

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE

## *Offender Rules*

*And*

## *Regulations*

*For*

## *Visitation*

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*I-218*

# ***OFFENDER RULES AND REGULATIONS VISITATION***

## **INTRODUCTION**

Texas Department of Criminal Justice (TDCJ or Agency) shall encourage offender visits consistent with security and classification guidelines. Offender visitation in TDCJ units shall be conducted in an accommodating manner, in keeping with the need to maintain order, safety of persons and security of the unit. However, visitation is a privilege and may be temporarily restricted for an offender or a visitor, if rule violations occur or security concerns exist. Visitation may also be temporarily discontinued during lockdowns and other serious incidents (e.g., escape, riot). Offender visitation is managed under the direction of each Warden, and in accordance with the rules and guidelines outlined below. All offender visits (except for attorney-client visits) are subject to be electronically monitored. Unless otherwise noted, these rules and guidelines apply to both general (non-contact) visits and contact visits.

## **DEFINITIONS**

Contact Visits Visits that are usually conducted inside the unit in a designated visiting area or outside the main building, within the fenced perimeter. Physical contact between offenders and visitors is allowed. Embracing and kissing is permitted once at the beginning and once at the end of each visit. Holding hands is permitted during visitation, as long as hands remain on top of the table in full view of staff. During visits, offenders and visitors are seated **on** opposite sides of the table, with the exception of the offender's small children who may be held by the offender.

Contraband Any item not permitted into the secured perimeter of a unit, or in some cases, on TDCJ property. Also, any item brought into, or taken out of a unit, or in the possession of an offender, visitor or employee as defined in the Texas Penal Code, Section 38.11, is prohibited by the rules and regulations of the TDCJ, may also be considered contraband. These items include, but are not limited to alcoholic beverages, controlled substances or any drug, firearms or deadly weapons, or any item brought onto TDCJ property with the intent to deliver to an offender (e.g., paper money, tobacco, cell phones, pagers, laptop computers, cameras, digital recorders or any other type of electronic/wireless devices).

Current/Former Employee For purpose of this plan, shall include anyone employed (currently or previously) by the TDCJ, or anyone currently or previously employed by an agent of the TDCJ (private prison vendor, Windham School District, University of Texas Medical Branch [UTMB], Texas Tech University of Health Science Center [TTUHSC] or any other similar entity).

Director's Review Committee (DRC)

This is the central and final authority for all appeals related to the removal of persons from an offender's Visitors List and offender contact visitation restrictions.

Ex-Offender

For the purposes of this plan, is an individual who has been incarcerated in a state or federal institution, and released under mandatory supervision, parole or discharge.

Family Liaison Officer

An individual who serves as an information source for offender families. The Family Liaison Officer shall be assisted in this role by other employees and TDCJ-approved volunteers.

General Visits

These visits are conducted inside the main building of the unit in which no physical contact between offenders and visitors is possible or allowed. These visits are usually held in a designated visiting area where offenders and visitors are physically separated by a glass wall or partition. General visits are also referred to as "non-contact" and "regular" visits.

Hardship Visits

Situations which allow children ages 16 and 17, who are on the offender/parent Visitors List, with the warden prior approval and do not have an adult to accompany them, to visit parents who are incarcerated in the TDCJ.

Immediate Family

For the purpose of this plan, is a spouse (ceremonial, proxy or common-law), natural, adopted mother and stepmother; natural, adopted father and stepfather; natural, adopted children, stepchildren, grandchildren and step-grandchildren; natural, adopted siblings and stepsiblings; natural, adopted grandparents and step-grandparents; aunt, uncle; and persons related by marriage (in-laws: father, mother, daughter, son, brother, sister, grandchildren and grandparents).

Offender

For the purpose of this plan, is an individual in the custody of the TDCJ.

Ombudsman Office

The department serves as a single point of contact for offender family members, elected officials and members of the general public.

Significant Other

For the purpose of this plan, is a surrogate parent or a special relationship (e.g., foster parents, guardian of an offender's minor child) that is verifiable by the Warden.

Special Visits

Cases that allow the Warden or designee to permit contact or non-contact visits or authorize special conditions of visits outside of the ordinary course of established visitation rules. The Warden may delegate the authority to review and approve special visits to a designee to include the

Assistant Warden, Building Major, or Unit Classification Committee (UCC). Offenders or visitors requesting a special visit shall submit the request in writing, telephone or Internet e-mail, for applicable units, to the Warden or designee.

Split Visits

Allow offenders and visitors to divide or breakup a visit in one- or two-hour increments. For example, one (1) two-hour visit, two (2) adults can visit during the first hour and two (2) different adults can visit during the last hour; or Special Visits: one (1) four-hour visit, two (2) adults can visit during the first two (2) hours and two (2) different adults can visit during the last two (2) hours. Both regular and special visits allow a total of four (4) adults to visit. Prior to being granted a split visit the visitor must inform the Visitation Officer of the desire to receive a Split Visit during visitor's check-in process.

Visitor Identification

For visitors 18 years of age and older, a pictured and signed identification (ID) of one (1) of the following is required: (1) valid state driver's license; (2) valid state Department of Public Safety (DPS) ID card; (3) valid Armed Forces ID card; (4) passport; or (5) ID card issued by the United States Department of Homeland Security, U.S. Citizenship & Immigration Services (USCIS) (i.e., Visa Border Crossing ID Card [ USA B1/B2 Visa BCC]). If the visitor's ID is questionable or not acceptable, further verification shall be required (e.g., birth certificate, pictured credit card or other official ID). Children 17 years of age and younger may be required to provide an ID (e.g., birth certificate, DPS ID or student ID) if the child's age is questionable due to physical maturity of the child. Valid student ID shall be used only for children 17 years old and younger.

Visitors List

Is the official approved list of names, phone numbers and physical addresses of persons with whom the offender wishes to visit during authorized visiting hours. Each offender is allowed to have a maximum of ten (10) names on the Visitors List.

Visitors List Change

For the purpose of this plan, is the process of adding or deleting names from an offender's Visitors List once every six (6) months for institutional offenders and once every 60 days for state jail offenders.

Visitors List Status Change

For the purpose of this plan, is the process of updating information on an offender's Visitors List at any time without the updated information being counted as a "Visitors List Change." For example, changes to an address, phone number, relationship, adding a different last name or any other similar updated information may be done at any time.

