MICHIGAN DEPARTMENT OF CORRECTIONS **POLICY DIRECTIVE**	EFFECTIVE DATE 05/05/2025	NUMBER 05.03.140
SUBJECT PRISONER VISITING	SUPERSEDES 05.03.140 (12/09/2024)	
	AUTHORITY MCL 791.203, MCL 791.268a, MCL 791.251 et seq., MCL 800.291 - 292; Administrative Rules 791.6607 - 791.6614	
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POLICY STATEMENT:

Prisoners may receive visits from family members and members of the public, subject to restrictions to maintain order and security.

RELATED MANUALS:

In-Person Visiting Standards
Video Visiting Standards

POLICY:

DEFINITIONS

A. Approved Outreach Volunteer - A volunteer who provides one-on-one counseling and spiritual guidance to Correctional Facilities Administration (CFA) prisoners.

B. Duty Administrative Officer - The Warden, Deputy Warden, or Assistant Deputy Warden (ADW) of the facility, or with approval the Assistant Deputy Director (ADD), the Warden, Deputy Warden, or ADW of a facility within close proximity.

C. Emancipated Minor - A minor who is married, on active duty with the armed forces of the United States, or for whom a court has issued an order of emancipation.

D. Immediate Family Member - 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.

E. Qualified Clergy - Leaders of a religious organization or entity such as a church, mosque or synagogue, or persons who have been granted clergy status by a recognized religion. This does not include anyone who is self-ordained or designated as clergy by a prisoner.

F. Professional Visits - Visitors authorized to visit in-person and video in accordance with Paragraph S.

GENERAL INFORMATION

G. Prisoners are required to wear state-issued shirts/blouses, trousers, and shoes on a visit. Religious head coverings may also be worn.

H. This policy does not apply to prisoners in the Special Alternative Incarceration Program (SAI). Visits for prisoners in SAI shall be as set forth in PD 05.01.142 “Special Alternative Incarceration Program.”

I. Staff shall contact the Michigan State Police (MSP) or local law enforcement whenever they have reasonable suspicion that a visitor has, or is about to, commit a crime.

VISITOR TRACKING SYSTEM AND VISIT SCHEDULING PLATFORM

J. CFA shall maintain a computerized visitor tracking system and a visit scheduling platform to track and control the prisoner visiting process, including identifying persons approved to visit and on visit restrictions. The CFA

Deputy Director shall establish standards for use of each system.

K. Each facility shall maintain a manual visitor tracking system to be used if the computerized system is inoperable.

APPROVED VISITOR LIST

L. Except as set forth in Paragraphs P and S (3), a prisoner shall only be allowed to visit with those persons who have been approved for placement on the prisoner's approved Visitor List in visitor tracking. The prisoner shall complete a Visitor List (CAJ-334) identifying those immediate family members, outreach volunteers, and not more than ten others from whom they would like to receive visits. The prisoner shall submit the completed form to designated housing unit staff. Only those persons identified on the prisoner's list shall be considered for approval to visit. The prisoner shall be allowed to add or delete immediate family members at any time. Designated facility staff shall administratively add or delete the following from the Visitor List (CAJ-334) based on the request of the professional visitor(s): attorneys/representatives, clergy, a Michigan Department of Health and Human Services (MDHHS) employee or representative acting on MDHHS's behalf, or a friend of the court employee who is facilitating a visit between the prisoner's child and the prisoner. The prisoner shall be allowed to add or delete other names only once every six months.

M. Upon receipt of a properly completed Visitor List (CAJ-334), facility staff shall determine if the proposed visitor is eligible for placement on the prisoner's approved Visitor List in visitor tracking. This includes attempting to confirm the relationship of those identified by a prisoner as being immediate family members by reviewing the prisoner's file. If there is inadequate documentation in the file to confirm the relationship, the prisoner or family member shall be required to provide the documentation necessary to adequately confirm the relationship.

VISITING APPLICATION PROCESS – IN-PERSON AND VIDEO VISITING

N. The MDOC Visiting Application (CAJ-103) and the Visiting Application – Attorney, DHHS (Child Welfare) & SOM Employee (CAJ-1069) shall be made readily available to prisoners and proposed visitors at each facility and shall be available on the Department's website. Each person named on the Visitor List who wants to visit the prisoner must complete the MDOC Visiting Application (CAJ-103) or the Visiting Application Attorney, DHHS (Child Welfare) & SOM Employee (CAJ-1069) and submit it to the facility where the prisoner is housed. The form must be received sufficiently prior to the visit to allow for necessary review, approval, and placement on the prisoner's approved Visitor List by facility staff.

