NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE Pursuant to NH RSA 21-H:8 (III) Internal Practices and Procedures	CHAPTER Resident Programming STATEMENT NUMBER 305
SUBJECT: **VISITING POLICY** PROPONENT: Joanne Fortier, Warden *Name/Title* NHCFW 271-5605 *Office* *Phone #*	EFFECTIVE DATE 02/21/2020 REVIEW DATE 02/21/2022 SUPERSEDES PPD# 7.09 & 5.78 DATED 02/12/13
ISSUING OFFICER: *Helen E. Hanks, Commissioner*	DIRECTOR'S INITIALS: _____ DATE _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

(a) PURPOSE:
To establish a policy and procedures for facilitating a safe, secure, orderly, manageable and pleasant visitation process for residents with their family members and friends; with "official" visitors and for approved visits with other people for conducting legal counsel, religious counsel, etc.; and to implement COR 305.02 and COR 306.04 of the NH Code of Administrative Rules, (Attachment 1). This policy and procedures are also intended to help with fostering relationships with family and community volunteers that improve the opportunities for residents to successfully reintegrate into the community.

(b) APPLICABILITY:
To all residents, staff, and visitors at Department of corrections' facilities.

(c) POLICY:
Visitation is a privilege. It is the policy of the NH Department of corrections to provide the time and space for visitations with residents in order to support and maintain relationships with significant people in their lives. This policy is intended to be no more restrictive toward visitors than is necessary for the security of the visitation, the welfare of residents and staff, and to exclude contraband.

(d) PROCEDURE:

(1) Authorized Visits.

a. Each resident shall be authorized a minimum of one visit weekly. Visits from attorneys, clergy and other "official" visitors shall not be counted against this quota. Official visitors are any government or social service agency personnel visiting within the scope of their official duties. Visits shall not be allowed for residents is in their reception period or under quarantine status, except as approved in advance by the Warden for bonafide family emergencies.
b. Female residents who give birth shall be authorized two additional visits per week with the newborn for eight months post-delivery. The visitor with the newborn and the resident must meet all other criteria set forth in this policy. Visits are contingent upon the facility's ability to accommodate the visit.

(2) Authorized Visitors.

All visitors shall be vetted through an approval process. All residents shall be authorized an unlimited number of family members on their visiting list. Immediate family members include those recognized in COR 305.02 (h). All potential visitors shall undergo a criminal records check. All residents shall provide a criminal records release authorization form (attachment 3) to all potential visitors 18 years of age or older. A visitor shall not be added to an approved visiting list until the criminal release authorization form has been completed, notarized, and a background check has been conducted. The resident shall attach the completed criminal record release authorization form to the resident visitor request slip.

a. A maximum of 20 visitors outside the immediate family shall be approved to visit.
b. Visitors removed from any visiting list shall be removed immediately and cannot be added to another person's visiting list for a period of 12-months from the date of the removal.

(3) Visiting Hours.

Visiting schedules shall be available on the NH DOC web site, through the visiting control room and posted in each unit. Attorneys may visit regardless of a resident's shift, during the residents regularly scheduled visiting times, or during an approved special visit. Clergy may visit on a resident's off shift only, during their regularly scheduled visiting times, or during an approved special visit.

(4) Community Corrections / Transitional Housing Units (THU) and Transitional Work Center (TWC).

a. TWC and THU residents shall be authorized to have visits with approved visitors as outlined in the resident handbook. Visits shall not interfere with work, meetings, programming or house job responsibilities. Residents shall only participate in curfews, outings and approved absences with those persons on their approved visiting list.
b. TWC and THU residents who while residing in the prison have had their visiting privileges suspended will have their visiting privileges re-instated while residing at TWC or a THU. This exception is in effect only while the resident is residing at TWC or a THU. Should a resident be returned to the prison from TWC or a THU, their visiting restrictions will revert back to the status they were prior to their arrival at TWC or a THU.
c. The Director of Community Corrections may establish additional visitation privileges at the TWC and the THUs to further re-entry efforts (e.g. food at facility visitations, resident home visits, etc.)

