

POLICY

SUBJECT: Visitation
NUMBER: RF-706-18
APPLICABLE TO: DJS Residential Facility Employees

APPROVED: _____ /s/ signature on original

Sam Abed, Secretary

DATE: _____ 1/22/18

I. POLICY

The Department of Juvenile Services (DJS or Department) will ensure all youth are afforded visitation privileges with family members subject only to the limitations necessary to maintain facility order and security. Unless the safety of an individual is in question, youth and authorized visitors will be permitted to have informal communication and opportunities for physical contact.

II. AUTHORITY

- A. Md. Code Ann., Human Services, §9-203 and §9-204
- B. Md. Code, Crim. Law, § 9-410, §9-412 to §9-417
- C. American Correctional Association (ACA) Standards, 4-JCF-3A-18 through 4-JCF-3A-20 and 4-JCF-1C-08.

III. DIRECTIVES/POLICIES RESCINDED

- A. Juvenile Visiting, 02.15.03

IV. FAILURE TO COMPLY

Failure to comply with the Department's policy and procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
<p>New policy and procedures issued; updated authority citations, policy number and formatting.</p> <p>Updated policy statement, deleted the use of “frisk” term throughout the policy, added definitions, added new authorized visitors to include; spouses, maternal and paternal grandparents, stepparents, stepsiblings and children of youth in DJS care.</p> <p>Lowered age for siblings to 16 yrs. old with an ID and a parent.</p> <p>Added the following sections:</p> <ul style="list-style-type: none"> • Eligible family visitors • Visits by clergy and attorneys • Visitation schedules section • Special visit criteria • Appropriate attire <ul style="list-style-type: none"> ○ Deleted open toe shoes ○ Added religious attire 	<p>7/24/15</p>
<p>Revisions:</p> <ul style="list-style-type: none"> • The visitation area shall be supervised by direct care staff and will be monitored by video surveillance. • Video surveillance of visitation area will be monitored by on-site DJS staff. • Youth may have no more than 4 visitors at a time. • The Facility CMS shall notify the parent or legal guardian of visitation information by mail within 48 hours of a youth’s admission. • The court may order the prohibition of certain visitors. • If visitation privileges are denied, the youth, parents, legal guardians, or custodians shall be notified in writing of visitation suspension or denial and the reasons. • If visitation privileges are appealed, the appeal will be reviewed by the Superintendent and the Executive Director for Residential Services. • Visitors may be denied visitation if they have visible tattoos or are wearing clothing featuring provocative, offensive, or obscene words, terms, images, or pictures that may be offensive or harmful to youth or employees. • The Administrator On-Call or the Shift Commander shall be made aware of visitors who are dressed inappropriately. When possible, the facility may assist by offering a cover up shirt to permit the visit. Visitors shall be reminded of their required adherence to the visitation guidelines. 	<p>1/22/18</p>

PROCEDURES

SUBJECT: Visitation
NUMBER: RF-706-18
APPLICABLE TO: DJS Residential Facility Employees

APPROVED: _____ /s/ signature on original
Linda McWilliams, Deputy Secretary
DATE: _____ 1/22/18

I. PURPOSE

To establish uniform procedures governing the safety and security of facility visitation and the provision of reasonable visiting hours and privileges for youth and their approved visitors.

II. DEFINITIONS

Authorized visitors are the mother, father, legal guardians, maternal and paternal grandparents, stepparents, siblings and stepsiblings, children (offspring) of youth in DJS care, and other person(s) administratively approved to visit a youth in a DJS facility.

Contraband means any material, substance, or other item that is not authorized for possession within a facility.

Pat down search means a search involving the passing of hands over the body of a clothed person.

Special visitation means a visit scheduled outside of normal visitation hours and may also include special authorization for visitors approved by the Superintendent or designee.