O. A proposed visitor shall be approved for placement on the prisoner's approved Visitor List if all of the following criteria are met:

1. The proposed visitor is not subject to a current visitor restriction.

2. The proposed visitor is not a former MDOC prisoner. However, a former MDOC prisoner who is an immediate family member may be placed on the prisoner's approved Visitor List with prior approval of the Warden of the facility where the initial visit will occur.

3. The proposed visitor is not on parole or probation in any jurisdiction as a result of a felony conviction. However, a parolee or probationer who is an immediate family member may be placed on the prisoner's approved Visitor List with prior approval of the Warden of the facility where the visit will occur and written approval of the supervising Field Agent.

4. The person is 18 years of age or older, an emancipated minor, or the 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). However, a minor shall not be approved for placement on the prisoner's approved Visitor List under any of the following circumstances:

   a. The Department is notified that there is a court order prohibiting visits between the child and prisoner;

   b. The Department is notified that the parental rights of the prisoner for the child have been terminated;

c. The prisoner has been convicted of child abuse/neglect, criminal sexual conduct, or any other assaultive or violent behavior against the child or sibling of the child unless an exception has been granted by the Director upon request of the Warden. The Warden will be notified in writing if an exception is granted.

5. Unless the proposed visitor is visiting for the sake of professional visits, the proposed visitor is not on another prisoner's approved Visitor List except as an immediate family member. In other words, a visitor may be on the list of all prisoners who are immediate family members, but only on the list of one prisoner who is not an immediate family member unless they are visiting for a professional visit.

6. If the proposed visitor is a Department employee, they may visit only as set forth in the Employee Handbook.

7. If the proposed visitor is a volunteer, they may visit only as set forth in PD 03.02.105 "Volunteer Services and Programs."

P. The Duty Administrative Officer may allow a special one-time visit between a prisoner and a person (adult or minor) who is not on the prisoner's approved Visitor List, if the Duty Administrative Officer determines that it is in the best interest of the prisoner and is not a threat to the good order and security of the facility. A visitor may be allowed only one such visit with a prisoner. Subsequent visits with the same prisoner by that visitor shall require placement on the prisoner's approved Visitor List with an approved visiting application in accordance with this policy.

Q. Notwithstanding Paragraph O, the Warden may deny placement of anyone on a prisoner's approved Visitor List in the computerized visitor tracking system for the safety or security of the facility, protection of the public, previous violations of visiting room rules by the proposed visitor, or for other reasonable cause as determined by the Warden. Wardens shall advise the appropriate Assistant Deputy Director (ADD) in writing whenever a person is denied placement on a prisoner's approved Visitors List pursuant to this paragraph and shall include the basis for the denial.

R. A proposed visitor who is denied placement on a prisoner's approved Visitor List shall be provided with a copy of the denied MDOC Visiting Application that shall include the reason for the denial. The prisoner also shall be advised in writing of the reason for the denial. A proposed visitor may submit a written request for reconsideration of a denial to the Warden. A proposed visitor who is approved for placement on a prisoner's approved Visitor List who included a self-addressed stamped envelope with their MDOC Visiting Application also shall be provided a copy of the approved MDOC Visiting Application.

S. The following persons shall be allowed to visit a prisoner both in-person and through video visiting as a professional visit, except if the person is related to the prisoner by blood or marriage, is on probation or parole in any jurisdiction as a result of a felony conviction or is a prisoner. The following process must be followed:

1. **Qualified Clergy:** Must submit a completed MDOC Visiting Application (CAJ-103) and written verification of their clergy status for each prisoner they would like to visit. The CAJ-103, Section B, "your relationship to the prisoner" must include "clergy" as the type of relationship. If the application is approved, qualified clergy will be able to schedule in-person and video visits through the MDOC visit scheduling platform. These visits will not count towards a prisoner's monthly allotted visit quota.

2. **Approved Outreach Volunteers:** Must submit a completed MDOC Visiting Application (CAJ-103) for each prisoner they would like to visit. The CAJ-103, Section B, "your relationship to prisoner" must include "outreach volunteer" as the type of relationship. If the application is approved, outreach volunteers will be able to schedule in-person and video visits through the MDOC visit scheduling platform. These visits will not count towards a prisoner's monthly allotted visit quota.