**1.0 GENERAL INFORMATION**

- 1.1 While it is recognized that unit assignments may create hardships for visiting, assignments are based on considerations other than offender or family convenience.
- 1.2 Each unit has a designated Family Liaison Officer to assist offenders' relatives and other persons during visits with offenders and given aid in resolving problems that may affect permitted contact with offenders. The Warden has ultimate responsibility for resolving any visitation problems.
- 1.3 Copies of the I-218, "Offender Rules and Regulations for Visitation" Booklet are prominently displayed at locations in the unit that are accessible to offenders and in areas accessible to visitors.

**1.4 Visitation Schedule (Periods of Visitation):**

- 1.4.1 Visits usually occur on Saturday and Sunday between 8:00 a.m. and 5:00 p.m.
- 1.4.2 Normally, one (1) visit per visiting cycle for eligible offenders shall be allowed.
- 1.4.3 Visiting cycles begin on Monday and end on the following Sunday. For example, if a visitor or an eligible offender desires to visit on Sunday and the following Monday then Monday shall begin the next visiting cycle. Therefore, if allowed to visit, this shall count as one (1) visit for each week.
- 1.4.4 A regular visiting period is two (2) hours in duration and begins when the offender is seated.

**1.5. Frequency of Visits**

Generally, all offenders shall be permitted to have a total of one (1) general or contact visit for a two-hour period each week, except during Intake Diagnostic Processing; Lockdown Status; Solitary Confinement; Administrative Segregation; Death Row offenders; and close custody (G5/J5/P5) offenders housed in the main compound.

The following offenders shall be eligible for visits, with the frequency as indicated:

<b>Custody</b>	<b>Frequency</b>
Level 1 (G1, J1)	One (1) contact visit per week
Level 2 & 3 (G2, G3, J2, P2, P3)	Three (3) contact visits per month
Level 4 - (G4, J4, P4) State jail and institutional SAT 3 and 4 offenders with no disciplinary convictions for one (1) year	Two (2) contact visits per month
All other Level 4 (G4, J4, P4)	One (1) general visit per week
Level 4 (G4) Special Penalty	Two (2) general visits per month
GRAD offenders (CG)	One (1) general visit per week

Protective Custody Level 1 (4A)  
Outside Trusty (OT), SAFP (FT) &  
IPTC (IT)  
Medical (MD), Mental Health (MH)  
& Intellectually Impaired (II)

Three (3) contact visits per month  
One (1) contact visit per week

Based on computer recommended  
custody, which determines the type  
and frequency of visits

The number of contact visits allowed each month shall count toward the total number of visits as outlined above. Except in unusual circumstances, an offender shall not be scheduled for both a contact visit and a general (non-contact) visit on the same day or during the same week.

## **1.6 Visits Requiring Advance Scheduling**

- 1.6.1. Visits may occur on Agency-closed holidays (except Christmas Day) that fall on a Monday or Friday, if scheduled in advance. Arrangements to schedule these visits may not be made on any state holiday.
- 1.6.2. All arrangements to schedule visits must be made through the Warden's office between 8:00 a.m. and 5:00 p.m. at least one (1) day but not more than seven (7) days prior to the visit.
- 1.6.3. Visitors arriving late (i.e., more than 15 minutes past the beginning scheduled visiting time) may not be allowed to visit during any of the scheduled time. Unit administration shall make every effort to accommodate late arrivals, if time and space is available.

For information regarding scheduling a visit for Administrative Segregation/Expansion Cellblocks and units that may be designated by the CID Director, see Section regarding "Visits for Other Categories" of this policy.

## **1.7 Number of Visitors Allowed**

- 1.7.1 Each eligible offender is allowed to have two (2) adults (18 years old and older) per visit. Children 17 years old and younger may visit without being counted in this number. The number of children allowed per visit shall be based on the amount of space available and the visitor's ability to manage and control the children.
- 1.7.2 Each eligible offender is also allowed to have split visits.
- 1.7.3 Eligibility Criteria
  - (1) At units where general visit space is not provided, all offenders in G1, G2 and G3 shall be allowed to have contact visits.

- (2) An offender is eligible for a contact visit if the offender's eligibility is reflected in the Mainframe computer records (i.e., the offender Visitors List screen in the Inmate Master File computer program indicates when or if an offender is eligible to receive contact visits).

## **2.0 WHO CAN RECEIVE VISITS**

### **2.1 Intake/Diagnostic Processing**

During the intake and diagnostic process, each offender shall be asked to submit a list of no more than ten (10) names of proposed visitors to the Warden or designee. Each name submitted must include the physical address and phone number of the proposed visitor (post office box addresses are not acceptable) and the visitor's relationship to the offender. An offender, not a visitor, must request to have a visitor added to the Visitors List. The visitor cannot request to be placed on an offender Visitors List. Offenders do not receive visits until the intake processing is complete and offenders are classified and assigned a custody.

- 2.2 The offender shall be required to identify all individuals on the proposed Visitors List who are on parole, mandatory supervision or have discharged a sentence for which the individuals were incarcerated. Persons with a criminal record shall not automatically be precluded from visiting. The nature and extent of the criminal record and the time lapse since the criminal activity shall be taken into consideration.
- 2.3 Newly-received offenders shall be given sufficient time to obtain visitors' addresses and phone numbers for inclusion on the initial Visitors List.

#### **2.3.1 Visitors List**

- Institutional offenders may request changes (additions/deletions) to the Visitors Lists once every six (6) months. State jail offenders may make changes (additions/deletions) to the Visitors List once every 60 days.
- Offenders are allowed to request Visitors List Status Change on the Visitors List (using the RO-1, Request for Placement on Visitors List) at any time without affecting a Visitors List date change. For instance, changes to an address, phone number, relationship, adding a different last name or any other similar updated information may be done at any time without causing a Visitors List date change.

### 3.0 RULES FOR VISITS

3.1 Children ages 17 years old and younger must be accompanied by an adult who is listed on the offender's Visitors List.

3.1.1 Hardship Visits: With prior written approval from the Warden, children who are 16 and 17 years old and are on the offender's Visitors List, may be allowed to visit an offender (alone) without an adult accompanying them. These accommodations are allowed for children ages 16 and 17 who do not have an adult to accompany them when visiting incarcerated parents.

NOTE: A copy of the Warden's written approval (obtained prior to the visit) must accompany the 16 or 17 year old when visiting and shall be filed in the offender's unit file.

3.1.2 Child Victim Restrictions: An offender convicted and sentenced for current or prior crimes involving sexual offenses against children or offenses causing bodily injury to a child (age of child victim was under the age of 17) is restricted from having contact visits with children under the age of 17. The offender may have a general visit with a child under the age of 17, only if the offender is the legally recognized parent of the child and the child was not the victim of the offense. The legal guardian must complete a Child Victim Restriction Affidavit attesting that the offender is the legally recognized parent of the child and that the child was not the victim of any offense for which the offender has been convicted or placed on deferred adjudication before the visit may occur.