(5) Disciplinary Confinement.

Disciplinary confinement is a period of time when all privileges are restricted because of a specific infraction of the rules. All residents who are in disciplinary confinement shall not be allowed visitors. It is the resident's responsibility to notify prospective visitors when they are in disciplinary confinement and that the resident is not permitted to have visitors while in this status.

(6) Hospital Patients.

When residents are admitted to hospitals outside of the DOC facilities or to a DOC Health Care Center, visits normally are curtailed or restricted for medical or security reasons. Visitation privileges may be granted with approval of the Warden/Director:

a. Visitors shall not visit residents hospitalized in the community unless the resident is affected with a life threatening illness or injury as verified by the treating physician. All approvals shall be accomplished in writing with copies to the hospital administrator and hospital security.
b. Shift Commanders may grant visits for residents who are patients at the DOC Health Care Center after consultation with medical staff. Visits will take place in the visiting room unless visits in the Health Care Center are arranged and mandated by the health care staff.

(7) Official Visitors.

a. Official visitors (of or related to and representing at the visit a governmental office, post of authority, non-profit organization or other visitor approved by the warden/designee) shall be subject to the same approval process, rules and regulations as the resident's regular visitors except:

1. The visit will not be counted against the incarcerated resident's allocation of visits.
2. Background investigations may be waived for government entities with the approval of the chief of security.

b. All official visitors will be subject to the same rules and regulations as regular visitors. The following procedures for business visitors will apply:

1. All official visitors shall enter through the designated entrance at each facility. All visitors shall sign the visitor's log and shall be issued a visitor's badge to be worn on the left breast area of the outer garment.
2. A picture identification (IDs need not be current) for the visitor and the name of the resident to be visited will be given to the officer on duty.
3. The responsible staff member will escort all visitors while inside the secure perimeter.

(8) All Residents Eligibility to Have Visits

a. The resident must be free of any bans on visiting.
b. The resident must not be in disciplinary confinement.
c. The visit requested shall be authorized only during those times established for the resident's visiting.
d. All resident shall only be allowed visits from approved persons on their visiting list.
e. All residents on precautionary watches or in pending administrative review (PAR) status shall receive the approval of the warden or director of the facility to be allowed contact or non-contact visits.

(9) Visiting Lists

a. During the intake process, the resident's assigned correctional counselors/case manager (CC/CM) shall utilize the Visitation Checklist and Routing Sheet (Attachment 6) to initiate the process to review any potential safety and security concerns relating to potential visitors. The Visitation Checklist and Routing Sheet shall incorporate case-specific information from CC/CM, sex offender treatment team, and victim services. The Visitation Checklist and Routing Sheet shall be completed by the assigned CC/CM within 30 days of the initial intake and forwarded to victim services. Victim services shall send the completed form with recommendations to the warden/director within 7 days. The warden/director will make final determination for approval after review of information presented and forward to visiting room processing staff.

b. All residents shall request that a prospective visitor be placed on the approved visitor list. The resident shall request their prospective adult visitors complete the appropriate paperwork consistent with their visitor request. The prospective adult visitor/responsible adult shall return the form to the resident who is requesting the visitor via US Mail. The resident shall then attach the form to the Visitor Request Slip for processing.