3. **An official representative of the legislative, judicial, or executive branch of government, or a Consulate General, on official business with the prisoner:** Must submit completed MDOC Visiting Application – Attorney, DHHS (Child Welfare) & SOM Employee (CAJ-1069). Visits shall be approved and scheduled through the Administrative Assistant or designee at the facility in which the prisoner is housed. These visits shall not be scheduled through the MDOC visit scheduling platform. These visits will not

count towards a prisoner's monthly allotted visit quota. The visitor shall present their work ID before the visit takes place.

4. **A Michigan Department of Health And Human Services (MDHHS) employee or representative acting on MDHHS' behalf, or a Friend of the Court employee who is facilitating a visit between the prisoner's child and the prisoner:** Must submit completed MDOC Visiting Application – Attorney, DHHS (Child Welfare) & SOM Employee (CAJ-1069) for themselves and an MDOC Visiting Application (CAJ-103) for each of the prisoner's children for each prisoner they would like to visit. The section, "your relationship to prisoner" must include "MDHHS or representative" as the type of relationship for the supervising adult and "child" as the type of relationship for each of the prisoner's children. If the applications are approved, the MDHHS or Friend of the Court will be able to schedule in-person and video visits through the MDOC visit scheduling platform. The visitor shall present their work ID before the visit takes place. These visits will not count towards a prisoner monthly allotted visit quota.

   a. This includes a privately-run agency working under contract with MDHHS if there is evidence in writing by DHHS. Representatives of these agencies and non-governmental employees will also be required to submit a LEIN Request (CAJ-1037), so that a criminal background check may be completed.

   b. MDHHS staff are expected to visit on weekdays during normal facility visiting hours for in-person visiting. However, exceptions may be granted by the Warden.

5. **An attorney, or representative acting on the attorney's behalf, on official business with the prisoner:**

   a. For all in-person and video visits, must submit a completed MDOC Visiting Application – Attorney, DHHS (Child Welfare) & SOM Employee (CAJ-1069) and present their current/valid state bar card or letter, on official letterhead, establishing that the person is representing an attorney for each prisoner they would like to visit. The section "your relationship to prisoner" must include "attorney" as the type of relationship. Review and approval of the application for an attorney will be processed without completing a Law Enforcement Information Network (LEIN) report. Representatives acting on the attorney's behalf will be subject to a LEIN report check and shall be required to submit a LEIN Request (CAJ-1037).

   b. If approved, the attorney will be able to schedule confidential video visits or non-confidential in-person visits through the MDOC visit scheduling platform. Attorneys must contact the Warden's office to schedule a confidential in-person visit. These visits will not count towards a prisoner's monthly allotted visit quota.

   c. Video visits scheduled by an attorney as a professional visit are confidential and not recorded or monitored by MDOC staff. All other video visits are monitored and recorded by the MDOC.

T. The individuals, including an attorney, or representative acting on the attorney's behalf, on official business with the prisoner, listed in Paragraph S (5) may schedule an in-person visit within or outside of standard visiting hours with prior approval of the Warden or designee. The individuals listed in Paragraph S (1) and (3) may visit outside of standard visiting hours with prior approval of the Warden or designee if extenuating circumstances exist (e.g., for clergy, the death of an immediate family member of the prisoner.)

U. At multi-level facilities accommodations shall be made for attorneys to visit their clients at any custody level during the facility's scheduled visiting hours (e.g., if an attorney's client is Level IV and the attorney arrives during the visiting hours scheduled for Level II prisoners, accommodation shall be made for the visit to take place, rather than require the attorney to return during the hours scheduled for Level IV prisoners).

REMOVAL FROM APPROVED VISITOR LIST

V. A person approved for placement on a prisoner's approved Visitor List shall be removed from the approved Visitor List if they send a written request to the facility that the prisoner is located. The listed person shall be removed from the prisoner's approved Visitor List within five business days after receipt of the request. The prisoner and the listed person shall be notified in writing that the listed person was removed from the prisoner's approved

Visitor List at their request.

W. A person approved for placement on a prisoner's approved Visitor List shall be removed from the list if the Department receives reliable information that the visitor is no longer eligible for placement on the prisoner's approved Visitor List. Both the prisoner and the visitor shall be notified in writing of the reasons for the removal. The prisoner may appeal the removal through the prisoner grievance process. The visitor may submit a written request for reconsideration to the Warden.

SCHEDULING AN IN-PERSON VISIT AND VIDEO VISIT

X. All individuals who are approved to visit are required to schedule an appointment using the MDOC visit scheduling platform before visiting a prisoner. Visitors are required to schedule the visit at least 48 hours prior to the visit, but not more than seven days prior to the visit.