3.1.3 The Chief of Unit Classification shall enter the appropriate administrative denial ("VR") in the offender's records. This restriction is based upon the propensity for repetition of acts of this nature, and the nature of the intimacy involved in contact visits with children. This restriction is imposed in the interest of visitor safety and the security of the institution, as well as to ensure that criminal acts against children which are of a sexual or assaultive nature do not occur during contact visitation.

3.1.4 (This is not to be confused with those few exceptions when a child should be allowed to see a sex offender [usually a parent] in a controlled group environment supervised by Sex Offender Treatment Program [SOTP] psychologists. It is not intended to be used to prohibit family participation in counseling groups as a part of the SOTP. These exceptions shall only occur with the approval of the SOTP Clinical Director.)

Note: Offenders may file a grievance or appeal to the DRC for removal of a "VR" code.

3.2 The Warden or designee shall review the list of names submitted by the offender and approve or deny these persons for visitation (using the RO-1, Request for Placement on Visitors List).

3.3 Each offender shall be given a copy of the offender's approved Visitors List. The original offender's Visitors List shall remain with the offender's travel card. The names, addresses, relationship and phone numbers of each offender's approved visitors shall also be maintained on the TDCJ Mainframe computer system (Mainframe).

### 3.4 Visitor Notification

3.4.1 When an offender receives a TDCJ number, initial unit of assignment or is transferred to a new unit of assignment, the offender is responsible for notifying all persons on the offender's Visitors List of this information including the unit's mailing address, visitation schedule (to include frequency and length of visits, visitation periods and any other similar information) and number of visitors allowed per visit. The *Offender Orientation Handbook* is located on the TDCJ website at [www.tdcj.state.tx.us/publications/cid/publications-cid-offender-orientation-handbook.htm](http://www.tdcj.state.tx.us/publications/cid/publications-cid-offender-orientation-handbook.htm).

3.4.2 The offender is responsible for notifying individuals, who are not immediate family members that these individuals shall be required to wait 24 months from their release date before being permitted to visit.

The offender is responsible for notifying immediate family members who are ex-offenders, to bring written permission from the individual or agency supervising the conditional release and also notify the respective Warden prior to visiting. Permission from the supervising agency shall be filed in the offender's unit file and shall be required only once.

#### 3.4.3 Visitation Restriction

- When an offender's visitation privileges are in any way restricted or suspended (e.g., offender is placed in solitary confinement; offender's contact visitation privileges are administratively suspended by a UCC), the offender is responsible for notifying the individuals on the Visitors List by mail as to the type and length of the restriction or suspension. In cases where an offender's general visitation privileges have been restricted due to the offender's placement in solitary confinement, and notification by mail is not possible before the visitors are expected, the offender should notify the Warden or designee, who shall attempt to contact the visitors by telephone.
- In the event an offender is placed on the Seriously/Critically Ill List, the Unit Manager of Health Services shall notify the Warden or designee who shall make the appropriate notifications to next of kin in accordance with AD-06.10, "Notification Regarding Seriously/Critically Ill Offenders."

### 3.5 Visitor Identification

NOTE: The CID is authorized to maintain a Visitor's Tracking System.

3.5.1 Prior to entering the visitation area, all visitors 18 years of age and older shall provide the required ID as defined by this plan.

3.5.2 If the visitor's ID is questionable or not acceptable, further verification shall be required (birth certificate, pictured credit card or other official ID). Children 17 years of age and younger may be required to provide an ID (e.g., birth certificate, DPS ID or student ID) if the child's age is questionable due to physical maturity of the child. Valid student ID shall be used only for children 17 years old and younger.

### VISITATION CRITERIA

Age	On Visitors List		ID Required		Must be Accompanied by an Adult	
	Yes	No	Yes	No	Yes	No
17 years old & younger		√*		√*	√**	
18 years old & older <b>(Adults)</b>	√		√			√
* Children 16 and 17 years old who have been approved for a Hardship Visit must be on the offender Visitors List and shall be required to provide ID, such as student ID card, birth certificate or state Department of Public Safety ID card.						
** See Section 3.1.1, of this policy for Hardship Visit exception.						

3.5.3 Visitors shall provide the following information prior to entering the unit or the unit's designated security checkpoint:

- Name and TDCJ number of the offender to be visited;
- Visitor's relationship to the offender;
- Visitor's current physical address and phone number; and
- Written permission from the individual or agency supervising visitors on parole or mandatory supervision, if applicable.

3.5.4 The officer in charge of visitation shall verify all visitors' approval prior to allowing the visit. Questions regarding identity shall be referred to the Duty Warden immediately.

- If the visitor is removed from the Visitors List or denied visitation for any of the above reasons, the visitor's name shall be placed on the Disapproved Visitors List by designated unit staff.

### **3.6 Visitor and Vehicle Searches**

3.6.1 All vehicles and visitors are subject to search upon entering TDCJ property. Visitors shall be screened/searched by a metal detector prior to entering the visitation area. Any visitor refusing a search procedure shall be required to leave TDCJ property. Each unit shall have a sign listing these procedures posted at the vehicle check-in point (applicable for units that use vehicle check-in points) and the visitor check-in point. Such signs shall be posted in both English and Spanish. It is a mandatory requirement that all visitors shall be screened/searched inside a sheltered area if inclement weather exists.

3.6.2 All visitors shall leave any metal objects or material that is capable of causing injury, abetting escape or otherwise causing a threat to the safety or security of the unit in the vehicle. The Duty Warden has authority to make a final determination whether an object is prohibited. All hand-carried items shall be searched.

**EXCEPTION:** If a visitor has a pacemaker, or any other type of medical implants, the visitor must have written documentation from a physician or pacemaker manufacturer indicating that the metal detector screening may cause the visitor's pacemaker to malfunction. Once this documentation is presented to security, the visitor shall submit to a pat search. Pat searches of visitors shall only be conducted if the visitor agrees in writing using the Consent Form for Searches.

3.6.3 No internal body cavity searches of visitors shall be conducted. Pat or strip-searches of visitors shall only be conducted if the visitor agrees in writing, which is documented on the Consent Form for Searches, to be searched and the Duty Warden gives prior approval for the search based on reasonable cause. In making the decision to authorize a pat or strip-search, the Duty Warden shall evaluate the grounds asserted to justify the search, including:

- (1) Knowledge, as a result of visual inspection or use of a metal detector that the visitor may be carrying intoxicating beverages, controlled substances, dangerous drugs, firearms, dangerous weapons or explosives or additional contraband;
- (2) The apprehension of the visitor while passing or attempting to pass contraband; or
- (3) Other sufficient reason to believe a search is warranted.