1. As part of the visitor approval process, each prospective visitor must provide their full name, address, phone number, date of birth and identifying number (driver's license number, military ID number, state non-driver ID number, passport number). The resident who is requesting the visitor must certify that no court or parole board has ordered that the resident refrain from contact with any of those prospective visitors.
2. Children under 18 will only be required to furnish their date of birth.
3. A visitor cannot appear on more than one approved visitor list unless those residents are related to each other and the visitor falls under the immediate family definition in COR 305.02 (h) and

grandchildren.

c. Approval for Minor Visitors: In accordance with the New Hampshire Code of Administrative Rules, COR 305.02 Sections (k) & (l), children under 18 shall not be permitted to visit unless accompanied by an adult who shall be a family member, guardian, or other person who shall demonstrate in writing that the minor has permission to visit from an adult who is responsible for the child by completing *Attachment 5 Notarized Permission for Minor Children to Visit an Individual Under the Care and Custody of the NHDOC.* .

1. DOC shall utilize a specific process to approve minor visitors in an effort to ensure safety, security and the well-being of the child. Residents who are incarcerated for crimes committed against children or have a history of crimes against children, may have visiting privileges with children denied or further restricted.
   a. For children under the age of 18, special attention shall be given to verify this information, including clearance by the victim services unit. This review will be completed and verified prior to approval.
   b. Residents who have legal restrictions regarding visits with minors that require direct supervision of the visit shall make arrangements to provide for an appropriate person or trained chaperone to be present during the visit. Visiting room staff shall not be used for the purpose of providing the required direct supervision of said minor children.
   c. For residents with family court orders specifically addressing visitation with a minor child/children in the presence of an authorized person shall be permitted visitation upon the approval of the warden/director.
      i. "Authorized person" for the purpose of this section refers to a person approved by the court, or by agreement of the parents and/or the provider, to be present during the visits (*See Attachment 5 - Notarized Permission for Minor Children to Visit and Individual under the Care and Custody of the New Hampshire Department of Corrections)*
      ii. The court order must be provided to and verified by victim services and stored in the ECR.
2. The DOC may recommend that an adult accompanying the minor complete a sex offender treatment chaperone training program, in the interest of:
   a. Increasing safety and security of the child;
   b. Ensuring that the offender and child have healthy contact; and
   c. Program completion promotes successful and safe reintegration into the community.
3. Victim services shall review documentation of completed chaperone training. This may include speaking with the community sexual offender treatment provider. Paperwork regarding the completion of a certified chaperone program shall be kept in client records and noted in the ECR under Alerts/Concerns.
3. Once a decision is made either approving or denying visitation with minors, the resident shall be notified of the decision and the decision will be noted in the ECR. The resident shall have the opportunity to appeal the decision to restrict visitation privileges through the grievance process.

(10) Approval for Adult Visitors: The warden/director shall consider the criminal history of each potential visitor and shall evaluate the risk to the institution in the decision to approve or deny visitors with a criminal history older than five years. Consideration shall be given based on frequency of crime, propensity for violence, likelihood to introduce contraband, and/or pose an articulable risk to the institution.

a. Potential visitors with criminal records shall be restricted from visiting as follows:

1. Potential visitors with criminal records involving felony drug offenses within the last 5 years from the date of conviction shall not be allowed to visit;
2. Potential visitors with criminal records involving a drug offense violation within the last 5 years from the date of conviction shall not be allowed to visit;
3. Potential visitors with pending drug related offenses shall not be allowed to visit;
4. Potential visitors with a criminal history that resulted in confinement to a correctional

facility for any offense shall not be allowed to visit for 5 years of the date of the release from confinement regardless of the duration of the confinement;

5. Potential visitors with any criminal record for non-drug related offenses within one year from the date of the most recent criminal conviction shall not be permitted to visit; and
6. Potential visitors who are on probation or parole shall not be granted visiting privileges without the written recommendation of the supervising probation or parole officer and the written approval of the warden of the facility. Consideration shall be given for immediate family members only. The potential visitor shall request permission in writing, and approval shall be given unless either party can articulate a reason not to grant the approval, such as the approval will put institutional security at risk and by what means.
7. Current or former employees of the NHDOC or any other confinement facility may visit incarcerated immediate family members upon written request and approval by the Warden/Director/designee of the institution housing the PUDC.