Y. For in-person visits, the MDOC recommends visitors arrive at the facility 30 minutes before their scheduled visit. Visitors who arrive late to a scheduled appointment may have the amount of time they are late subtracted from the two-hour visiting duration.

Z. A visit may be cancelled if the visitor is more than 60 minutes late for the appointment unless the visitor calls ahead of time to let the facility know they are running late due to circumstances outside of their control (e.g., heavy traffic, road construction, weather). Visits may also be cancelled by the facility in the event of a mobilization or emergency situation.

REQUIRED IDENTIFICATION PRIOR TO VISIT

AA. Except as set forth in Paragraph BB, all visitors shall be required to present a pictured driver license, state identification card, military identification card, passport, or another government-issued identification card for identification verification prior to each visit. Visitors who are Amish must provide identification as required by the CFA Deputy Director.

BB. An original or a certified true copy of a birth certificate, certificate of adoption, or a court order establishing paternity shall be required for identification verification prior to each visit for a visitor under the age of 18 who does not have picture identification to present. The Warden, however, may allow a female prisoner to visit with her child born during her incarceration prior to the receipt of the child’s birth certificate.

VISITING OPERATIONS

CC. The CFA Deputy Director shall establish Department-wide in-person and video visiting standards for visiting operations that are consistent with this policy and shall be enforced at all facilities. The standards shall identify general visiting information that each facility shall make available to visitors in writing in both English and Spanish versions. The standards also shall, at a minimum, address the following:

1. Visiting hours.

2. Number of visits allowed.

3. Number of visitors allowed per visit.

4. Proper attire and conduct of visitors and prisoners during a visit.

5. Property that visitors and prisoners are allowed to bring to a visit.

IN-PERSON CONTACT

DD. During in-person contact visits, physical contact between prisoners and visitors is prohibited except for one kiss and one embrace between a prisoner and each of their visitors at the beginning and end of each visit and when a picture is being taken. In addition, a prisoner and their 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 also may appropriately touch and hold their child or grandchild if the infant is under two years old and bottle feed the infant while visiting.

Corporal punishment of any type is prohibited and shall result in an immediate termination of the visit.

EE. A prisoner shall be allowed to visit only with their own visitors. Cross visitation or visiting with another prisoner's visitor(s) is prohibited. Except for a brief greeting at the start or end of a visit, conversations with other prisoners or other prisoners' visitors are prohibited.

FF. Prisoners and visitors, including children two years of age or older, shall be assigned a specific seat or table in the visiting area.

GG. Prisoners and visitors shall be closely monitored at all times to ensure that contraband is not passed, and that inappropriate behavior does not occur. This may include assigning a prisoner a seat or table in the area closest to the officer's station to permit continuous monitoring if the prisoner presents a special concern, including if the prisoner is visiting with a child and has a history of criminal sexual conduct or other assaultive or violent offense against a child. However, custodial supervision and control shall be as unobtrusive as possible consistent with custody and security controls. All visitors shall be treated courteously and assisted promptly.

HH. At the conclusion of the scheduled visiting time, all visiting groups shall remain seated and wait to be excused one table at a time by the visiting room staff member. At this time, staff shall allow one kiss and one embrace before exiting the visiting room.

NON-CONTACT VISITING

II. Wardens of facilities that do not have permanent non-contact visiting areas must have sufficient portable non-contact visiting booths to accommodate prisoners limited to non-contact visiting for the reasons set forth in Paragraph KK. Portable non-contact visiting booths shall not be used if the visitor is subject to a permanent visiting restriction.

JJ. Except at RGC, prisoners who are housed in a security Level V facility or housing unit, temporary segregation, punitive segregation (detention), or are classified to administrative segregation shall be limited to non-contact visits, except that a contact visit shall be allowed with an attorney upon request of the attorney subject to Paragraphs KK.

KK. The Warden may limit a prisoner of any security level to non-contact visits (subject to availability) under the following circumstances:

1. When visiting an immediate family member or an attorney who is subject to a visitor restriction.

2. When a search of a visitor cannot be conducted due to the presence of a cast, prosthetic device, oxygen tank, or any medically required device (including sunglasses).

3. When a search of a visitor cannot be conducted due to the presence of permanent jewelry, piercings, and/or clothing that will not pass the MDOC's search policies (e.g., visitors with permanent jewelry or piercings underneath their clothing or clothing with excessive metal that cannot be effectively searched) will only be permitted a non-contact visit.

4. When the prisoner is being monitored for suicidal behavior and non-contact visiting is determined by the Warden, after consultation with appropriate health services staff, to be necessary to ensure the prisoner's physical safety.