### **3.7 Contraband Items**

Visitors shall not possess or introduce into the secured perimeter of a unit, or in some cases, on TDCJ property, any items defined as contraband or any articles, instruments or substances specifically prohibited by state law or the policies and rules of TDCJ.

If there are questions regarding an item, the Duty Warden has the authority to make a final determination. The following are defined as contraband items and are distinguished as items not allowed on TDCJ property or items not allowed inside the secured perimeter of a unit:

#### **3.7.1 Contraband Items Not Allowed on TDCJ Property**

- (1) Any intoxicating beverages (i.e., a beverage containing any amount of alcohol or drugs used for the purpose of altering one's mental state);
- (2) Any controlled substance (as defined by Section 481.002, Texas Health and Safety Code) or dangerous drugs (as defined by Section 483.001, Texas Health and Safety Code) and not otherwise permitted by Article 38.11, Texas Penal Code;
- (3) Any firearm or instrument customarily used or designed to be used as a dangerous weapon or having explosive substance. A person who is licensed under Chapter 411, Subchapter H, Texas Government Code to carry a handgun, may possess the handgun on TDCJ property if the unloaded gun is secured in the locked trunk of a vehicle, or locked compartment, if the vehicle does not have a trunk, prior to the vehicle entering onto TDCJ property, (Board Rule [BR] 151.21, "Weapons Policy"); and
- (4) Any instrument that may be used in affecting or attempting to affect an escape.

### **3.8 Contraband Items Not Allowed Inside the Secured Perimeter of a Unit**

Any food items, purses, diaper bags, briefcases, cameras, baby strollers, toys, dolls, photographs or photograph albums, paper money, tobacco, lighters, matches, cell phones, pagers, laptop computers, cameras, digital recorders or any other type of electronic/wireless devices or any other non-authorized items.

### **3.9 Permissible Items**

- 3.9.1 Visitors shall be permitted to bring into the unit a small wallet, clear plastic bag (Ziploc<sup>®</sup> type) or change purse.

- 3.9.2 Visitors may bring coin money in an amount not to exceed \$20. Visitors who violate this rule may have the visit denied and may be removed from the offender's Visitors List.
- 3.9.3 Visitors with infants or small children may bring no more than three (3) diapers, a supply of baby wipes and two (2) baby bottles ("sippy" cup for toddlers) into the unit. These items shall be stored in a clear plastic bag.
- 3.9.4 Visitors are allowed to purchase soft drinks and vending machine snacks for offenders during general and contact visits, but the items must be consumed during the visit.

### **3.10 Supervision of Visits**

- 3.10.1 Each Warden shall establish procedures to ensure all visits are conducted in a quiet and orderly manner.
- 3.10.2 Assigned staff shall constantly monitor against the passing of contraband between offenders and visitors, as well as between offenders.
- 3.10.3 Offenders shall be pat or strip-searched prior to entering the visitation area and shall be strip-searched prior to leaving the visitation area. Upon completion of the visit, the offender shall immediately leave the visitation area and shall not be given the opportunity to return to the visitation area or any part thereof.
- 3.10.4 Offenders who are allowed to take a restroom break during the visit shall be strip-searched when exiting and pat or strip-searched when re-entering the visitation room. Time taken for restroom breaks shall be considered as part of the visiting period.

### **3.11 Offender Rules**

- 3.11.1 Offenders shall be required to wear TDCJ-issued pants and shoes, with shirts tucked in. Offenders may wear state-issued or commissary-purchased t-shirts, thermals and wedding rings (band-type only with property papers) during visits.

NOTE: Offenders on pre-parole transfer (PPT) facilities shall follow dress requirements as established on the facility.

- 3.11.2 Offenders shall not pass items to other offenders or visitors.
- 3.11.3 Offenders shall not be loud or boisterous during visits.

### 3.12 Visitor Rules

- Dress Requirements - The Duty Warden shall make the final decision on whether the visit should be denied based on clothing.
- Shirt and shoes are mandatory.
- Halter tops, t-shirts (underwear type), tank tops, fishnet shirts or see-through fabrics are not allowed. Shirts and blouses with an open midriff are not allowed. Sleeveless shirts and dresses are not allowed for men or women.
- Shorts or cutoffs are not allowed, except for pre-adolescent boys and girls. (Generally, pre-adolescent means ten [10] years old and younger.
- Women and post-adolescent girls may wear dresses, skirts (no shorter than three [3] inches above the middle of the knee while standing), capri pants (no shorter than three [3] inches below the middle of the knee while standing) or long pants. If a dress, pants or skirt appears to be too short, the Duty Warden shall be contacted for a decision.
- Shirts or other articles of clothing with pictures or language that may be considered profane or offensive by current public standards shall not be allowed.
- White shirt and white pants/skirts worn together are prohibited.
- Hats are allowed, but shall be searched.
- Clothing that is too tight or revealing is prohibited.
- Slacks and pants shall be worn at or above the waist.

3.12.1. Visitors are prohibited from engaging in the following activities:

- (1) Loitering around the unit's front gate, parking lot or perimeter pickets;
- (2) Walking along the perimeter road;
- (3) Photographing buildings, fences or other parts of the unit;
- (4) Playing radios loudly; or
- (5) Yelling at offenders.

3.12.2 Children shall not be left unattended.

3.12.3 Visitors are not allowed to switch from visiting with one (1) offender to another. This conduct may cause the visit to be terminated and possibly the visitor's name removed from the offender's Visitors List.

#### 3.12.4 Removal of Articles from the Unit

- (1) Without authorization from the Duty Warden, no visitor shall take any article from TDCJ property (e.g., gifts from offenders, excess personal property items, craft items).
- (2) Transfer of offender property or craft items to visitors shall be in accordance with AD-03.72, "Offender Property" and AD-14.59, "Offender Piddling and Craft Sales." Monies for payment of craft items may be arranged in advance with the Warden or designee.

### 3.13 Denial of Visits/Visitors

3.13.1 When there is reason to believe that a forthcoming visit, or a particular visitor, may compromise the safety and security of offenders, staff or the unit, the Warden or designee shall have the authority to cancel the visit or deny a particular individual permission to visit on that day. In addition, the Warden or the UCC may remove an individual's name from an offender's Visitors List when there is cause to believe the visitor may compromise the security of the unit or safety of offenders or staff.

