanied by the child's legal guardian or by an adult immediate family member of the child. The adult accompanying the minor must be on the prisoner's approved list.

Note: A Department of Health and Human Services (DHHS), or Friend of the Court employee (or an employee of a private agency working under contract with DHHS) who is on official business or is facilitating a visit between the prisoner's child and the prisoner, shall be permitted to visit and/or to accompany the child on the visit and shall not be required to be on the prisoner's approved list. The employee will be required to present his/her official work identification in addition to his/her driver's license/state identification.

Visitors under the age of 18 must present an original or a certified true copy of a birth certificate, certificate of adoption, a court order establishing paternity, or a valid pictured identification (i.e., driver's license, state identification card, passport or other government issued identification) if they have one, each time they visit. (This is for identification purposes, not to establish and verify parentage.)

Discrepancies in the information recorded in Visitor Tracking and the visitor's identification may cause a visit to be delayed or denied until the information can be verified.

G. VISITOR SEARCHES (note: This section applies to both contact and non-contact visits).

Searches will be completed in accordance with Policy Directive 04.04.110 *Search and Arrest in Correctional Facilities*.

Visitors who fail to clear the metal detector after two attempts shall be screened by use of a hand-held metal detector.

H. VISITOR BADGES

All visitors shall be issued a badge that must be worn and visible at all times. The badge must be attached to the chest area of the visitor's clothing throughout the visit (infants and small children may be excluded from wearing the visitor badge). All badges must be turned in to MDOC staff at the end of the visit.

Badges must be of durable plastic or other material, 4" x 3" minimum, and must include the word "Visitor".

I. BLACK LIGHT HAND MARKING SYSTEM FOR VISITORS

Facilities must use the black light hand marking system for visitors. The black light will be used to check the hand marking on exit from the visiting room.

J. VISITING HOURS

All visits must be processed no later than 60 minutes prior to the end of the visiting hours. If a facility is unable to comply with the visiting hours identified, or if programming or other facility activities conflicts with the periods given, an exception to the visiting hours must be sought from the CFA Deputy Director.

See attached chart for facility specific visiting hours.

K. VISITOR ATTIRE

1. Visitors must be fully dressed in clean clothes that are in good repair, e.g., holes in the clothing are not acceptable; however, worn or frayed clothing that has no hole or tear may be acceptable. Visitors are not permitted to exchange, share, or give any part of their attire to a prisoner.
2. Undergarments must be worn including underpants/panties; adult females must wear a brassiere.
3. Clothing which exposes excessive skin (e.g., abdomen, breast, chest, back, thigh, etc.) is prohibited. This clothing includes, but is not limited to, see-through clothing, tube/halter tops, and shorts or skirts/dresses that are more than 3” (three inches) above the knee. Measurements are to be taken when the visitor is seated with feet flat on the floor and at the highest point of the skirt; e.g., if the skirt has a slit, then the measurement would be taken at the top of the slit. (If the slit is in the front or side of the skirt, the measurement would be taken while seated; if the slit is in the back of the skirt, the measurement may be taken while the visitor is standing).

A visitor who is fourteen years of age or younger must be attired in clothing which covers his/her body from the base of the neck to the top of the knees. T-Shirt and shorts/trousers are acceptable, a sundress or sun-suit is not acceptable.

4. Clothing which exposes undergarments is prohibited. Sleeveless tops are allowed only if the armholes are fashioned in a way that conceals the undergarments and breast/chest of the visitor.
5. Extreme form-fitting clothing, including but not limited to yoga pants, running tights, jeggings, unitards, etc., may not be worn as outer garments.
6. Clothing which displays words, symbols, gestures, or pictures that may be perceived as obscene or inflammatory are prohibited.
7. Outer garments such as shawls/ponchos/lightweight coats/jackets (including denim and jogging suit jackets), winter coats/jackets, shrugs, vests, headgear, gloves, or outer boots that slip over a shoe are not allowed in the visiting room. Blazers, suit coats, and sweaters are permissible. Note: Hooded garments are prohibited.
8. Visitors are permitted to wear religious clothing and headgear (e.g., Hijab, yarmulke, turban, habit, etc.), into the visiting room; but are subject to search and inspection. It

may be necessary for MDOC staff to search/inspect these items at any time during the visiting process.