5. When it is determined by the Warden, based on a review of a hearing officer's finding of guilt of a misconduct charge or upholding of a visitor restriction, that a prisoner or visitor demonstrates unmanageable behavior that is related to contact visiting.

LL. If a hearing officer upholds a visitor restriction for conduct occurring during a non-contact visit, the prisoner and restricted visitor shall not be permitted any visits during the time period of the visitor restriction.

SEARCHES

MM. Prisoners and visitors shall be searched in accordance with PD 04.04.110 "Search and Arrest in Correctional

Facilities."

HOSPITAL VISITS

NN. A prisoner who is hospitalized may receive visitors who meet the requirements of this policy only if the prisoner is critically ill, as verified by the attending physician, and with prior approval of the Warden of the facility that the prisoner is permanently housed. The Warden or Deputy Warden shall consult with the Warden or Deputy Warden of the facility providing custody coverage before deciding whether to approve the visit. Approval shall be granted for visits to conduct official business with an attorney or their representative and with qualified clergy of the prisoner's designated religion or whom the prisoner specifically requests to see, subject to Paragraph S. All approved visits must be in accordance with hospital and MDOC policies, rules, and procedures, including hospital visiting hours and allowable property items (e.g., cell phones, cameras, mobile devices with camera/recording capability, and any other smart devices as defined in PD 01.05.120 “Critical Incident Reporting – Correctional Facilities Administration (CFA)” are not permitted in a prisoner’s hospital room). Designated staff at the facility providing custody coverage shall communicate to the approved visitors that cell phones, cameras, mobile devices with camera/recording capability, and any other smart devices are prohibited during the visit. Visitors shall be searched in accordance with PD 04.04.110 "Search and Arrest in Correctional Facilities." Visits are not required to be conducted during institutional visiting hours and are not counted toward the prisoner’s regular visits.

OO. An approved visitor must provide the proposed date and time of the visit to the Warden or designee of the facility where the prisoner is permanently housed. The Warden or designee shall contact hospital staff to approve the date and time of the visit. After the date and time is approved, the Warden or designee shall notify the Warden or designee of the facility providing custody coverage of the approved visit, who shall in turn provide this information to staff providing custody coverage. The visitor shall not be required to report to the facility prior to the visit. The visitor must present photo identification consistent with Paragraphs AA through BB of this policy at the time of the visit. Custodial staff shall be present at all times during the visit. If custodial staff need to leave the room during the visit for any reason, the visitor(s) shall be sent to the nearest waiting area outside the prisoner’s room until custodial staff return. Visits shall be disallowed or terminated if visitors do not adhere to visiting rules.

PP. At the Women’s Huron Valley Correctional Facility (WHV), the Infirmary is designated as the Palliative Care Unit. The Warden or Deputy Warden may allow visits in WHV Infirmary cells for prisoners who are critically ill. The visitor shall be escorted to and from the Infirmary by custody staff and shall remain under constant custody supervision during the course of the visit.

DISALLOWED/TERMINATED IN-PERSON VISITS OR VIDEO VISITS

QQ. All visits shall be terminated any time the siren is sounded, and visitors must leave the facility and grounds immediately.

RR. A visit shall be disallowed (i.e., not permitted to occur) or shall be terminated for any of the following reasons:

1. The prisoner does not want to visit.

2. If the visitor is a minor and is not accompanied by an adult immediate family member of the minor or their legal guardian who is on the prisoner's approved Visitor List unless the minor is an emancipated minor and can show adequate proof of emancipation.

3. The prisoner or visitor appears to be intoxicated or under the influence of a controlled substance.

4. The prisoner or visitor fails to comply with a requirement of policy that is related to the visit, including CFA in-person and video visiting standards, or the Department's administrative rules.

5. The visitor directs verbally abusive language at staff, prisoners, or other visitors.

6. The prisoner commits a Class I misconduct violation in the visiting room.

7. There is reasonable suspicion that the purpose of the visit is to commit an illegal act. The appropriate ADD shall be advised in writing whenever a visit is disallowed or terminated for this reason.

8. The visitor makes a false statement with respect to visiting.

9. The visitor damages or attempts to damage Department property or engages in disruptive behavior while on Department property.

10. The visitor removes or attempts to remove any item from the institution that is not authorized by the institution.

SS. If circumstances permit, supervisory staff shall verbally explain the reason for a visit being terminated or disallowed at the time it occurs.

