



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure:	MSP 3.3.21 INMATE VIDEO VISITATION	
Effective Date:	November 10, 2020	Page 1 of 5 and 2 Attachments
Revision Date(s):		
Reference(s):	DOC Policy 3.3.21	
Signature:	/s/ Jim Salmonsén / Warden	
Signature:	/s/ Gayle Butler / MCE Administrator	

I. PURPOSE

Montana State Prison (MSP) to include Montana Correctional Enterprises (MCE) and Riverside Special Needs Unit (RSNU) provides inmates with the opportunity to maintain connections and rebuild relationships through the use of Video Visitation. Maintaining family ties and supportive relationships are important to the stability of inmates while incarcerated and upon release.

II. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, deputy warden, associate warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Contraband – Any item possessed by an inmate 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.

Facility/Program – Refers to any division, prison, secure care facility, correctional or training program, or community-based program under Department jurisdiction or contract. This term includes facility building or residence, including property and land owned or leased and operated by the Department.

Immediate Family Member – An inmate’s legal spouse, natural or adoptive parents and children, siblings, grandchildren, grandparents, corresponding in-law, person verified as being primarily responsible for raising the inmate’s child or children in the absence of a parent and any other member of the inmate’s household.

Inmate – any person residing in a secure facility under the supervision of the Department of Corrections.

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 the facility security or to the health, safety, and security of inmates, staff, visitors, contractors, or community members, including, but not limited to, committing, or conspiring or attempting to commit a crime or rule infraction.

Video Visitation – A form of visiting utilizing video equipment between the inmate and the visitation participant.

III. PROCEDURES

A. General Requirements

1. Video Visitation is a privilege and not a right.
2. Inmates may only use equipment for video visitation that is approved by the Department.
3. Video visits may be monitored at any time and discovery of any violation of this procedure, DOC Policy, State or Federal Law will be subject to disciplinary action and or criminal prosecution.
4. The Associate Warden of Security or designee is responsible for the operation of the visiting program including video visitation.
5. Each housing unit will ensure inmates have written information governing video visits available to them.
 - a. Inmates who are processed through MDIU and those new to the facility will have written information governing video visits provided to them within 24 hours of arrival at MSP.
6. Staff will ensure video visitors do not have a line of sight to sensitive areas or materials that could jeopardize the safety and security of the facility.

B. Registration and Scheduling

1. Montana Department of Corrections offers “The Visitor” video visitation system to MSP, MCE, and RSNU.
2. All adult visitors must register with ICSolutions at (at no cost) in order to participate in a video visitation session with an inmate. Adult visitors can register at:
<https://www.icsolutions.com/FriendsFamilyHome/ProductsServices/VideoVisitation.php>
3. Video visits scheduled for the Parenting Program, will be supervised by an Education Staff Member, and approved in advance by the Education Director and MCE Administrator. These visits will take place in the education area and will be recorded.

C. Approval of Video Visitors

1. Children under the age of 18 may not participate in a video visit without a supervising adult present.
2. Persons on probation, parole, or other forms of conditional release may not have video visits with offenders unless approved by the AW of Security, or designee. In the event that the participant is in the Parenting Program, the visit must be approved by the MCE Administrator. The appropriate probation and parole officer must contact the facility administrator or designee prior to approval.
3. The AW of Security or designee may exclude a visitor from participating in a video visit based on a reasonable suspicion that the video visitor may have a detrimental effect on the inmate, the inmate’s treatment, or may constitute a threat to the facility safety or security. Any exclusions must be documented in OMIS.

D. Video Visiting Suspension or Permanent Revocation

Subject: INMATE VIDEO VISITATION

1. For violations of policy, procedure, and state law, video visits may be suspended or permanently revoked. Any suspension or revocation of video visitation will be provided in writing to the inmate and the video visitor except as outlined below in b. Any suspension or revocation of video visitation must be documented in OMIS.
 - a. video visits may only be permanently revoked by the Warden, or MCE Administrator.
 - b. video visits may be suspended as a disciplinary sanction. Major or minor infractions will be in accordance with *MSP 3.4.1 Institutional Discipline* for infractions committed while engaging in a video visit.
 - 1) an inmate's loss of visiting privileges through disciplinary sanction will not necessarily result in the loss of video visiting privileges for the video visitor when the visitor is not involved in the rule infraction.
 - c. suspensions that are a result of a disciplinary sanction will be in accordance with the Inmate Disciplinary Sanction Grid as outlined in *MSP 3.4.1 Institutional Discipline*. The appeal process for inmates will be followed as outlined in *MSP 3.4.1 Institutional Discipline*.
 - d. suspension or revocation except as outlined in c. above will be conveyed to the inmate on (Attachment A) *MSP Video Visitation Suspension Revocation Notification Form*.
 - e. video visitors may appeal to the AW of Security by using (Attachment B) *MSP Video Visitation Suspension Revocation Appeal Form*.
 - 1) revocation appeals will be forwarded to the appropriate administrator, i.e., Warden, or MCE Administrator.
2. Suspension or permanent revocation of privileges from one facility automatically applies to any Department-owned or contracted facility.

E. Appeal Process for Inmates

1. Inmates may appeal video visitation suspensions or revocations in accordance with *MSP 3.3.3 Inmate Grievance Program* with the exception of suspensions resulting from a disciplinary sanction. Suspensions resulting from a disciplinary sanction are subject to the appeal process as outlined in *MSP 3.4.1 Institutional Discipline*.

