



PINE HILLS CORRECTIONAL FACILITY
Procedure

Procedure:	PHCF 3.3.8 RESIDENT VISITING
Chapter 3:	FACILITY/PROGRAMS OPERATIONS
Section 3:	Mail, Telephone, and Visiting
Effective Date:	March 23, 1998 Page 1 of 9
Revised:	August 10, 2021
Superintendent Signature:	/s/ Steve Ray Jr.

I. PROCEDURE:

It is the procedure of Pine Hills Correctional Facility to provide visiting privileges for residents consistent with facility security requirements and encourages family ties and supportive relationships that are important to the stability of residents while incarcerated.

II. DEFINITIONS:

- A. Body Scan - A whole-body security screening device which utilizes low dose x-ray scanning in order to detect contraband, weapons and similar items, hidden on and inside a person's body.
- B. Chief of Security- The staff person designated by the Superintendent to manage the facility security program.
- C. Contact Visit – A visit in which the resident and visitor are permitted limited physical contact.
- D. Contraband – Any item possessed by a resident or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.
- E. Clothed Body Search – The manual body search of an individual that requires the removal of outer clothing, e.g., coats, hats, gloves; emptying of pockets; and inspection of papers, bags, books, or other carried items.
- F. Immediate Family Member – A resident's legal spouse, natural or adoptive parents and children, siblings, grandchildren, grandparents, corresponding in-law, person verified as being primarily responsible for raising the resident in the absence of a parent and any other member of the resident's household.
- G. Official Visitors – Visitors to a facility acting in an official capacity, e.g., law enforcement, correctional personnel, judges, licensed attorneys, legislators, and others on official business.
- H. Reasonable Suspicion – A conclusion drawn from specific, objective facts which would permit a reasonable and experienced correctional staff person to suspect that an individual or set of circumstances poses a threat to facility security or to the health, safety, and security of residents, staff, visitors, contractors, or community members, including, but not limited to, committing, or conspiring or attempting to commit a crime or rule violation.
- I. Resident – unless specified otherwise, applies to both adult and youth residents.

- J. Unclothed Body Search – A visual inspection of a resident’s unclothed body and thorough search of the unworn clothing to detect concealed contraband.

III. PROCEDURES:

A. General Requirements

1. Visiting is a privilege for both residents and members of the general public. Visitors may be denied entrance or visits may be terminated early for violation of any of the conditions outlined in this procedure.
2. The Chief of Security will be responsible for the operation of the visiting program. Visiting regulations will include regular scheduling of visits at times that will assure reasonable access to residents by family, friends, and others in the community, and will provide residents and visitors with other information regarding the visiting process. The Chief of Security will establish limits appropriate to the size of the visiting room, staff, and other relevant factors.
3. Notice will be given to residents of restrictions and visiting regulations, including procedures for obtaining approval for family members, friends, and others to visit; this information will be included in the facility resident orientation process and available within twenty-four (24) hours of arrival at the facility.
4. Based on operation necessity of PHCF, all visitation schedules, days, and hours are subject to change, up to and including cancellation, as deemed necessary by the Superintendent or designee.

B. Approval of Visitors and Record Keeping:

1. Visitors are subject to a criminal background check in accordance with *DOC Policy 3.1.5 Entrance Procedures*.
2. A “*Request to Visit and Send Money*” (attachment A) must be filled out by all visitors:
 - a. Visitors of adults must fill out the “*Request to Visit and Send Money* form (attachment A) and be approved prior to the visit.
 - b. Adult residents must have an approved visitor application for money to be sent to them.
 - 1) Immediate family who have an approved application to visit an adult resident is automatically approved to send money to that adult. The resident may choose one additional non-immediate family member who is an approved applicant to receive money.
 - 2) Approved visitor who are authorized to send money may have their privileges to send money revoked if deemed necessary by the Chief of Security or designee.
 - c. If the visitor’s application is approved the Caseworker will forward a “*Visitor Application Approval/Denial Form*” (attachment B) to the resident and the applicant informing them of the approval.
 - d. If at any point in the process if the application is not approved the requestor and the resident will be sent a copy of the “*Visitor Application Approval/Denial Form*” (attachment B) explaining why the application is not approved. A “*Visitor Application Denial Appeal Form*” (attachment C) will also be sent to the applicant along with the notice of denial. The visitor has the right to appeal the decision to the Superintendent or

designee. If a *“Request to Visit and Send Money Form”* for a youth visitor has not been completed the caseworker, on a case by case basis, may approve the visit however; the form must be completed at the time of the visit (or prior to the visit if possible).