3.13.2 The specific reasons for cancelling a visit, denying a visitor or removing a visitor from an offender's Visitors List shall be documented on the Denial Form and the Denial Log. A copy of the Denial Form shall be provided to the denied visitor and the offender, and the original shall be filed in the offender's unit file. The Warden shall report the number of denied visits in the biennial report.

3.13.3 A visitor shall be denied permission to visit and may have the visitor's name removed from the offender's Visitors List if, the visitor:

- (1) Appears to be under the influence of drugs or alcohol;
- (2) Refuses or fails to produce sufficient identification or falsifies identification information;
- (3) Refuses to be searched or refuses to allow the vehicle to be searched; or
- (4) Knowingly violates any TDCJ visitation rule.

- (5) If the visitor is removed from the Visitation List or denied visitation for any of the above reasons, his name will be placed on the Disapproved Visitors List by appropriate unit staff.
- 3.13.4 All written notices to offenders shall include the specific reasons for the administrative action taken, except in those instances when disclosure of the reasons to the offender would create an immediate and serious threat to the physical safety or security of the offender, other offenders or staff or jeopardize an ongoing criminal investigation. In such cases, the reason may be stated as follows: "For the security and safety of offenders, staff and the institution or to protect the integrity of an investigation."
- 3.13.5 An offender may appeal the decision to remove an individual's name from the offender's Visitors List through the Offender Grievance Procedure or by submitting a written appeal to the DRC.
- 3.13.6 The Warden or designee shall notify the unit staff member responsible for updating the computerized offender Visitors List to modify the affected offender's Visitors List as appropriate.
- 3.13.7 Additionally, a denied visitor shall be notified by the Warden or designee of the right to appeal the decision to be removed from an offender's Visitors List to the DRC. The appeal must be submitted within 14 days of the date on the written notice. If the appeal is denied, the individual may submit another appeal six (6) months after the denial. (Instructions are included on the Denial Form.)

### **3.14 Termination of Visits in Progress**

- 3.14.1 The Duty Warden has the authority to terminate an offender's general or contact visit while the visit is in progress if the offender violates established TDCJ offender rules and regulations. Visits may also be terminated if the offender's visitors do not comply with the rules and regulations established for visitors, to include failure to prevent children from disturbing other persons in the visiting area.
- 3.14.2 Prior to termination of a visit, less severe alternatives shall be attempted if appropriate. This shall include warnings to the offender or visitors of improper conduct which, if continued, shall result in the visit being terminated and may cause the visitor's name to be removed from the offender's Visitors List.
- 3.14.3 When a visit is terminated while in progress, the reasons for ending the visit shall be fully documented by the Duty Warden or designee on the Denial Form and the original shall be filed in the offender's unit file. The Duty Warden shall report serious incidents to the Emergency Action Center (EAC) in accordance with AD-02.15, "Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents."

### **3.15 Suspension of General Visits**

Loss of general visitation privileges cannot be imposed as a punishment upon conviction for a disciplinary violation. However, general visitation privileges shall be suspended while offenders are in solitary confinement. Visitation privileges may be suspended for offenders on lockdown status in accordance with AD-03.31, "Procedures Relating to Unit Lockdowns."

## **4.0 VISITS FOR OTHER CATEGORIES**

### **4.1 Mentally Retarded Offender Program (MROP) and Psychiatric In-Patient**

Determinations regarding visitation for offenders in an MROP Sheltered Facility or psychiatric in-patient facility shall be made on a case-by-case basis by the offender's Program Treatment Team according to the following criteria.

- Psychiatric in-patients are allowed contact visits in accordance with the computer recommended custody. Offenders who have no disciplinary for 12 consecutive months shall be allowed to receive contact visits with immediate family members. These offenders shall be reviewed and approved by the Program Treatment Team which shall consist of a psychiatric or rehabilitation aide supervisor or designee, and with the Warden's approval.
- If the psychiatric or rehabilitation aide supervisor or designee is unable to attend, the supervisor or designee may submit recommendations in writing to the treatment team as to whether or not the offender should be allowed to receive contact visits after taking security concerns into consideration.
- If there is a disagreement as to whether the offender should be allowed contact visitation due to security or other concerns, the case should be referred for reconsideration in accordance with Correctional Managed Health Care policies and procedures.
- Visitation for all psychiatric in-patient facilities may be scheduled for any day of the week, at the discretion of the Warden or designee and the Program Treatment Team.
- Unit medical staff is responsible for providing the Warden with a list of names/TDCJ numbers of psychiatric in-patient offenders who are precluded from visitation as a result of illness.

### **4.2 Psychiatric Out-Patient**

Psychiatric out-patients are eligible for general and contact visits in accordance with the offender's custody.

### **4.3 Transient Status**

Offenders in transient status or housing (except those undergoing diagnostic and reception processing) are eligible for general visits in the same manner as all other general population offenders. Contact visitation for these offenders is allowed in accordance with the criteria and procedures outlined in these rules and at the discretion of the Warden or designee, as in cases where offenders are being housed in transient status due to a protective custody investigation.

### **4.4 Safekeeping Status**

Offenders in safekeeping status are eligible for general and contact visits in accordance with the same criteria and procedures as all other general population offenders.

### **4.5 Pre-Hearing Detention**

Offenders in pre-hearing detention are not allowed to have contact visits while in this status, irrespective of custody level or time-earning status. However, these offenders are allowed to have general visits in accordance with the same criteria and procedures as general population offenders.

### **4.6 Lockdown Status**

Offenders on lockdown status may be precluded from visitation in accordance with AD-03.31, "Procedures Relating to Unit Lockdowns" and the unit's progressive release lockdown schedule.

### **4.7 Solitary Confinement**

All visitation privileges are suspended while offenders are in solitary confinement. In cases where the offender is placed in solitary confinement, and notification by mail is not possible before the visitors are expected, the offender should notify the Warden or designee, who shall attempt to contact the visitors by telephone.

### **4.8 Administrative Segregation and Expansion Cellblock**

4.8.1 General Visits: Offenders in Administrative Segregation (security detention and protective custody) or G5 in expansion cellblocks are allowed general visits based on the administrative segregation level to which they are assigned, as outlined below. Special security procedures may be used during visitation periods to ensure the safety and security of all offenders, visitors, staff and the unit.

<b>Security Detention &amp; Protective Custody Level</b>	<b># of General Visits Allowed</b>
Level I	One (1) two- hour visit per week

Level II	Two (2) two- hour visits per month
Level III	One (1) two- hour visit per month

NOTE: Arrangements to schedule visits may not be made on an Agency-closed holiday.

