

MICHIGAN DEPARTMENT OF CORRECTIONS

“Committed to Protect, Dedicated to Success”

MEMORANDUM

DATE: July 10, 2021

TO: Wardens
Correctional Facilities Administration

FROM: Jeremy Bush, Deputy Director
Correctional Facilities Administration

SUBJECT: Video Visiting Standards – Effective: 07/10/2021

This memorandum applies to Video 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.

Use of the video visitation system, outside of the visitation program, for deaf and/or hard of hearing prisoners determined to be “eligible” by the Statewide Americans with Disabilities Act (ADA) Coordinator will be implemented as approve by the CFA Deputy Director or designee.

A. FORMS

Visiting forms include:

- CAJ-334 *Visitor List*
- CAJ-103 *MDOC Visiting Application*
- CAJ-356 *Outreach Volunteer Application*

Note: Persons who are approved to visit in person will not be required to submit a second

application to participate in Video Visitation and prisoner will not need to complete a new Visitor List.

The CAJ-334 *Visitor List* allows a prisoner to identify immediate family members and not more than ten others from whom they would like to receive visits. The date received is identified by the Resident Unit Manager/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 their 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-sibling (including minor half sibling), half sibling (including minor half sibling). An aunt and uncle may be included if adequate verification is provided that they served as a surrogate parent, i.e. Verification of Guardianship.

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 complete deactivation of the prisoner's visitors list. All persons who want to be approved for a video visit with a prisoner who is re-incarcerated must go through the approval process and submit a new visiting application.

Visiting applications may be sent by the prisoner to those persons they wish to visit 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 by mail 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 their visiting application. The SASE will be used to provide notification of their 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 that 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 their 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 parental rights 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 their 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-12), etc.

C. REQUIRED IDENTIFICATION

Registered and approved visitors using GTL Video Visitation are required to log into the GTL Visitor Website 10 minutes prior to their scheduled and approved visit for verification and approval purposes. 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 on video prior to each visit, to include stating the name of each person on the video 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. MOBILIZATIONS AND MDOC TECHNICAL DIFFICULTIES

If a video visit is terminated because of a mobilization or MDOC technical difficulties, that visit shall not be counted as one of the allowable visits for the month.

E. NUMBER OF VISITORS ALLOWED

A maximum of five persons may participate in a video visit with a prisoner. Children less than two years of age will not be counted in that number.

F. ALLOWABLE MINOR CHILDREN VISITS

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

1. An emancipated minor; or
2. The child, stepchild, or grandchild of the prisoner; or
3. The sibling, half sibling or step sibling 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 during the entire video visit. The adult accompanying the minor must be on the prisoner's approved list.

Registered and approved 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, prior to the video visit and 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. VISITING HOURS-SCHEDULING

The maximum number of visits per month shall be:

Level I – Four

Level II – Three

Level IV-General Population and Protection – Two

Level V and STG I – Two

Segregation and STG II – One

Video Visits will be permitted for up to 20 minutes. All requests to video visits must be processed no later than 48 hours prior and no earlier than 7 days prior to the requested video visit. All video visits will be paid for by the visitor using GTL. All “no show” visits will be counted towards the prisoner’s allowable number of visits. If a facility is unable to comply with the video 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.

H. VISITOR ATTIRE

1. Visitors must be fully dressed. No wearing of underwear, bathing attire, or lingerie as outer garments. Visitors are not permitted to remove any clothing during the visit. However, breastfeeding shall be permitted during a video visit.
2. Undergarments must be worn including underpants/panties; adults who identify as 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, very short skirts/dresses and shorts. and shorts or skirts/dresses that are more than 3” (three inches) above the knee

A visitor who is fourteen years of age or younger must be attired in clothing which covers their body from the base of the neck to the top of the knees. T-Shirt and shorts/trousers are acceptable, a sundress 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 that exposes the shape of the breast or nipple is prohibited.
6. Clothing or jewelry that displays words, symbols, gestures or pictures that may be perceived as obscene, gang related or inflammatory are prohibited.
7. Visitors are permitted to wear religious clothing and headgear (e.g., Hijab, yarmulke, turban, habit, etc.),
8. Visitors who start the video visit in clothing that does not comply with these standards will not be permitted to video visit. An exception may be made if this is the person’s first video visit to any MDOC facility (verification in Visitor Tracking necessary); in this case, the person is to be allowed to change prior to the video visit and permitted to visit. A notation will be made in Visitor Tracking. If a visitor is not dressed appropriately a second time, the visit will not be allowed, and the visit will be counted towards the prisoner’s number of allowable video visits.

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

I. PROPERTY ITEMS VISITORS ARE ALLOWED DURING A VIDEO VISIT

1. Visitors are not allowed to show any items during a video visit
2. Immediate family members, as defined in PD 05.03.140 *Prisoner Visiting*, may show and discuss legal documents on a video visit.
3. Attorneys, legal paraprofessionals, and law clerks on attorney visits may show and discuss legal documents on a video visit.
4. Clergy may show and discuss religious documents on a video visit.

J. PRISONER PROPERTY AND CLOTHING

The only items of personal property a prisoner may have with them 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 <i>Religious Beliefs and Practices of Prisoners</i> . Ring
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.

K. ASSIGNED SEATING FOR SCHEDULED VISITING ROOM VIDEO VISITATION

Prisoners will be assigned a specific seat in the visiting area. Prisoners shall be allowed to visit only with those individuals who have been approved to video visit them.

Corporal punishment of children is prohibited and may result in termination of visiting privileges.

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 and be facing forward unless given permission to leave their seats by visiting room staff. Prisoners who leave the video visiting screen may have the video visit terminated.

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 inappropriate behavior does not occur.

L. HOUSING UNIT VIDEO VISITATION

Prisoners are required to remain seated at all times and be facing forward. Prisoners scheduled to video visit in the Housing Unit who leave the video visiting screen, allow other prisoners to video visit or be on the video visiting screen may have the video visit terminated.

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 inappropriate behavior does not occur.

M. RESTROOM USE or LEAVING THE VIDEO

Visitors must remain on the video screen. Visitors are not allowed to use the restroom or change a child's diaper while on a video visit. Visitors who do not remain seated or leave the video visit will have the visit terminated.

N. PHOTOS/VIDEOS/SOCIAL MEDIA/COMPUTER USAGE AND GAMES DURING VIDEO VISITS

Visitors are not allowed to take photos or videos of prisoners on video visits.

Visitors are not allowed to make or receive calls, texts, tweets, view social media, play games or use other technical devices during video visits.

Visitors are not allowed to play music, watch/show television, videos, or movies together while on video visits.

Visitors who violate these rules may be placed on visitor restriction in accordance with MDOC PD 05.03.140 Prisoner Visiting.

O. TERMINATION OF A VISIT

Visitors must remain seated and not show their entire body during the video visit.

Visitors are not to video visit while driving.

Visitors are not to visit in public areas that show persons or children who are not approved to visit. Visits are not to be conducted in bed or in a bathroom.

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 in accordance with MDOC PD 05.03.140 Prisoner Visiting. Such behavior includes, but is not limited to, inappropriate touching (including under or through clothing), kissing, fondling, exposure of the breasts or genital areas, excessively loud conversations, tantrums, repeated failure to remain with the video visiting party, any activity deemed to be sexual, gang related, involve weapons or drugs or any criminal acts, allowing non-approved visitors on video, video visits in a public area that shows non-approved persons, including children.

Note: All activity that is considered criminal will be reported to the Michigan State Police.

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
N. Killough, CFA