3. The caseworker will inform the visitor and resident when the visitor is approved.
4. A visitor may not be on more than one resident’s visitor list, exceptions must be approved by the Superintendent.
5. Clergy, government officials, legislators or media representatives may be approved for visitation on a case by case basis by the Superintendent or designee.
6. Known ex-residents other than family are to be denied visitation privileges unless prior approval has been granted by the Superintendent or designee.
7. There will be no pre-approval required for attorneys of record.
8. Visitors must contact the caseworker 24 hours prior to the desired visit date (or 24 hours prior to the start of the weekend or holiday). Exceptions may be made on a case by case basis.
9. Visitors will be required to read and fill out a *“Visitation Rules/Sign-in Sheet”* (attachment D) upon check in which includes the name of the resident they are visiting, date, time, and name of all visitors. The completed *“Visitation Rules/Sign-in Sheet”* will be filed in the residents clinical file.
10. Any unusual incidents occurring during the visit will be documented and filed in the residents clinical file.
11. Limitations may be imposed on the number of visitors a resident may have at one time to prevent crowding in the visiting room or to eliminate difficulties in supervising the visit. The number of visitors a resident may receive, and the length of the visits may be limited by the facility’s programs, schedule, space, and personnel requirements.
12. Exceptions to scheduled visits may be made by the Chief of Security, Security Unit Shift Supervisor (SECURITY USS) or designee.
13. Individuals may be approved for a resident’s visiting list in accordance with the following guidelines:
 - a. Unless approved by the Superintendent or designee persons under the age of 18 may not visit unless accompanied by a parent or legal guardian or previously approved responsible adult.
 - b. All visitors are subject to obtaining clearance through a criminal history background check before entrance to the secure facility is granted.

C. Visitors with Criminal Records

1. Persons with criminal records will not be automatically excluded from visiting but must be approved by the Superintendent or designee. The nature and extent of an individual’s criminal record, supervision status, history of recent criminal activity and potential threat to the safety and security of the facility will be weighed against the benefits of visitation in determining eligibility.
2. In compelling cases such as immediate family members, the individual may be approved. The visitor must obtain the permission of the supervising agency and the Superintendent or designee, prior to being allowed to visit.
3. If persons on probation, parole, or other forms of conditional release are approved by the

Superintendent, or designee; the administrator, or designee, must contact the appropriate probation and parole officer prior to approval and the officer must provide a copy of the travel permit in advance of the visit.

4. If the application indicates that active probation or parole, or other forms of conditional release the application will be forwarded to the Chief of Security for further background checks.
5. Approval may be based on satisfactory community adjustments for the last two years.
6. If there is reason to believe that a person may have a potentially detrimental effect on the resident or who may constitute a threat to the security of the facility, that person will be excluded from the approved visitors' list.

D. Current and Former Employee Visiting

1. Current Department employees, or former Department employees who left employment in good standing, may have visiting privileges with residents who are immediate family members if the resident was an immediate family member before becoming incarcerated or committed to the Department of Corrections. Current or former employees who are granted visiting privileges pursuant to this section must comply with this procedure.
2. Department employees without immediate family ties to a resident prior to incarceration or community supervision may not have visiting privileges.
3. Former employees who were not immediate family members of a resident prior to incarceration or community supervision may not have visiting privileges unless approved by the Superintendent or designee.
4. Any employee terminated from employment for cause, who resigned in lieu of termination due to inappropriate activities with a resident, or who engaged in inappropriate activities discovered after employment discontinued will have a permanent restriction from visiting residents.