VISITOR RESTRICTIONS AND REQUIRED HEARINGS FOR IN-PERSON AND VIDEO VISITING

90-DAY VISITING RESTRICTIONS

TT. A visit shall be terminated or disallowed, and the prisoner and visitor notified that the facility will be requesting a 90-day restriction of the visitor's visits with all prisoners if any of the following occur:

1. If the visitor is involved in the conduct for which the visit is terminated or disallowed, the visitor shall not be allowed to visit at that facility for the remainder of that day and may be subject to a 90-day restriction of visits to all facilities if the applicable requirements in Paragraph RR are met.

2. If the prisoner is involved in conduct for which a visit is terminated or disallowed, they shall be given a misconduct report for the violation(s) committed. A hearing shall be conducted pursuant to R 792.11903. The hearing officer shall consider imposing a sanction of loss of visiting privileges if the prisoner is found guilty of a misconduct that was received in relation to a visit.

VISITING RESTRICTIONS – OVER 90-DAYS

UU. A visitor shall be placed on a permanent restriction in alignment with Administrative Rule 791.6611.

VV. A visit shall be terminated or disallowed, and the prisoner and visitor notified that the facility will be requesting a permanent restriction of the visitor's visits with all prisoners if any of the following occur:

1. The visitor smuggles, conspires to smuggle, or attempts to smuggle any item into or out of the facility. Staff shall ensure that the Michigan State Police are notified in accordance with PD 04.04.110 "Search and Arrest in Correctional Facilities" if the item is believed to be contraband.

2. The visitor assaults staff or others or threatens them with physical harm.

3. The visitor assists, conspires to assist, or attempts to assist, a prisoner to escape.

4. The visitor touches or exposes the breasts, buttocks, or genital area during a visit. Touching that is incidental to a brief embrace permitted at the beginning and end of a visit shall not be subject to this restriction.

5. The visitor has a pending felony or misdemeanor charge or has been found guilty of a felony or misdemeanor that occurred in connection with a visit. The restriction shall be removed if the visitor provides proof that the charge has been dismissed or that the charge resulted in a not guilty finding.

6. Prohibited behaviors outlined in the visiting standards for video visiting.

7. Any other behavior that the Warden deems disruptive may result in a request for a visitor restriction.

WW. The visitor shall be temporarily restricted from all visits pending a visitor restriction hearing and determination by the CFA Deputy Director or designee if the restriction is requested due to behavior described in Paragraph VV numbers 1 through 7. The temporary restriction shall be recorded in the MDOC's computerized visitor tracking system and the MDOC visit scheduling platform. A prisoner may also be temporarily restricted from all visits

pending a visitor restriction hearing if they were involved in the behavior that LED to the proposed restriction.

XX. If the visitor restriction is upheld, a Notice of Proposed Visitor Restriction/Notice of Restriction (CSJ-315) shall be given to both the prisoner and the visitor. All imposed restrictions shall include the time the visitor was on a temporary restriction. Either the prisoner or visitor may request a rehearing in accordance with PD 03.03.105 "Prisoner Discipline."

YY. The behavior described in Paragraph VV, numbers 1 through 7, need not have occurred in connection with a visit. For example, a person who leaves contraband in another area of the facility grounds for the prisoner to pick up, mails contraband to a prisoner, or discusses escape plans with a prisoner over the telephone may be subject to a visitor restriction.

ZZ. If the incident leading to the proposed visitor restriction involved both the prisoner and the visitor, the prisoner shall be sent a Notice of Proposed Visitor Restriction/Notice of Restriction (CSJ-315) in addition to receiving a misconduct report. The visitor shall be sent the Notice of Proposed Visitor Restriction, a copy of the misconduct report, and notice of the date of the visitor restriction hearing within 30 business days of the incident via first class mail to the address the visitor provided the facility at the time of the visit. Both the prisoner and the visitor are entitled to hearings conducted pursuant to R 792.11903. The misconduct hearing and the visitor restriction hearing shall be scheduled on the same date if possible.

AAA. If the incident leading to the proposed visitor restriction involved the visitor only, both the visitor and the prisoner shall be sent a Notice of Proposed Visitor Restriction/Notice of Restriction (CSJ-315) and notice of the date of the visitor restriction hearing within 30 business days of the incident via first class mail to the address the visitor provided the facility at the time of the visit. In all cases, the hearing investigator shall obtain a written statement from the prisoner to be presented at the hearing. The prisoner may be present at the visitor's hearing if the hearing officer finds that the prisoner's presence is required.