#### 4.8.2 Expansion Cellblocks

- Offenders assigned to expansion cellblock facilities (separate cellblocks at the Estelle, Lewis, Smith, Allred and Clements Units designed to house G5 and Administrative Segregation offenders) shall receive scheduled visits during the week due to the physical configuration of the facilities.
- Visits for Administrative Segregation and G5 offenders in expansion cellblock facilities shall be scheduled in advance through the Warden’s office between 8:00 a.m. and 5:00 p.m. (Monday through Friday), at least one (1) day, but not more than seven (7) days prior to the visit. However, at the Warden’s discretion, offenders may receive unscheduled general visits during the weekend.
- Other units that house Administrative Segregation offenders other than the expansion cellblock facilities may be designated by the CID Director to receive scheduled visits during the week.
- Only offenders in Administrative Segregation - Protective Custody Level I are eligible for contact visits in accordance with the same criteria and with the same frequency as general population offenders. Eligible Protective Custody offenders may have their contact visits scheduled during the week with prior approval from the Warden. However, those offenders who do so shall not have a general or contact visit on the following weekend.

### 4.9 Death Row

4.9.1 Death Row offenders are allowed visits based on the schedule below. Generally, visits shall be two (2) hours in duration. Special security procedures may be used during visitation periods to ensure the safety and security of all offenders, visitors, staff and the security of the unit.

<b>Custody Level</b>	<b># of General Visits Allowed</b>
Level I	1 per week
Level II	2 per month
Level III	1 per month

4.9.2 Visitation shall be held on the following days (except on Agency-closed holidays):

**Polunsky**

**Mountain View**

Monday (8:00 a.m. - 5:00 p.m.)  
 Tuesday (8:00 a.m. - 5:00 p.m.)  
 Wednesday (8:00 a.m. - 12:00 p.m.)  
 Thursday (8:00 - 5:00 p.m.)  
 Friday (8:00 a.m. - 5:00 p.m.)  
 Saturday (5:30 p.m. - 10:00 p.m.)

Monday (8:00 a.m. - 5:00 p.m.)  
 Tuesday (8:00 a.m. - 12:00 p.m.)  
 Wednesday (8:00 a.m. - 5:00 p.m.)  
 Thursday (8:00 a.m. - 5:00 p.m.)  
 Friday (8:00 a.m. - 5:00 p.m.)  
 Saturday (5:30 p.m. - 9:30 p.m.)

- 4.9.3 Death Row Visitation may be scheduled by appointment during high-traffic times or due to physical configuration of the unit visitation room. Visitation at the Mountain View Unit shall be scheduled in advance through the Warden’s office. Visitation at the Polunsky Unit shall be held on a first-come, first-serve basis, except for Saturday evenings, which shall be scheduled by appointment.
- 4.9.4 Ministerial/Spiritual Advisor visitation shall be scheduled in accordance with AD-07.30, “Procedures for Religious Programming.”

NOTE: Any time a state-approved holiday falls on a weekday, death row visitation shall not be conducted. However, any time a state-approved holiday falls on a Saturday, death row visitation shall be conducted.

- 4.9.5 Media interviews of death row offenders shall be scheduled by the Public Information Office.

Polunsky Unit	Mountain View Unit
Wednesday 1:00 p.m. to 3:00 p.m.	Tuesday, 1:00 p.m. to 3:00 p.m.

NOTE: Special security procedures (e.g., security cages) may be used during the visitation periods to ensure the safety and security of offenders, visitors, staff and the unit.

**4.10. Visitation Frequency - Level 5 (G5/J5/P5) Offenders in the Main Compound**

- Offenders with the below custody who are housed in the Main compound shall receive visits as indicated below.

Custody	Frequency
Level 5 (G5, J5, P5)	Two (2) general visits per month
Level 5 (G5, J5, P5) offenders on special penalty cell restriction	One (1) general visit per month

- All visits shall be limited to two (2) hours in duration and occur on Saturday and Sunday between 8:00 a.m. and 5:00 p.m.
- G5 offenders participating in the Gang Renunciation and Disassociation (GRAD) process (CG custody offenders) at the Ramsey Unit are allowed one (1) two-hour general visit per week only on weekends.

## **5.0 CONTACT VISITATION**

5.1 Unit Contact Visits - Both indoor and outdoor contact visitation are located on most TDCJ units. For outdoor contact visits, covered picnic type tables or similar seating arrangements are recommended. The visiting area and tables with specific efficiency regarding contact visits for eligible Protective Custody offenders shall be arranged to allow for adequate supervision. Contact visits may be held outdoors if weather permits. The Duty Warden shall determine when inclement weather conditions or some other uncontrollable situation would prohibit the use of outdoor contact visitation.

- Offenders shall have completed intake/diagnostic processing and have been incarcerated in the TDCJ for a minimum of 60 days from the current TDCJ receive date prior to becoming eligible for contact visitation. General visits are allowed at anytime during this process as specified by the Warden.
- State jail offenders shall have completed intake/diagnostic processing and have been incarcerated in the TDCJ for a minimum of 30 days from the current TDCJ receive date prior to becoming eligible for visitation.

### **5.2 Eligibility Criteria**

- 5.2.1 At units where general visit space is not provided, all offenders in G1, G2 and G3 shall be allowed to have contact visits.
- 5.2.2 An offender is eligible for a contact visit if the offender's eligibility is reflected in the Mainframe computer records (i.e., the offender Visitors List screen in the Inmate Master File computer program indicates when or if an offender is eligible to receive contact visits).

### **5.3 Contact Visitation Scheduling**

- Offenders eligible to receive contact visits may select the week for the visitation; they shall not be restricted to a designated week for contact visitation.
- In the event the Mainframe becomes inoperable prior to or during any part of the contact visiting hours, and a unit is unable to determine which offenders are eligible to have contact visits, the Duty Warden shall have the authority to provide offenders with general visits on that day. Eligible offenders shall be permitted to have contact visits on a subsequent day (which may be during the same week at the Warden's discretion).

### **5.4 Visitors Approved for Contact Visits**

- 5.4.1 Contact visits shall be limited to the eligible offender's immediate family to include the following procedures for spouse (ceremonial, proxy, common-law) and significant other categories.