9. Visitors who have hair loss due to medical condition and/or treatment may be permitted to wear head covering (scarf, turban, hat or wig); this head covering is subject to search and inspection. It may be necessary for MDOC staff to search/inspect these items at any time during the visiting process.
10. Footwear must be worn at all times.
11. Jewelry worn by visitors will be itemized on entry and on leaving the visiting area. Jewelry shall be limited to no more than ten pieces (a ring set or an earring set shall count as two pieces).

Note: Watches are prohibited. Additionally, electronic wrist bands, pendants, eyeglasses and other similar items which contain a camera, GPS, wireless or electronic functions are prohibited.

An accurate clock is required in locations which are clearly visible to visitors in all visiting areas, including attorney visiting areas.

12. Visitors who arrive in clothing that does not comply with these standards will not be permitted to visit. An exception may be made if this is the person's first visit to any MDOC facility (verification in Visitor Tracking necessary); in this case, the person is to be provided a smock and permitted to visit. A notation will be made in Visitor Tracking when a smock is used.

Note: A visitor shall not be permitted to visit if s/he arrives in an outfit which requires smocking on his/her second or any subsequent visit to any MDOC facility. However, a visitor who has not been allowed to visit due to inappropriate attire may be permitted to visit if s/he returns to the facility appropriately dressed, including the day of the initial denial.

When necessary, the shift commander will make the final decision with regard to visitor attire.

L. PROPERTY ITEMS VISITORS ARE ALLOWED TO BRING INTO THE VISITING ROOM

Note: The MDOC is not responsible for the loss, theft, or damage of a visitor's property.

The following list is all-inclusive:

1. Locker key.
2. Visitor pass.
3. Identification card.
4. Funds for the purchase of food items sold from vending machines located in the visiting room where the visit is taking place. The funds shall be:

- a. Change (dollar coins, quarters, dimes and nickels only), maximum \$25 per visitor. The maximum allowed for a visiting party of three or more persons is \$60; or
- b. Pre-paid vending card as authorized at the facility where the visit will take place.

Note: Food items sold from vending machines must be removed from the manufacturer's packaging and placed on a paper plate prior to consumption. The manufacturer's packaging shall be disposed of prior to the visitor's return to his/her seat.

5. When an infant is on the visit: Two clear plastic bottles, one pacifier, and one single-layered baby blanket (no quilt or comforter style). A clear plastic spill-proof cup "sippy cup" is permitted when a toddler is a member of the visiting party. Note: Breast feeding of an infant is not permitted in the visiting room.
6. Medications and/or medical equipment (e.g., wheelchair, cane, walker, oxygen equipment, prosthesis, etc.) which may be needed by a visitor during a visit are permitted with the approval of the shift commander. Visitors requiring medication and/or medical equipment during a visit may be required to sit next to the officer's station.

Visitors in wheelchairs who are paraplegic or have mobility from the chest up are required to use the facility's wheelchair while in the visiting room. Each facility must have a wheelchair available for visiting room use. The visitor's wheelchair will not be permitted in the visiting area.

Visitors who are required to use a facility wheelchair will not be physically handled or moved by facility staff. A member of that visitor's visiting party is responsible for the move to the facility wheelchair. If the visiting party is unable to accomplish this move, the visitor may be allowed to use his/her own wheelchair; however, the visit will be non-contact.

Visitors in wheelchairs who are quadriplegic or have limited or no mobility of their upper extremities, may use their own wheelchair while in the visiting room. However, the visitor and his/her chair will be searched as thoroughly as possible before entering the visiting room. The visitor will undergo a clothed body search of exposed areas, i.e., upper and lower extremities, without actual removal from the chair. Additionally, the visit will be assigned to a location next to the officer's station.

7. A service animal which provides service for a disabled visitor is permitted to accompany the visitor while in the visiting room. However, the service animal and its harness/collar, cape or backpack will be searched before entering the visiting room. The visit will be assigned to a location that is separate from other visiting parties whenever possible. (Note: pets and/or service animals may not be left in vehicles).
8. Photo tickets.
9. Immediate family members, as defined in PD 05.03.140 *Prisoner Visiting*, may bring legal documents in on a visit for review only with the prisoner. The documents cannot be left with the prisoner nor left at the front desk for the prisoner. These items are subject to search before being taken into the visiting room.