BBB. A hearing investigator shall be assigned in all visitor restriction hearings. The hearing investigator shall ensure that the notices required in Paragraphs ZZ and AAA are appropriately sent and that all relevant documents and other evidence are present at the hearing, including any written information submitted by the visitor that the visitor wants to be considered. The hearing investigator at the facility where the hearing is held shall retain a copy of the hearing investigation for at least two years from the date of the hearing.

CCC. The visitor restriction hearing shall be conducted by a hearing officer in the Michigan Administrative Hearings System, Department of Licensing and Regulatory Affairs. The hearing shall be conducted within 30 business days after the date that notice of the hearing is mailed, unless the Administrative Law Judge determines there is good cause for delay, or relevant time requirements are waived by the visitor or prisoner, as appropriate.

1. If the Administrative Law Judge does not uphold the visitor restriction or if the hearing is not conducted within 30 business days, absent a finding of good cause for delay or a waiver of the time requirements, a visitor restriction will not be imposed. The temporary restriction shall be removed from the computerized visitor tracking system and the MDOC visit scheduling platform and visits restored immediately. The Warden may request a rehearing in accordance with PD 03.03.105 "Prisoner Discipline."

DDD. If a visitor restriction is upheld at a hearing, the visitor restriction shall be entered into the computerized Visitor Tracking System and the MDOC visit scheduling platform. The visitor and the prisoner shall be advised when they may request to have their visits restored.

VISITOR RESTRICTION REMOVAL PROCESS

EEE. A restricted visitor may request removal of a visitor restriction by sending a written request to the Warden of the facility where the prisoner with whom the visitor wants to visit is located.

1. If the restricted visitor is eligible for removal of the visitor restriction pursuant to this policy, the Warden shall make a written recommendation to the CFA Deputy Director. The CFA Deputy Director shall determine if the restriction should be removed and shall notify the Warden of their determination. If denied, the CFA Deputy Director shall ensure that the Warden is notified when the restricted visitor may reapply for removal. The Warden shall ensure that the restricted visitor is notified of the CFA Deputy

Director's determination and, if applicable, when the visitor may reapply for removal.

2. If the restricted visitor is not eligible for removal of the visitor restriction, the Warden or designee shall notify the visitor in writing of their ineligibility and when the visitor will be eligible to apply for removal.

FFF. After consultation with the Director, the CFA Deputy Director may authorize the removal of a permanent visitor restriction following a written recommendation from the Warden. However, a restriction shall not be considered for removal until at least one year after the date of the incident. In addition, a restriction for any of the following shall not be removed until at least three years after the date of the incident:

1. Smuggling, conspiring to smuggle, or attempting to smuggle a controlled substance, alcohol, a weapon, escape paraphernalia, cellular telephone or other communication device, or money over the allowed amount in the in-person visiting standards into a facility.

2. Assault of, or threatening to assault, staff, or others.

3. Assisting, or conspiring or attempting to assist, a prisoner to escape.

4. A felony conviction for the behavior by the prisoner or visitor that resulted in the visitor restriction.

DIRECTOR'S RESTRICTION OF ALL PRISONER'S VISITS

GGG. Except as set forth in Paragraph JJJ, the Director may restrict all of a prisoner's visits if the prisoner is convicted or found guilty of any of the following:

1. A felony or misdemeanor that occurred during a visit.

2. A Class I misconduct violation that occurred during a visit or was associated with a visit.

3. Escape, attempted escape, or conspiracy to escape.

4. Only applies to in-person visits: Two or more violations of the Class I misconduct charge of substance abuse that occurred within the past three years of each other and do not arise from the same incident. This includes failure to submit to substance abuse testing.

NOTE: The substance abuse misconduct shall not be counted if it was used in a previous restriction, or if a continuation of a visit restriction was entered based on the misconduct, or for Substance Abuse (Alcohol) (034).

HHH. If a prisoner has been convicted or found guilty of the conduct set forth in Paragraph GGG, the Warden shall recommend that all of the prisoner's visits be restricted, unless the prisoner is already on a permanent visiting restriction. If the prisoner is not currently on a permanent visiting restriction, the Warden shall submit the recommendation, along with all supporting documentation, to the CFA Deputy Director for review as soon as possible but no later than 14 business days after receipt of the hearing report with a conviction or guilty finding. If the CFA Deputy Director agrees that the restriction is warranted, the recommendation shall be submitted to the Director for a final determination.

III. The CFA Deputy Director shall ensure the Warden is notified of the Director's determination and that information (including the review date for possible removal) is entered into the computerized visitor tracking system by the CFA Deputy Director's Office and the MDOC visit scheduling platform by facility staff. The Warden shall ensure the prisoner is notified of the Director's determination.