F. Current and Former Employee Visiting

1. Current Department employees or former Department Employees who left employment in good standing, may have video visiting privileges with inmates who are immediate family members if the inmate was an immediate family member before becoming incarcerated or committed to the Department.
2. Department employees without immediate family ties to an inmate prior to incarceration or community supervision may not have video visiting privileges.
3. Former employees who are not immediate family members of an offender prior to incarceration or community supervision may not have video visiting privileges unless approved by the Warden or designee.
4. Any employee terminated from employment for cause, who resigned in lieu of termination due to inappropriate activities with an inmate, or who engaged in inappropriate activities with inmates discovered after employment discontinued may be restricted from all types of inmate visitation.

G. Sex Offender Visiting

1. On a case-by case basis, MSP/MCE/RSNU may restrict video visiting between minors and inmates convicted of current or prior sexual offenses against a minor or offenses causing bodily injury to a minor. This restriction may be imposed if it is the interest of visitor safety, the security of the facility, or the inmate's rehabilitation. If contact or no contact visits are disallowed the facility may allow video visitation at the discretion of the Warden or designee. This must be documented in OMIS.

H. Video Visitation

1. Inmates are required to wear clean, proper fitting, and presentable clothing to video visits, including state issue shirt and trousers, socks, shoes, and underwear (briefs, and/or thermal underwear). T-shirts and/or thermal tops, if worn must be kept tucked in at all times.
2. Visitors are required to meet all requirements for dress in accordance with MSP 3.3.8 Inmate Visiting.
3. Inmates will not be excused from work or programming to participate in video visits.
4. Video visitation hours are daily from 8:00 am to 8:00 pm.
 - a. video visitation may be shut off or unavailable at any time for security purposes.
 - b. video visitation is limited to 4 calls per week.
5. Video visits are recorded and monitored by authorized staff.
6. Video visitation is scheduled on a first come first served basis. Video visitation is scheduled in 25 minute, increments.
 - a. to register and schedule a video visit with an inmate, from any internet-enabled device go to www.icsolutions.com.
7. A visitor or inmate who engages in prohibited conduct as listed below will be subject to suspension or termination of video visitation privileges.
 - a. suspension or permanent revocation of privileges from one facility/program automatically applies to any Department-owned or contracted facility or program.
 - b. suspension or permanent revocation of privileges must be documented in OMIS.
8. Inmates and their visitors are prohibited from the following;
 - a. three-way video calling, including the inclusion of a third or subsequent video or phone device is prohibited;
 - b. third-party phone calls
 - c. display of prohibited materials listed in MSP 3.3.6 Inmate Mail.
 - d. any display of nudity.
 - e. behavior or actions that are sexual in nature;
 - f. use or display of any weapons, drugs, alcohol, or related paraphernalia;
 - g. activity or display of graphics, paraphernalia associated with any Security Threat Group;
 - h. unlawful activity or depiction of unlawful activity.
9. Reasonable accommodations will made to facilitate communication for inmates with hearing and/or speech disabilities, and inmates wishing to communicate with parties who have such

disabilities. Video visitation with volume control will be available to inmates with hearing impairment.

IV. CLOSING

Questions concerning this procedure should be directed to the Associate Warden of Security.

V. ATTACHMENTS

MSP Video Visitation Suspension/Revocation Notification Form

Attachment A

MSP Video Visitation Suspension/Revocation Visitor Appeal Form

Attachment B



**MONTANA STATE PRISON SUSPENSION/REVOCATION
OF VIDEO VISITATION NOTIFICATION FORM**

Date: _____

Inmate Name: _____

Inmate AO#: _____

Visitor Name: _____

Visitor Phone Number: _____

Reason for Suspension/Revocation of Video Visitation: _____

Visitor's video visitation privilege permanently revoked by: _____

Signature: _____ Date: _____

Visitor's video visiting privilege suspended until: _____

Inmate's video visiting privilege suspended until: _____

Associate Warden of Security or designee signature: _____

Date: _____

Inmates may appeal this decision in accordance with *MSP 3.3.3 Inmate Grievance Program*
Video Visitors may appeal this decision by submitting the *MSP Video Visitation Suspension/Revocation Appeal Form* to: MSP Associate Warden of Security, 400 Conley Lake Rd., Deer Lodge, MT 59722.



MSP VIDEO VISITATION SUSPENSION/REVOCATION
APPEAL FORM FOR VIDEO VISITORS

Inmate / Visitor Name: _____ ID # _____
Reason for Suspension _____

Instructions: Complete this section of this form explaining why you are appealing and mail the completed form to the MSP Associate Warden of Security.

MSP Associate Warden of Security, 400 Conley Lake Rd., Deer Lodge, MT 59722

1. There is no evidence or documentation to support the decision.

2. Required procedures were not followed.

3. The restriction is excessive.

Visitor Signature and printed name _____ / / _____
Date

Warden, MCE Administrator OR Associate Warden of Security OR DESIGNEE'S RESPONSE

Is there sufficient evidence and documentation to support the decision? YES [] NO []

Is there substantial staff compliance with applicable procedures? YES [] NO []

Decision:

[] Affirm. I uphold the decision and the restriction imposed.

[] Modify. I uphold the decision, but the restriction imposed, will be:

[] Dismiss. I overturn decision and restore video visitation

Written justification for the action taken above:

Warden, MCE Administrator, OR AW of Security Signature _____ / / _____
Date