III. PROCEDURES

A. General Procedures

1. All youth will be afforded visitation privileges with approved visitors, subject only to the limitations necessary to maintain facility safety, order and security. Youth and visitors will have a visitation area that provides the opportunities for informal communication and physical contact, unless safety of the youth or visitor(s) is in question.
2. The visitation area shall be supervised by direct care staff and will be monitored by video surveillance. The facility shall post a sign at the entrance to communicate that the premises are under video surveillance.
3. Video surveillance of visitation will be monitored on-site by assigned control center staff, where applicable, and random observations shall

occur off-site by Office of the Inspector General (OIG) staff. Off-site observations of suspicious activity by the OIG staff will be immediately reported to the Shift Commander at the facility.

4. All visitors must present photo identification, except children under the age of 16.
5. Visitors may not bring personal belongings into the facility, including but not limited to, food, cell phones, handbags, cameras, weapons, cigarettes, or drugs. Any item(s) given to a youth is considered contraband.
6. All facilities are tobacco, electronic smoking devices, alcohol, and drug free.
7. All visitors are subject to a pat down search and a scan with a metal detector upon entering the facility and at any time during their visit.
8. Vehicles parked on facility grounds must be secured at all times.
9. Parents or guardians must maintain control of children that accompany them to visitation.
10. The facility shall provide adequate space to permit screening and searching of both youth and visitors. Space shall be provided for the proper storage of visitors' coats and other personal items not allowed into the visiting area.

B. Eligible Family Visitors

1. The following persons are eligible to visit youth subject to verification by designated facility staff:
 - a. mother, stepmother
 - b. father, stepfather
 - c. legal guardian
 - d. siblings, stepsiblings
 - e. children of youth in DJS care,
 - f. maternal and paternal grandparents, and
 - g. spouse
2. Exceptions to the authorized visitors list must be approved by the Superintendent.
3. Each youth may have up to four (4) visitors at a time.
4. Family relationships shall be verified by the Community CMS.
5. Approved visitation lists shall be compiled by the Facility CMS and signed to confirm verification and accuracy. Lists shall be made available to Control Center staff. Approved lists shall also be retained in the youth's base and transfer files.
6. Visitors who are 16 years or older must present a photo ID. If an approved visitor cannot present a photo ID, the Superintendent or designee must approve visitation provided facility staff can confirm the person's identification.
7. Visitors under the age of 21 must be accompanied by a parent or guardian. Visitors 21 and older do not require a parent or guardian.

C. Visitation Schedule

1. Visitation for youth and their approved visitors shall be held a minimum of two times per week for a period of two hours per visit.
2. If a youth is exhibiting disruptive behavior at the time of visitation, the decision to permit the visit shall be made by the Shift Commander. This includes an instance when the youth may be removed from seclusion. When feasible, Facility CMS should inform parents, or legal guardians in advance of the youth's behavior and status.
3. Facility CMS shall be scheduled on a rotating basis to be available during visitation to meet with parents and legal guardians to discuss the youth's overall adjustment and address concerns of the family.
4. The Superintendent or designee shall be available to assist families as needed.

D. Special Visits

1. If approved visitors are unable to visit during the facility's scheduled visitation, special visits may be arranged by contacting the Facility CMS.
2. Special visits may be arranged for the children of youth in DJS care. The children of youth in DJS care must be accompanied by the maternal or paternal grandparents, the legal guardian, or custodian.
3. Visits by youth who were previously committed in a DJS facility must be approved by the Superintendent.
4. All special visits must be approved by the Superintendent or designee, and all reasonable requests within this section must be accommodated.

E. Notification to Parents and Legal Guardians

1. The Facility CMS shall notify the parent, legal guardian or custodian in writing (see template in **Appendix 1**) of the following visitation information within **48 hours** of a youth's admission.
 - a. Visitation procedures;
 - b. Facility address and phone number;
 - c. Visitation dates and times;
 - d. Authorized visitors and the number of visitors allowed per visit;
 - e. Guidelines for scheduling special visits;
 - f. Appropriate attire for visitation;
 - g. Prohibition of contraband items;
 - h. Directions to the facility and the availability of public transportation or DJS shuttle assistance.
2. Each facility shall post a sign at the facility entrance stating search requirements for all visitors, the prohibition of contraband, and the requirement for appropriate attire. The visitation policy and procedures shall be made available to all visitors.