E. Sex Offender Visiting

1. On a case-by-case basis, a facility may restrict visiting between minors and residents convicted of current or prior crimes involving sexual offenses against a minor or offenses causing bodily injury to a minor. This restriction may be imposed if it is in the interest of visitor safety, the security of the institution, or the resident's rehabilitation. Before restricting all visiting pursuant to this section, the facility will consider non-contact visits (video visits), especially if the resident is the legally recognized parent or guardian of the minor and the minor was not the victim of the offense.

F. Checking in Visitors

1. Every visitor will be signed-in to the facility by a staff member using an ID (for 16 years of age and older, unless approved in advance by the Superintendent) and the visitor will fill out and sign the "*Visitation Rules*" form.
2. Handbags, backpacks, tobacco products, lighters, cell phones, cameras, money, etc. are to be left in a locked vehicle or secured in a locker in the entryway.
 - a. If a locker is used to store personal items a double lock system will be used to secure the locker. One key will be given to the visitor and staff will control the other lock, in order to

ensure that a staff will accompany the visitor to retrieve any items.

- b. Visitors of youth may request that a staff take a picture of the youth and visitors however; this will only be allowed if staffing and time allows.
3. Briefcases are allowed for those visiting in a professional capacity and may go into the visitor room after being checked.
4. Each visitor will be issued an ID badge which must be worn at all times during the visit.
5. If funds are to be left by visitors for a resident, it will be given to staff at check-in.
 - a. Staff will verify if the Adult visitor is allowed to receive money from the visitor, by checking the visitor list of the resident (located in the "*Resident Visitor*" binder). Youth visitors need not have prior approval to leave money for a youth.
 - b. Only money orders or bank/cashier's checks are accepted and must be left in the Business Office for processing. A written receipt will be given to the visitor to verify the transaction.

G. Searches of Visitors

1. Visitors are not allowed to bring weapons, alcohol, and/or narcotics into PHCF property, violators may be subject to criminal charges.
2. A large sign is prominently posted at the visiting area entrance stating that all visitors will be subject to search and facility protocols for entry prior to being allowed to visit.
3. All visitors and visitor property on facility premises are subject to search at any time. If a visitor refuses to submit to a required or reasonable suspicion search, staff will deny the visit and submit a detailed incident report to the Chief of Security.
4. Those persons unable to be scanned by the body scan or metal detectors due to physical limitations will be searched by other means to ensure contraband does not enter the facility.
5. Except as noted above, all visitors must clear the metal detector/wand, body scan machine, and/or a clothed body search prior to being allowed to visit. If contraband is found on a visitor, staff may confiscate the contraband, and the visit may be terminated. Searches of incoming visitors may include clothed body searches, the use of the body scanner, metal detection equipment, and inspection of allowable items. If additional means of searches are necessary the visitor shall be informed about why the request for an additional search is being made. Pine Hills Correctional Facility determines what items can be brought into the visiting area by residents and visitors. Games, cards, coloring books, crayons etc. will be provided by the facility.

H. Visiting Termination, Suspensions, or Revocations

1. The termination of visiting is as follows:
 - a. The residents' visit is terminated only for that day.
 - 1) This normally occurs after warnings have been issued by facility staff to correct disruptive or inappropriate behavior by the visitor, visitor's child, or the resident.
 - 2) Upon review of the circumstances by the Chief of Security, a suspension or full revocation may be instituted if an extended pattern of disruptive or inappropriate behavior is noted.