b. The visitor shall be given a copy of the Guidelines for Visitation upon request.
c. The behavior of visitors under the age of 18 is the joint responsibility of the resident and visitor, and visits shall be terminated if children are allowed to misbehave or become out of control. Although children shall be allowed in the visiting room, no toys are allowed. Empty, clear, plastic, baby bottles and a sealed package of formula shall be permitted.
d. No item whatsoever shall be passed to or from the resident and the visitor. Legal material is exempt during attorney visits as noted in section L. If advance approval has been obtained, approved items may be exchanged by handing them first to the visiting room officer for inspection.
e. Visitors should dress appropriately and consistent with this policy when visiting so as not to distract from the family atmosphere in the visiting room. Clothing similar in appearance to the clothing worn by residents is prohibited. No one wearing provocative or revealing clothing shall be allowed access to the visiting room. Good judgment and consistency of enforcement are the rule. Clothing that promotes sex, drugs, alcohol or violence shall not be allowed.
f. The resident is responsible for providing the prospective visitors with information regarding the day and time they are allowed to receive visits.
g. The resident shall receive a copy of "The Visitor's Guide" during the intake process at the institution. A copy of this guide may be sent to prospective visitors by the resident after they have been officially added to their visitor list.
h. Any articulable risk to the security of the facility and/or safety of the DOC staff, residents and/or visitors shall cause a visitor's privilege to be immediately revoked and it shall continue until the warden/director of the facility restores the visiting privilege to that person.

(10) <u>Processing Visits</u>

1. The attending officer shall verify each potential visitor with the list of approved visitors.
2. In addition, during weekday visiting, the attending officer shall verify that the resident to be visited is on their off-duty shift.
3. The visitor shall present and surrender a valid form of photographic ID (current or expired) to the officer for the duration of the visit. Acceptable forms of photographic identification shall include:
   a. Driver's license issued by any US state or territory;
   b. Non-driver ID issued by any US state or territory:
   c. US military ID; or
   d. Passport issued by any country.
4. Visitors under the age of 18 shall be required to present a valid photographic ID (current or expired) or a valid birth certificate to the officer for the duration of the visit. If the minor is accompanied by an adult person other than the parent or guardian, the adult person shall be required to produce a notarized letter from the parent or guardian authorizing the minor to visit at the prison.
5. All residents shall be required to reprocess a visitor who was originally a minor under the age of 18,

once they become an adult upon reaching the age of 18.

6. The visitor shall secure all items not allowed in the visiting room in their vehicle or in a waiting room locker (where available). The visitor shall assume all risk and responsibility for items left in their vehicle or in a locker.
7. The attending officer shall clear the visitor for entry by one of the following procedures:
   a. Checked and cleared by metal detection equipment; or
   b. Physical search of a visitor's person by two or more officers of the same gender as the person being searched.
8. Visitors shall be admitted on a first-come-first-served basis. A maximum of three adult visitors may visit a resident during any one visiting session.

(11) Special Visits

Special visits shall be granted for infrequent visitors that do not warrant being on the visiting list of the resident. The special visit must occur during the designated visiting schedule of the resident unless extenuating circumstances warrant an exception. The Warden/Director/designee may also grant special visits when one or more of the following circumstances exist:

1. Emergency family matters when the normal visit quota has been exhausted.
2. Visits of a highly compassionate nature that does not meet other visiting criteria.
3. Visits involving visitors who, due to extreme distance (a radius of 300 miles or more) or other hardship, cannot meet visiting schedule constraints.
4. Visits with a visitor not appearing on the resident's approved visitor list whose appearance could not have otherwise been planned or expected and where approval would be deemed in the interests of the resident and the institution.