JJJ. A prisoner whose visits have been restricted by the Director shall be allowed visits only with those individuals identified in Paragraph S, excluding volunteers. However, legal guardians of prisoners whose visits have been restricted by the Director shall be allowed to visit the prisoner once every three months. The legal guardian shall prearrange the visit with the Warden or designee, and the visit shall meet all of the requirements set forth in this policy directive.

KKK. The Director may remove a restriction after one year upon written request of the Warden. Wardens may request a continuance if the prisoner receives a misconduct during this time frame for the following misconducts:

1. Assault and Battery.
2. Assault Resulting in Serious Physical Injury.
3. Escape.
4. Failure to Disperse.
5. Felony.
6. Fighting.
7. Homicide.
8. Incite to Riot or Strike.
9. Possession of a Weapon.
10. Sexual Assault.
11. Sexual Misconduct.
12. Smuggling.
13. Substance Abuse (Substance Abuse (Alcohol) (034) is not included).
14. Threatening Behavior.

LLL. Wardens may request a continuation through the Director's Office for prisoners currently under review for behavior that negatively impacts the security of visiting operations.

MMM. A restriction imposed based on a felony that occurred during a visit or based on an escape, attempted escape, or conspiracy to escape associated with a visit shall not be considered for removal until at least ten years after imposition of the restriction.

NNN. All other restrictions shall not be considered for removal until at least one year after the imposition of the restriction. For any continuance of restrictions, the restriction period begins on the date of the Warden's recommendation.

PRISONER RESTRICTION REMOVAL PROCESS

OOO. A prisoner eligible for removal of a restriction based on the criteria set forth in Paragraph KKK and, if applicable, Paragraph RRR, may request removal of the restriction by sending a written request to the Warden of the institution where the prisoner is housed. The Warden shall review the request and forward the prisoner's request along with a recommendation, whether the restriction should be removed to the CFA Deputy Director within 30 business days of receipt of the prisoner's request. The CFA Deputy Director shall review each referral and make a written recommendation to the Director for a final determination. It is within the Director's discretion whether to remove the restriction. If the prisoner is not eligible for removal of the restriction, the Warden or designee shall notify the prisoner in writing of their ineligibility and when the prisoner will be eligible to reapply for removal of the restriction.

PPP. Each Warden's Administrative Assistant or designee shall review visiting restrictions monthly to identify restrictions that are eligible for removal. The facility will contact prisoners in writing with restrictions that are past the removal date to determine if the prisoner would like to have the visits restored. The facility shall initiate the process to have visits restored or prisoners may also initiate the request. This is to ensure that all prisoners have equal access to this process.

QQQ. Whenever a restriction of all of a prisoner's visits is authorized to be removed by the Director, the Warden shall

ensure the restriction is removed as directed by the Director unless the prisoner has a pending Class I misconduct charge. If the prisoner is found not guilty of the charge(s), the restriction shall be removed as soon as possible but no later than five business days after the not guilty finding. In all other cases, the Warden shall ensure that the Director is notified of the disposition of the charge as soon as possible but no later than five business days after the hearing is concluded. The Director will determine if the restriction is to be removed.

RRR. If the Director decides not to remove a restriction the restriction may be removed by the Director at the conclusion of an additional one-year period unless otherwise specified.

SSS. The CFA Deputy Director shall ensure the Warden is notified of the Director's final determination and that information (including the review date for possible removal) is entered into the computerized visitor tracking system by the CFA Deputy Director's Office and the MDOC visit scheduling platform by facility staff. The Warden shall ensure that the prisoner is notified of the final determination and, if applicable, when they may reapply for removal of the restriction.

TTT. If a prisoner is paroled or discharged, facilities shall contact a CFA Deputy Director's Administrative Assistant to have restrictions removed. All restrictions shall be removed by a CFA Deputy Director's Administrative Assistant or designee.

NOTICE TO PRISONERS OF VISITATION REQUIREMENTS

UUU. This policy, the Department-wide visiting standards established pursuant to Paragraph CC, and the facility's operating procedures implementing this policy directive, shall be made available to a prisoner within 24 hours after arrival at a facility.

OPERATING PROCEDURES

VVV. If necessary, to implement requirements set forth in this policy directive, Wardens shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

WWW. A Primary Audit Elements List has been developed and is available on DAS to assist with self-audit of this policy pursuant to PD 01.05.100 "Self-Audits."

APPROVED: HEW 04/25/2025