- b. A staff may request that a visit be terminated, which will be approved by the Chief of Security or Designee. The reason(s) for termination of a visit may include, but is not limited to the following:
 - 1) substantial information/evidence exists to show that the visitor may have a harmful effect on the resident they are visiting, or the visitor poses a threat to the safety and security of the facility, other visitors, staff, or other residents;
 - 2) suspicion that the visitor is or has been under the influence of alcohol or illegal drugs when checking into the visit or while visiting;
 - 3) refusal by the visitor to submit to a pat search by staff or failure of the visitor to produce picture identification, their current mailing address, or falsifying their identification;
 - 4) violation by the visitor of a visiting or other institutional rule;
 - 5) displaying inappropriate or abusive behavior, foul and/or abusive language,
 - 6) refusing to comply with PHCF rules, Department Polices, or PHCF Procedures;
 - 7) improper physical contact with a resident;
 - 8) improper conduct with children by the visitor or the resident they're visiting; and
 - 9) any other activity that poses a threat to the safety and security of the facility, other visitors, staff, or other residents.
 - c. the Chief of Security will review the circumstances resulting in the termination and may officially suspend or revoke the visitor's and/or resident's visiting privileges by filling out a "*Visiting Suspension/Revocation Notice*" (attachment F); the Chief of Security or designee will determine the length of the suspension or revocation based on the "*Visiting Rule Infractions Matrix*" in the *Visiting Suspension/Revocation Notice* form. The Chief of Security or designee will document the reasons for the decision on the form. The resident and visitor will be given a copy of the completed form and a copy will be forward to the Deputy Superintendent. The notice informs the resident and/or visitor that he/she may appeal the decision; and
 - d. if a resident is involved in an activity that resulted in a visiting suspension or revocation, they may be cited for a rule infraction as outlined in MSP Procedure 3.4.1 Inmate Discipline and/or DOC Procedure 3.4.1 Disciplinary Procedures for Major Rule Violations. Any sanctions the resident may receive through the resident disciplinary process will be enforced independent of any suspension or revocation administered through the process outlined in this procedure.
2. Revocations and suspensions are as follows:
- a. visitors who introduce or attempt to introduce contraband, including, but not limited to, cellphones, electronic devices, money, tobacco, drugs, or weapons, may have their visiting privilege permanently revoked due to committing a serious rule infraction. If a resident or residents are involved, or there is evidence or documentation linking them to the introduction or attempted introduction, their visiting privileges will be suspended for at least 365 days;
 - b. violation of a major rule infraction from the matrix will result in suspension of visiting privilege for the visitor and/or resident involved. This includes, but not limited to:
 - 1) a visitor who has had their visiting privilege suspended for major infraction(s) must

- contact the Caseworker to re-apply after the term of their suspension is completed. If the Caseworker allows them to re-apply, they must pass a current background check in order to resume visiting; and
- 2) the Caseworker will route the application to Program Manager or designee; if approved it will then be routed to the Chief of Security for further background checks and approvals.
 - 3) The Chief of security will inform the Caseworker that the visitor is approved.
 - 4) The Caseworker will inform the resident that their visiting privilege of a resident who has had their visiting privilege suspended for a major rule violation(s) after the period of suspension has ended.
- c. violation of a minor rule infraction from the matrix will result in at least a 90-day suspension of the visiting privilege for the visitor and/or up to a 90-day suspension for the resident involved. Visiting staff will reinstate the visiting privilege of a visitor and/or resident who has had their visiting privilege suspended for a minor violation(s) after the period of suspension has ended.
 - d. individuals who are under a permanent visiting revocation may not send money to a resident unless approved by the Superintendent or designee.
 - e. notification of suspension will be conducted as follows:
 - 1) staff will deliver the suspension notice to the resident, and indicate his choice to appeal or not appeal the decision; and
 - f. suspension or revocation of a visitor's or resident's visiting privileges from one facility will automatically apply to all other Department and Department-contracted facilities; and
 - g. a resident's loss of visiting privileges will not necessarily result in a corresponding loss of visiting privileges for the resident's visitor if the visitor is not involved in the visiting rule infraction.
3. Visiting suspensions and revocations appeals are as follows:
 - a. a resident may appeal his visiting suspension by filling out the appeal section on the "*Visiting Suspension/Revocation Notice*" (attachment F) and sending it to the Deputy Superintendent or designee within 5 days of receipt of the notice. The Deputy Superintendent or designee will respond to the appeal within 20 days of receipt of the appeal. Visiting staff will deliver the form with the Deputy Superintendent or designee's decision to the resident. This response is final and exhausts the resident's administrative remedies; and
 - b. a visitor may appeal their suspension or revocation by filling out a "*Visiting Suspension/Revocation Appeal Form*" (attachment G) and mailing it to the Deputy Superintendent or designee within 5 days of receipt of the notice. The Deputy Superintendent or designee will respond to the appeal within 30 days of receipt of the appeal and mail the form with their response to the visitor. This response is final and exhausts the visitor's administrative remedies.
- I. Resident to Resident Visit**
1. Residents who are verified related as father, son, brother, half- brother may request to visit with each other by submitting a *Resident-Staff Request Form* (attachment I) to the

Superintendent or designee. The Superintendent or designee will keep a record of approved resident to resident visits.