10. Attorneys or their representatives, legal paraprofessionals, or law clerks on attorney visits may take the following with them into the visiting room/confidential visiting area: a) legal papers, including the attorney's file on the prisoner's case; e.g., correspondence, pleadings, transcripts, DVD recording related to the prisoner's case, which may be shown to the prisoner only on a DVD player provided by the MDOC facility, b) writing pads and implements [pen (clear) and/or pencil], c) softbound copies of law books; e.g., Michigan Court Rules, compilation of criminal statutes, sentencing guidelines and d) a pre-paid vending card as authorized at the facility where the visit will take place or up to \$25.00 in change per person for vending machines. The maximum allowed for a visiting party of three or more persons is \$60.00 No other items will not be allowed unless the Warden has given prior approval. Laptop computers and other electronic devices are prohibited. All items are subject to search.
11. Attorneys, legal paraprofessionals, and law clerks on attorney visits may leave legal documents for the prisoner at the front desk at the conclusion of their visit. Documents cannot be given to the prisoner directly. These items are subject to search and will be delivered to the prisoner as mail.
12. Outreach volunteers and clergy are permitted to carry the following items into the visiting room when visiting as a volunteer/clergy: a) two religious books; e.g., a scripture book and study book, b) a pen (clear) or pencil, c) a note pad or loose leaf paper, and d) a pre-paid vending card as authorized at the facility where the visit will take place or up to \$25.00 in change per person for vending machines. The maximum allowed for a visiting party of three or more persons is \$60.00. All items carried in will be searched and must leave with the outreach volunteer/clergy at the conclusion of the visit. These items cannot be given to the prisoner. Clergy may bring sacramental items into the visiting room only if approval has been obtained through the Warden prior to the visit.
13. Representatives of the media are permitted to bring the following items into the visiting room for the purpose of interviewing a prisoner: a) a notebook/pad and b) a pen (clear) or pencil. Electronic equipment and audio/visual recording devices are prohibited. Items carried in by the media representative will be searched and must leave with the media representative at the conclusion of the visit. These items cannot be given to the prisoner.

Note: Cameras, cellular telephones, pagers, and other electronic devices are not permitted. Visitors must leave these items in a locked motor vehicle or in a secure area designated by the Warden for this purpose. The furnishing of a cellular telephone to a prisoner is a felony under MCL 800.238a.

M. PRISONER PROPERTY AND CLOTHING

The only items of personal property a prisoner may have with him/her when visiting, are listed below. All clothing worn into the visiting room by a prisoner must remain on during the visit. Clothing worn must be in good repair and may not be torn or altered. When necessary, the shift commander will make the final decision with regard to prisoner attire. (Prisoners at Duane L. Waters Health Center shall be required to wear appropriate hospital issued undergarments, pajamas, robe, and slippers while on visits.)

Allowable Property

- Identification card, which must be submitted to the visiting room officer to be placed in a secure area.
- Room keys, if applicable.
- Prescription eyeglasses and medically necessary items authorized by Health Care and the Warden, including but not limited to medical alert card, prosthesis.
- Legal paperwork for use on attorney visit. Must have prior approval of Warden/designee.
- Religious material for use on clergy visit. Must have prior approval of Warden/designee.
- Religious medallion/medicine pouch as allowed by PD 05.03.150 *Religious Beliefs and Practices of Prisoners*.
- Ring.
- Photo tickets (must be a different color than photo tickets sold to visitors).

Allowable Clothing

- State issue shirt/blouse
- State issue trousers
- Undershirts
- Undershorts required for male prisoners.
- Panties and brassiere required for female prisoners.
- Socks
- State issue work oxford shoes; other shoes permitted only as approved by Health Care and the Warden.
- Religious headgear as allowed by PD 05.03.150 *Religious Beliefs and Practices of Prisoners*.

Clothing Not Permitted:

- Shorts.
- Clothing which exposes excessive skin; e.g., abdomen, breast/chest/back, thigh, etc.
- Extremely form-fitting clothing and extremely loose-fitting clothing.

With approval of the Warden, personal coats, jackets, and gloves may be worn up to the visiting room instead of state issue if the facility can accommodate the storage of these items outside of the visiting room during the visit.

N. ASSIGNED SEATING/CROSS VISITATION/PHYSICAL CONTACT

Prisoners and visitors, including children age two and over, will be assigned a specific seat in the visiting area. Prisoners shall be allowed to visit only with those individuals who have signed in to visit them; i.e., no "cross visitation" will be allowed between prisoners or their visitors. *Note: Brief greetings are acceptable; continued conversation is not.*

Physical contact between prisoners and visitors is prohibited except for one kiss and one embrace between a prisoner and each of his/her visitors at the beginning and end of each visit and when a picture is being taken. Additionally, a prisoner and his/her visitor are permitted to have their arms around the shoulders of one another and may hold hands. A prisoner who is a parent or grandparent may appropriately touch and hold his/her child/grandchild if under two years old and bottle feed his/her infant/grandchild while visiting.