(12) Attorneys and Clergy

1. Visits from verified members of the clergy and verified attorneys involved with the legal affairs of a resident shall be admitted without regard to visiting lists and shall not be counted against a resident's visit quota. Clergy shall be verified through the chaplain's office and attorneys shall be verified by the use of the NH Bar Association membership book or by presentation of the attorney's state bar association identification/membership card.
2. Clergy must complete an Official Visitor Registration (Attachment 2) to assure that the required background screening is completed prior to visiting and must visit during the resident's designated visiting schedule.
3. Approved clergy and volunteers who resign or are terminated cannot be added to any other visiting list for a period of 3-months from the actual date of resignation or termination. Exceptions may be considered for immediate family members of a newly admitted resident.
4. Attorneys wishing to visit a resident in quarantine status housed in R&D or SHU at the NHSP/M and all residents housed at NCF and the NHCF/Women must have requested an appointment 24 hours in advance. R&D residents that have been medically cleared and that have completed the intake process shall have regular access to the visiting room.
5. Attorneys may give inspected legal material to the resident during the visit. Residents may bring a reasonable amount of inspected legal material into the visiting room.
6. Clergy and attorneys in their official capacity shall be allowed to visit wearing professional attire to include the following:
   a. Suit, Sport Coat, Blazer;
   b. Jacket (that is part of the individual's outfit, but does not include a jacket/coat designed specifically for outdoor wear);
   c. Sweater. In addition, it can also be worn under a jacket, suit or sport coat, or blazer;
   d. Skirt, Dress, (with or without "kick pleats" (short slits intended solely for freedom of movement)) and Dress Pants; or
   e. Sleeveless Blouse may be worn under a jacket, suit or sport coat, or blazer provided that the jacket, suit or sport coat, or blazer is worn throughout the visit.

7. Clergy and attorneys are **prohibited** from wearing the following:
   a. See-through clothing of any kind;
   b. Skirt, dress, or shorts that are two inches or more above the knee when standing;
   c. Low-cut sweater, blouse, or shirt that exposes any level of cleavage or breast area; tank top, halter top, or tube top;
   d. Blouses or shirt too short to tuck in and/or that expose the midriff;
   e. Tight-fitting athletic type clothing;
   f. Long or short legged: Spandex outerwear, stirrup, sweat, yoga, or swish pants;
   g. Hat, headband, and/or hooded clothing. No hooded garments, including but not limited to, sweater, sweatshirt, and long-sleeved T-shirt will be allowed in the visiting room;
   h. Zippered shirt, sweater, sweatshirt, or long-sleeve T-shirt;
   i. Outdoor jacket;
   j. Shawl, scarf, wrap or loose open over-shirt;
   k. Clothes with holes, rips, and/or tears (clothing must be completely intact);
   l. Clothing with pockets torn out or torn to allow access beneath the garment;
   m. Sleeveless garments;
   n. "Farmer jeans" overalls;
   o. Any clothing which could be mistaken for inmate clothing;
   p. Military clothing (actual uniform or look-alike);
   q. Clothing which closely resembles uniforms (Correctional Officer, Police, Sheriff, Marshal, etc.);
   r. Nursing uniform (scrubs);
   s. Metal hair ornaments, or
   t. Clothing that displays gang affiliation or gang culture, clothing that is obscene, racist, or displaying sexual content, alcohol or drugs.
8. The visiting room officer shall use reasonable judgment in determining whether an article of clothing is prohibited. The officer may defer to the shift commander for a final decision if needed.
9. Clergy and attorneys visiting a resident in their official capacity whose attire does not comply with this policy shall be notified of the violation to be corrected for future visits. The shift commander shall be notified and shall respond to view the violation to determine if the clergy or attorney will be allowed to proceed to meet with their client. The shift commander shall only deny a visit when in their opinion the violation of the policy is of a most extreme nature. A report shall be made of the violation and forwarded to the warden/director of the facility.
10. Clergy and attorneys who are visiting a resident as a visitor and not in their official capacity must comply with the restrictions intended for all visitors.
11. Any request for a religious accommodation for a prohibited item must be made in advance of the visit to the warden of the facility.