2. If the request is approved the residents will be allowed a visit under the following conditions:
 - a. the visit will be conducted in a visitor room;
 - b. staff will do an unclothed body search on both residents when they enter and leave the visiting room;
 - 1) the visit will be no longer than two hours.
 - 2) no personal property or legal material will be exchanged.

J. Food Items/Miscellaneous Items:

1. Visitors of youth may bring in outside food and beverage items for consumption during the visit.
2. Visitors of adult residents are only allowed to bring in food and beverage items from the facility vending machines for consumption during the visit.
3. Residents are not allowed to leave the visiting area with any items or food brought into the visit.
4. Items such as pictures or clothing must be left in the Business Office for logging and/or processing.

K. Visiting Conditions/Supervision of Visits

1. The visitor's rooms in the main building shall be the designated area for general visitation.
2. Normal visiting hours are between 9:00 a.m. and 8:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m. for weekends and holidays, by appointment only.
3. Special arrangements for times other than the designated hours may be made by contacting the facility in advance of the planned visit.
4. Staff are required to intervene to stop inappropriate behavior including behavior outside the bounds of permitted intimacy or actions in violation of visiting regulations, especially behavior that may make others uncomfortable, that is disruptive, or that is offensive to others
5. Scheduling visits in the visiting rooms is allocated on a first-come first-served basis.
6. Residents and visitors may be permitted to embrace and kiss at the beginning and end of visits and hold hands during a visit (hands must be visible). All other forms of physical contact are prohibited and will be cause for termination of visiting. Contact restrictions for children may be established as needed.
7. Visitors who exit the facility prior to the end of their scheduled visit will not be allowed to return to the visit.
8. All residents will receive an unclothed search after all visits. Not earlier than twenty-four (24) hours and no later than seventy-two (72) hours after a visit, the affected resident will be required to complete a Urine Analysis.

L. Special Housing Cases

Visits for residents on a restricted security status will be completed under procedures established by Pine Hills Correctional Facility. If past experience indicates that the resident is

prone to violence or disruptive behavior in the visiting area, visits may be disallowed. Visits for residents in medical status requiring isolation will require the approval of the senior medical staff person.

IV. AUTHORITY AND REFERENCES:

- A.** *37-61-418, MCA, Attorney May See Prisoner; 45-7-307, MCA, Transferring Illegal Articles – Unauthorized Communication*
- B.** *5-2E-4156; ACA Performance-Based Standards for Juvenile Correctional Facilities, 5th Edition*
- C.** *5-7D-4498 through 4503 ACA Performance Based Standards for Adult Institutions 5th Edition*
- D.** *DOC Policies 3.1.5, Entrance Procedures; 3.1.17, Searches and Contraband Control, 3.4.1 Offender Disciplinary System*
- E.** *Deserly v. Department of Corrections, 2000 MT 42 (Mont. 2000)*

V. CLOSING

Questions concerning this policy should be directed to the employee's immediate supervisor.

VI. ATTACHMENT

- A.** [PHCF 3.3.8A Request to Visit and Send Money Form](#)
- B.** [PHCF 3.3.8B Visitor Application Approval-Denial Form](#)
- C.** [PHCF 3.3.8C Visitor Application Denial Appeal Form](#)
- D.** [PHCF 3.3.8D Visiting Rules/Sign-In Sheet](#)
- E.** [PHCF 3.3.8E Visiting Termination Notice](#)
- F.** [PHCF 3.3.8F Visiting Suspension-Revocation Notice Form](#)
- G.** [PHCF 3.3.8G Visiting Suspension-Revocation Appeal Form](#)
- H.** [PHCF 3.3.6A Resident Mail Return to Sender Letter](#)
- I.** [Resident/Staff Request Form](#)