Children must be under direct supervision of the visiting parent, guardian, or other visiting adult immediate family member at all times including when children are using the restroom. Corporal punishment of children is prohibited and may result in termination of visiting privileges.

If provided by the Prisoner Benefit Fund, a prisoner and his/her visitor(s) may use toys, games and books while visiting. Toys shall be permitted only if they are constructed of material which can be easily cleaned and sanitized. Books and games made of paper shall be removed from the visiting room when they become excessively soiled, worn or tattered. The use of all games and toys by a child must be under the direct supervision of the visiting parent, guardian or other visiting adult immediate family member.

Prisoners who present special problems must be assigned to a seat in the area closest to the officer's station to permit staff to continuously monitor their behavior. Portable non-contact stalls may also be used for this purpose. Prisoners are required to remain seated at all times unless given permission to leave their seats by visiting room staff.

Be advised that these standards are not a substitute for staff supervision. Prisoners and visitors must be closely monitored at all times to ensure that contraband is not passed and that inappropriate behavior does not occur.

O. RESTROOM USE

Visitors shall use only restrooms designated for public use. Visitors shall not be permitted to use restroom facilities that are used by prisoners.

- A member of a visiting party may leave his/her assigned seat during the course of the visit to change a child's diaper in an area designated by institutional staff. This diaper changing area shall be located in the visiting room or an area adjacent to the visiting room where the diaper change may be observed by visiting room or gate staff. Prisoners are not permitted to change a child's diaper.
- Visitors and prisoners returning from the restroom will be searched prior to their return to the visiting room. If staff have reason to believe that the visitor has been anywhere other than the restroom, the visitor will be refused re-admittance.
- Visitors and prisoners will not be permitted to use the restroom while count is being conducted in the visiting room. Once count for the visiting area is cleared, use of the restroom may resume.

P. PHOTOS

- Photo tickets may be used to obtain photographs of a prisoner and his/her visitor(s).
- A prisoner shall not be photographed with another prisoner or with another prisoner's visitor(s).
- Inappropriate gestures in photographs will result in the confiscation of the photograph.
- Photo tickets of a different color than tickets sold in the prisoner store, may be sold at the front desk, by machine, or over the counter.
- Prisoners are not allowed to take tickets purchased by visitors back to the housing unit.
- All tickets must be used or removed at the end of the visit by the visitor.

Q. PROPERTY LEFT AT THE INFORMATION DESK ON VISITS

Legal documents left by an attorney, legal paraprofessional, or law clerk at the conclusion of a legal visit are the only items that may be left at the information desk; all such documents must be clearly identified with the prisoner's name and identification number. (See Paragraph L-11.)

R. TERMINATION OF A VISIT

In the event of overcrowding, MDOC staff shall announce the need for the termination of some visits and ask for volunteers. If an inadequate number of visitors volunteer for termination, additional visits will be terminated. If this occurs, the visit(s) that began first shall be terminated first with the exception of visitors who have traveled 400 miles or more round-trip.

If overcrowding still exists once the visits of all parties that have traveled less than 400 miles round trip have been terminated, then the visits of those parties who have traveled 400 miles or more round trip shall be terminated to relieve the overcrowding. If this occurs, the visit(s) which began first shall be terminated first.

Non-contact visits may be terminated to accommodate other visitors who are limited to non-contact visits. Visits which must be terminated based on overcrowding, or need for non-contact accommodation, shall not be terminated until the parties have been permitted a minimum of 60 minutes of visiting. A terminated visitor may be permitted a second visit no sooner than 60 minutes after the termination of the first visit. These visits which take place on the same day shall count as two individual visits.

Inappropriate or disruptive behavior on the part of the prisoner or a visitor may result in the termination of the visit and may lead to a permanent visitor restriction. Such behavior includes, but is not limited to, inappropriate touching, kissing, fondling, sitting on the lap of a prisoner/visitor (including children two years of age or older), exposure of the breasts or genital areas, excessively loud conversations, tantrums, repeated failure to remain with the visiting party, passing of contraband.

Notation of visits terminated based on inappropriate behavior and any subsequent visitor restriction shall be made in the Visitor Tracking system.

- c: Director Washington
- EPT
- Assistant Deputy Directors, CFA
- M. Wallace, OLA
- N. Killough, CFA