(13) Media Visits

Members of the media may visit residents with approval from the departmental Public Information Officer and the warden/designee of the facility. Such individuals need not be on the visiting list of that resident. See PPD 1053 for complete rules and procedures for media visits.

(14) Conduct

1. Visitation is a privilege and not a right, and violation of rules may result in termination of the visit, loss of the visiting privileges of resident, banning of the visitor from entering the institution or its grounds and/or criminal charges as circumstances warrant. All residents and their visitors shall comply with the following:
   a. The instructions and requests of the visiting room officer(s).
   b. Unauthorized items may not be brought to the visiting room by either party.
   c. The following items are allowed:
      (1) Health aids required for the well-being of the visitor e.g. oxygen tank or wheel chair;

(2) Handkerchief;

(3) Any medication deemed necessary for the health of the visitor during the visit must be submitted for inspection and approval prior to admission to the visiting room.

(4) Religious material to be used during the visit by members of the clergy or by visiting volunteers shall be donated in advance of the visit to the institution chaplain who will review and inspect the material. The institutional chaplain, after approving the donated material, will add the material to the visiting room library. Clergy and visiting volunteers shall not be allowed to bring any book and/or material item/s into the visiting room. Donated items shall become the property of the NHDOC and shall not be returned. The Department shall not be responsible for the replacement of any lost, stolen, or damaged material. The Department shall retain the right and authority to remove any material from the visiting room library at any time.

d. No forms of visitor identification are allowed inside the visiting room.

e. Physical contact and displays of affection shall be kept within bounds of decorum with hugging only allowed at start and end of a visit for 3 seconds or less. Holding hands in plain view shall be allowed during the visit. Physical contact with children under 18 years of age is permitted in accordance with COR 305.02 (q) (1).

f. Loud and boisterous behavior is forbidden.

g. Abusive, obscene, or vulgar language or disruptive behavior on the part of adults or children is forbidden and shall result in termination of the visit.

h. Management by the visitor of the behavior of minor children must preserve an atmosphere conducive to the visiting of others.

i. No smoking or tobacco products are allowed on prison grounds.

j. All visitors shall be logged into the visitor's section of the resident in the ECR.

k. Refusal to follow the instructions of the officer in charge of visiting shall result in the termination of the visit.

2. Any time a visit is terminated for cause or admittance is denied, a written report of the circumstances will be submitted to the shift commander by the end of the shift.

(15) <u>Security</u>

1. Everyone on prison grounds, regardless of whether they are residents, visitors, staff, or anyone defined in some other category, are subject to search without warning of their vehicles, possessions and persons. This is necessary to prevent the introduction of weapons, ammunition, explosives, alcohol, escape devices, drugs, drug paraphernalia, tobacco, or other forbidden items or contraband into the prison environment.

2. Visitors wearing religious headwear shall allow an officer to perform a security screening of the individual and their headwear and/or facial covering according to the procedures outlined by this policy.

a. For routine security screening and identification purposes, a visitor shall be required to temporarily remove their religious headwear, including a facial covering, before being admitted into the visiting room.

b. The staff member assigned to complete this task will be of the same gender as the visitor. Residents shall notify staff that a visitor wearing religious headwear and/or facial covering will be arriving to visit with them at least 48 hours prior to the visiting time to allow staff to make arrangements for a staff member of the same gender to be present for the security screening.

c. The removal of the religious headwear and/or facial covering shall be completed in a private area to prevent the visitor from being seen by other visitors and staff when they are removing their religious headwear and/or facial covering.

d. While the visitor is holding their headwear and/or facial covering, the staff member shall visually inspect the headwear and/or facial covering without touching the items.

e. If no contraband or suspected contraband is detected by the staff member, the visitor shall be permitted to place their religious headwear and/or facial covering back on their person and return to the visitor processing area.