- Spouse
  - (1) Ceremonial: The person listed as an offender's spouse on the offender's Visitors List shall be eligible for contact visits. Any change of an offender's spouse on the Visitors List shall be verified by the Warden or designee (i.e., proof of divorce must be provided by the offender when a change in spouse is requested on the Visitors List). A copy of the marriage license or other acceptable legal documents shall be used for verification.
  - (2) Proxy: If an applicant is unable to appear personally before the county clerk to apply for a marriage license, any adult, other than the applicant may act as proxy for the purpose of participating in the ceremony on behalf of the absent applicant. A copy of the proxy marriage license or other acceptable legal documents shall be used for verification.
  - (3) Common-law: A common-law marriage cannot include a party who is 17 years old or younger. A common-law marriage is when a man and woman agree to be married and after the agreement live together as husband and wife and represent to others that they are married. Acceptable documentation for establishing a common-law marriage status is a Declaration and Registration of Informal Marriage. A declaration of informal marriage shall be executed on a form provided by the Bureau of Vital Statistics of the Texas Department of State Health Services and provided by the County Clerk. In absence of a Declaration and Registration of Informal Marriage, both the offender and the common-law spouse may submit to the Warden an Affidavit of Informal Marriage form declaring the marriage. The offender may use an unsworn affidavit under penalty of perjury (Sections 132.001 – 132.003, Texas Civil Practice and Remedies Code). However, the common-law spouse must provide an affidavit certified by the County Clerk or notarized by a Notary Public. Any other form of registration acceptable to the Bureau of Vital Statistics is considered acceptable proof of marriage. A copy of the documents shall be placed in the offender's unit file.
  
- Significant Other
  - (1) Special Relationship or Surrogate Parent
    - (a) For purposes of this plan, a person having a special relationship or surrogate parent with an offender may be eligible for contact visits if the relationship is verified and

approved by the Warden or designee. A surrogate parent is generally defined as a person with whom the offender resided as a minor for a significant amount of time. For example, foster parents, and the guardian of an offender's minor child, to include the parent of the child, are eligible if the relationship to the offender is verified by the Warden or designee. The Warden or designee shall have the authority to assess the relationship and determine if the proposed visitor qualifies as a special relationship or surrogate parent.

(b) After verification by the Warden or designee, the Warden or designee shall notify the appropriate unit staff of the approval for contact visits by the surrogate parents, or persons deemed as having a special relationship with the offender. In the event that the approved visitor is not currently listed on the offender's Visitors List, the offender's change request must be placed in the offender's unit file and the offender's computerized Visitors List updated as appropriate.

(2) Non-immediate family members: The Warden or designee may approve non-immediate family members for contact visits with offenders who, although eligible, are not able to have contact visits with immediate family members (e.g., the offender has no immediate family, family members are located too far away for visitation, no immediate family members or visitors from other categories have been approved for contact visitation or other similar situations).

5.4.2 Offenders assigned to G1/J1/OT custody shall be allowed to have a contact visit with any person on the offender's Visitors List.

## 5.5 Contact Visitation Suspension

Disciplinary Process - Contact visitation is a privilege granted to offenders based on positive institutional behavior and is subject to suspension either through the unit disciplinary process as a result of institutional rule violations or administratively suspended or denied for safety and/or security.

- Length of Contact Visitation Suspension Resulting from Disciplinary Convictions:
  - (1) Minor Disciplinary Hearings: Offenders who are eligible for contact visits and found guilty of minor disciplinary violations by a Minor Hearing Officer may have contact visitation privileges suspended for a minimum of one (1) visit or a maximum of two (2) months from the date of conviction. Offenders whose contact visitation privileges are suspended shall continue to be eligible for a general visit.
  - (2) Major Disciplinary Hearings: Offenders who are eligible for contact visits and found guilty of disciplinary violations by a Disciplinary Hearing Officer (DHO) through the major disciplinary hearing process, may have contact visitation privileges suspended for a minimum of one (1) visit or a maximum of four (4) months from the date of conviction. Suspension of contact visits need not be assessed by a DHO in those cases where offenders are in custody levels that are not eligible for contact visits (see Section II.B). These offenders are automatically ineligible for contact visitation until such time as the offender again satisfies the eligibility criteria.
- Offenders whose contact visitation privileges are suspended shall continue to be eligible for a general visit (unless housed in solitary confinement) or as otherwise provided herein.

NOTE: Suspension of contact visitation privileges does not, in and of itself, constitute a major punishment (e.g., a punishment which would result in the disciplinary infraction being classified as a major violation).

- (3) When disposition through the unit disciplinary process includes suspension of contact visitation privileges, the Minor Hearing Officer (minor hearings only) or DHO (major or minor hearings) shall document the date the suspension shall end on the offender's I-47MA/MI, Disciplinary Hearing Record form.

## **5.6 Administrative Suspension**

- a. Contact visitation privileges may be administratively suspended by the UCC upon the determination that contact visits for the offender would be detrimental to the safety or security of other offenders, staff or the unit. The reasons for making this determination shall be documented in the UCC docket as well as the offender's unit file. The administrative denial code ("VS") shall be entered in the Mainframe as soon as possible.
- b. Reinstatement of contact visitation privileges are determined by the UCC.

## **6.0 SPECIAL VISITS**

- 6.1 The Warden or designee may permit special visits (contact or general) or authorize special conditions for visits outside of the ordinary course of established visitation rules. The Warden may delegate authority to review and approve special visits to a designee (i.e., Duty Warden, Assistant Warden, Building Major or the UCC). Visitors requesting a special visit shall submit the request in writing or via telephone or e-mail, for applicable units, to the Warden or designee. Offenders requesting a special visit shall submit the request in writing to the Warden or designee. The Warden or designee shall review the request and notify the requestor of the denial or approval of the special visit.

## **6.2 Traveling over 300 Miles**

In those circumstances when the offender has no prior notice of the special visit (e.g., family travels over 300 miles to see the offender without notifying the offender of the visit), the Duty Warden shall have the authority to approve or deny the request based on the Duty's Warden's assessment of the individual circumstances of the request.

Long Distance Traveled - Permission for visits of a maximum of four (4) hours may be obtained through the Warden or designee for visitors whose residence is 300 or more miles (as indicated by the Texas State Mileage Guide) in distance (one-way) from the offender's unit of assignment. A total of eight (8) hours visiting with a maximum of four (4) hours per day on two (2) consecutive days may be permitted. Such visits may be scheduled during the week by special arrangement. Only one (1) special extended visit may be held each month. Permission for an extended visit due to distance traveled shall not usually be granted if the visitor has visited more than once in the past month.

## **6.3 Spiritual Advisors**

Permission for visits with spiritual advisors who are not listed on the offender's Visitors List may be obtained from the Warden. Spiritual advisors must provide one (1) of the following forms of identification in order to obtain permission to visit pursuant to AD-07.30, "Procedures for Religious Programming":

1. Minister ID card supplied by the authorizing denomination or religious group;

2. License or Ordination certificate;
3. Official letter from an organized religious body or congregation indicating the status of the letter holder as an official representative of the religious body or congregation; or
4. A current listing as a clergy person in an official listing of ministers/ clergies from an organized religious body.