F. Denial or Termination of Visitation

1. Denial or termination of visitation privileges shall be based on the safety and security of the facility and the safety of the individuals involved. A visit may be denied or terminated and visiting privileges suspended under the following circumstances (not all inclusive):
 - a. visitor(s) under the influence of drugs or alcohol;
 - b. refusal by visitor to submit to a pat down and metal detector wand search;
 - c. refusal or failure by visitor(s) to provide sufficient identification or the falsification of identification;
 - d. visitor(s) under the age of 21 not accompanied by a parent, legal guardian, custodian or Facility CMS;
 - e. unauthorized visitor(s);
 - f. verbally or physically disruptive behavior by the youth or the visitor(s);
 - g. visitor(s) disturbing other person(s) in visiting area;
 - h. excessive physical contact between the visitor(s) and the youth;
 - i. bringing contraband into the facility;
 - j. assisting in an escape (criminal charges will also be filed);
 - k. failure or refusal of visitor(s) to adhere to attire requirements, see Section H.
 - l. refusal of visitation by youth; or
 - m. violation of facility rules by the youth or the visitor(s).
2. The decision to deny or terminate a visit shall be made by the Administrator On-Call.
3. The court may order the prohibition of certain visitors. The court order shall be maintained in the youth's record.
4. The decision to suspend visitation privileges or to permanently deny visitation privileges may be made by the Superintendent in consultation with the Executive Director of Residential Services. The youth, parents, legal guardians, or custodians shall be notified in writing of visitation suspension or denial and the reasons. A copy of the correspondence shall be maintained in the youth's record.
5. Parents, legal guardians, or custodians may appeal the loss of visitation privileges by submitting a written request to the Superintendent. The appeal will be reviewed by the Superintendent and the Executive Director for Residential Services.

G. Visits by Clergy and Legal Counsel

1. Visits by clergy may be arranged by contacting the youth's Facility CMS. All clergy visits shall be approved by the Superintendent or designee.
2. Legal counsel shall have the right to meet with youth they represent at any reasonable time. Advance notification to the Facility CMS is recommended but not required.
3. Legal counsel and clergy must provide certification/licenses in addition to

photo identification.

4. A special visiting area shall be provided for legal counsel/client interviews to provide for private conversation. Sight supervision must be maintained by direct care staff.

H. Appropriate Attire

1. All visitors must dress appropriately. Visitors shall be admitted to the facility only when dressed in appropriate casual clothing which is not provocative or revealing.
2. Visitors may be denied visitation if they have visible tattoos and/or clothing featuring provocative, offensive, or obscene words, terms, images, or pictures that may be offensive or harmful to youth or employees. This includes, but is not limited to:
 - a. a depiction of gang affiliation, gang communication, unlawful activity, material suggesting or tending to promote unlawful activity, or political or religious affiliation;
 - b. foul or derogatory language; and
 - c. a depiction that promotes alcohol or drug use, smoking, or other material tending to promote delinquency or inappropriate youth conduct or social adjustment.
3. Religious apparel and head dress such as skull caps, kufis, veils, hijabs, turbans, and prayer shawls may be worn and shall be searched prior to visitation. The staff conducting the search must be of the same sex as the visitor and the search must take place in a private area.
4. Non-religious hats or any headdress, coats, jackets, shawls and scarves will be searched prior to visitation and placed in a designated area during the visitation.
5. The Administrator on-call or the Shift Commander shall be made aware of visitors who are dressed inappropriately. When possible, the facility may assist by offering a cover up shirt to permit the visit. Visitors shall be reminded of their required adherence to the visitation guidelines.

IV. RESPONSIBILITY

Superintendents are responsible for implementing and ensuring compliance with this procedure.

V. INTERPRETATION

The Deputy Secretary for Operations shall be responsible for interpreting and granting any exceptions to this procedure.