Guidelines for ministerial/spiritual visits for offenders on death row are outlined in the *TDCJ Death Row Plan*.

#### **6.4 Prospective Employers**

Permission for visits with prospective employers who are not listed on the offender's Visitors List may be obtained from the Warden. Prospective employers must provide identification in order to obtain permission to visit. The required identification is a standard picture ID as previously described in this plan, and proof that the individual represents a viable business (e.g., company letterhead, business card or letter from the company's headquarters or human resources department).

#### **6.5 Seriously/Critically Ill List**

Seriously ill or critically ill are medical conditions determined by a licensed-physician. Critically ill is the gravest condition, when death is an acute concern. Seriously ill is also a grave condition, but there is more of a chance that the patient may recover than there is with the critically ill status. The determination of the status of an offender is to be made by a physician only and not based on the assumptions of correctional staff.

- TDCJ Units - Offenders who are placed on the Seriously/Critically Ill List by a licensed physician, to include offender/patients listed as non-ambulatory, are allowed to receive visitors in the unit infirmary or medical department at the Warden's discretion with the presiding physician's medical consensus. The presiding physician shall make the determination regarding the offender's ability to receive visitors. The Warden may provide alternate means for visiting these offenders on a case-by-case basis (e.g., scheduling a visit during the week by special arrangement).
- Free-World Hospitals - If the offender is in a free-world hospital, visitation usually does not take place. However, in exceptional circumstances, family visitation may take place as considered appropriate by the Warden, Chaplain and free-world hospital administration. Factors taken into consideration shall include the seriousness of the illness (as determined by the presiding physician), security needs and the hospital's physical structure or location.

- Hospital Galveston - Seriously or critically ill offenders are allowed visits seven (7) days a week at Hospital Galveston. The determination of whether an offender is seriously or critically ill is determined by the presiding physician.

## 6.6 Hospice Offenders

All visits shall be coordinated through the Chaplaincy Department and shall meet the approval of both the Warden or designee and unit medical staff. Visitation may occur seven (7) days a week, generally between the hours of 8:00 a.m. and 5:00 p.m. The Warden shall have final authority over visitation within the Hospice Program.

### 6.6.1 Infirmary

- (1) Visitors entering the infirmary must be immediate family members or on the offender's Visitors List.
- (2) Visiting children must be immediate family members. Children 15 years of age and younger shall visit in the regular visitation area. Only individuals 16 years old and older shall be permitted to go into the infirmary to visit at the Warden's discretion.
- (3) A maximum of four (4) adults at a time shall be permitted to visit an offender in the infirmary.
- (4) Exceptions can be made due to the deterioration of the offender's health at the Warden's discretion.

### 6.6.2 General Visitation Area

- (1) Offenders whose health condition permits may receive visits in the existing visitation area.
- (2) Offenders receiving visits in the existing visiting area may visit with anyone on the offender's Visitors List.
- (3) All other visitation issues shall be in accordance Agency policies.

### 6.6.3 Visits Between Offenders (Non-Legal)

Permission for special, non-legal visits between offenders may be granted under the conditions outlined below. Final approval from the State Classification Committee (SCC) shall be obtained in those cases where the offenders are assigned to different units and approval of the visit necessitates a temporary unit transfer.

### 6.6.4 Eligibility Criteria

Offenders must meet the following criteria in order to be approved for a visit with another offender.

- (1) The offenders must be related by blood or marriage;
- (2) Both offenders must have been in the TDCJ for a minimum of six (6) months and have demonstrated satisfactory institutional adjustment (i.e., no major disciplinary cases for six [6] months);
- (3) Each offender must be listed on the other offender's Visitors List;
- (4) The offenders must not have had a non-legal visit with another offender in the TDCJ within the last 12 months; and
- (5) Visits between institutional and state jail offenders shall not be permitted.

#### 6.6.5 Approval Process

- (1) An offender shall submit a written request to the Warden to obtain approval for a visit with another offender. If approved, the Warden shall forward the request to the Warden of the offender to be visited via e-mail.
- (2) If both Wardens approve the visit, the request shall be submitted to the SCC via e-mail for review. If approved, the SCC shall schedule the visit and notify the Wardens involved. If the visit is denied, the SCC shall return the request to the unit via e-mail. Offenders may appeal such denials through the Offender Grievance Procedure or the DRC.

### 6.7. Current/Former TDCJ Employee Visits

Current/former employees may be included on an offender's Visitors List if the following conditions exist:

- The relationship between the offender and the current/former employee or between the current/former employee's spouse and offender was established prior to the offender's incarceration;
- The current/former employee reported the relationship to Agency officials in accordance with PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees"; and
- The current/former employee is an immediate family member.
- If a former employee does not meet all of the above three (3) criteria, the former employee shall not be allowed to visit for 24 months after the employee's

date of separation from employment with the Agency. After expiration of the 24-month time period, the former employee may be reviewed for visitation privileges by the DRC. The offender must submit RO-1, Request for Placement on Visitors List and RO-2, Visitation Approval Form-Current/Former TDCJ Employee to request that the former employee be added. Documented security concerns (e.g., the former employee delivered or attempted to deliver contraband to the offender while still an employee or had an inappropriate relationship with the offender while employed) may cause disapproval of the request. If the former employee is approved, the visitor may be added to the list immediately, even if the offender is not eligible for a Visitors List change.

- Any offender requesting to add a current/former employee shall submit new RO-1, Request for Placement on Visitors List and RO-2, Visitation Approval Form - Current/Former TDCJ Employee to the unit Records Office. Those current/former employees falling within the criteria established above shall be reviewed by the Warden. Appropriate documentation and computer coding shall be completed on the unit. Those individuals not meeting the established guidelines may be reviewed (after the 24-month time period) by the Warden and sent for consideration to the DRC. There shall be no initial reviews of individuals who do not meet the three (3) criteria or the 24-month time period. Any approvals for visitation after the 24-month time period shall be made on an individual basis by the DRC. Offenders shall be notified of approval or denial of these submissions. Offenders may use the Offender Grievance Procedures or the DRC to appeal any denial. Anyone removed from a Visitors List may appeal through the DRC.

## **6.8. Attorney Visits**

Offender visits with attorneys shall be governed by BP-03.81, “Offender Access to the Courts, Counsel, and Public Officials Rules.”

## **6.9 Legal Visits Between Offenders**

In accordance with BP-03.81, “Offender Access to the Courts, Counsel, and Public Officials Rules,” offenders shall be permitted to assist or advise each other on all legal matters.