VI. LOCAL OPERATING PROCEDURES REQUIRED

No

VII. DIRECTIVES/POLICIES REFERENCED

Admissions and Orientation Policy

VIII. APPENDICES

DJS Visitation letter and attachment information



DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review and Understanding

SUBJECT: Visitation
NUMBER: RF-706-18
APPLICABLE TO: DJS Residential Facility Employees
REVISED: January 22, 2018

I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

SEND THE ORIGINAL, SIGNED COPY TO THE DIRECTOR OF THE DJS OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.

Boyd K. Rutherford
Lt. Governor

Larry Hogan
Governor

Sam Abed
Secretary

Date

Insert Parent/Guardian Name

Address

City, State, Zip Code

Dear (Insert parent/guardian's name):

(Youth's First and Last Name) was admitted to (Facility Name) on (date). The facility is located at (address).

My name is (Case Manager) and I am your child's case manager. I will be coordinating all services while your child is placed here, and I will be your point of contact. You can reach me by phone at (Number) or email at (email address).

While your child is in placement here, we will provide all clothing and hygiene necessities. Please do not mail or bring any items, money or packages to your child. All personal property received from your child at admission has been inventoried and securely stored. Please contact me to schedule your pick up of this property.

Medical, education and recreational services will be provided and your child may voluntarily participate in religious programming. Behavioral Health staff will complete assessments and evaluations to determine appropriate services to address your child's needs.

We encourage you to support your child's adjustment by maintaining close communication. You may send letters as often as you wish. The facility will provide your child postage for two letters each week. Your child will be able to contact you by phone at least two times each week and visitation will be available two times each week. The enclosed guidelines provide additional information you will need for visitation.

Should you have any questions at any time, feel free to contact me.

Sincerely,

(Case Manager's Name)

Enclosure(s): Visitation Guidelines

C: Youth's File

VISITATION GUIDELINES

❖ Visitation Schedule

Visitation Days: (fill in site specific information)

Visitation Hours: (fill in site specific information)

Public Transportation: (Indicate options)

DJS Shuttle: DJS provides shuttle service to Thomas J.S. Waxter and J. DeWeese Carter Center only.

Arrangements must be made with the Facility Case Manager.

Directions enclosed.

❖ Authorized Visitors

- Mother/stepmother
- Father/stepfather
- Legal guardian
- Custodian
- Siblings, step siblings (16 and older with a photo identification and a parent)
- Children of youth in DJS
- Spouse
- Maternal Grandparents
- Paternal Grandparents

❖ Special Visits

If authorized visitors are unable to visit during the facility's scheduled visitation, special visits may be arranged by contacting the Facility Case Manager.

Special visits may be arranged for siblings under age sixteen (16), to include toddlers and infants (required ID is exempted).

Special visits may be arranged for the children of youth in DJS care, however, they must be accompanied by the maternal or paternal grandparents, the legal guardian, or custodian.

❖ Appropriate Dress

Please do not wear revealing clothing or clothing that promotes drugs, gangs, smoking, and alcohol use. Make sure to cover tattoos that are provocative, offensive, or obscene. Hats, coats, jackets, shawls and scarves will be searched prior to visitation and placed in a designated area during the visitation. Religious apparel and head dresses such as skull caps, kufis, veils, hijabs, turbans, and prayer shawls can be worn but will be searched prior to visitation.

❖ Entry Requirements

All visitors will need a photo identification to enter the facility, including all siblings 16 and older.

❖ Contraband

You are not allowed to bring anything into the facility, except for your photo identification and keys. Your keys and ID will be kept at the facility entrance until the end of your visit. Visitors are prohibited from giving ANY items to youth. Giving items to youth may result in restriction of your visiting privileges and a criminal investigation by police as appropriate.

❖ Search

All visitors must consent to a pat down body search and scan which may include use of a walk through and/or hand held metal detector. Religious apparel and head dress such as skull caps, kufis, veils, hijabs, turbans, and prayer shawls can be worn but will be searched prior to visitation.

❖ Video Surveillance

All visits are monitored on-site by staff and video surveillance.