f. The visitor shall complete the security screening process before entering the visiting room which shall include one or more security screenings and inspections that may incorporate the use of electronic devices, visual searches, pat searches, or search by DOC canine.
g. The visitor shall be allowed to wear their religious headwear and /or facial covering in the visiting room after successfully completing the visitor screening and identification process.
h. If the staff believe it is necessary for security reasons to verify the identity of the visitor wearing religious headwear and/or a facial covering before the visitor departs from the institution, staff shall follow the same procedure outlined in 2 (c) of this section of this policy.
i. In the event that the assigned staff member observes contraband or suspected contraband during their visual inspection of the visitor's religious headwear and/or facial covering, the staff member shall take possession of the contraband or suspected contraband item/s and immediately notify the shift commander.
j. The visitor shall remain in the private area where the visual inspection took place and shall be kept under direct supervision until a decision is made to contact local law enforcement officials for assistance, or the visitor is allowed to leave the institution.
k. The shift commander shall notify the warden/director or designee whenever contraband or suspected contraband is detected in the possession of a visitor attempting to enter the prison facility.

(16) Contraband

DOC promotes a drug free environment. A drug free environment is essential to rehabilitation and a safe institution. New Hampshire Statute RSA 622:24 states: "Regulations: No person shall deliver or procure to be delivered or have in his possession with intent to deliver to a prisoner confined in the State Prison, or deposit or conceal in or about the prison, or in any building or upon any land appurtenant thereto, or in any vehicle entering the premises belonging to the prison, any article with intent that a prisoner shall receive or obtain it, or receive from a prisoner any article contrary to the rules and regulations established by the Commissioner of Corrections and without the knowledge and permission of the Commissioner of Corrections." DOC will seek criminal prosecution of those violating this statute. If it is determined that a particular visitor brought contraband into the prison, that visitor may be barred in accordance with COR 305.04 and prosecuted in accordance with RSA 622:24.

(17) Non-Contact Visits

1. Any resident who has been classified as C5 or who is housed in the Special Housing Unit (SHU) shall only be allowed non-contact visits subject to the non-contact visiting rules outlined in this section. Residents who are not classified as C5 inmates but are housed in SHU shall be allowed contact visits upon the expressed approval of the Warden of the facility.
2. The Warden/Director may place a visitor on a non-contact visitation status for the safe and secure operation of the institution. Visitors placed on non-contact visitation status may have their status reviewed every six months.
   Any resident who pleads guilty or has been found guilty of a disciplinary report for one or more of the following reasons will be subject to non-contact visits or loss of visitation privileges:
   a. Having an illicit substance (and/or alcohol at a concentration above .04) in the blood, breath or urine (AHC, C1, C2 & C3 only) (29.2B)
   b. Possession of any drug or drug paraphernalia. (27A);
   c. Producing a positive or adulterated urine sample. (30A or 30.1A);
   d. Refusal or substantial delay to provide a urine sample. (30A);
   e. Introduction of contraband into the institution. (76A); or
   f. Any major rule violation that occurs in the visitation area.
3. Non-contact visits may be modified or suspended dependent upon the level of the resident's compliance and participation with the programming and treatment services offered under the Drug Use Management Policy (PPD 360).
4. After disciplinary sanctions restricting all visitations (initial 30-day period) are complete, non-contact

visits shall be in effect for a one year period. Non-contact visits with immediate family members shall be scheduled in advance by sending a request slip to the visiting room OIC at least one week in advance. Visits shall be based on the availability of the non-contact area and these visits shall be conducted on the resident's unit's scheduled visiting days only. Exceptions may be permitted with the Shift Commander's approval. Each resident shall be permitted one visit a week pending approval of request slips and visitors. These visits shall be for a one- hour timeframe and are limited to two approved visitors including children.

5. All other visitors shall be barred for a one year period. After the one-year period is completed, the resident must request in writing to the Warden/Director that regular visits should be reinstated. The reply will be issued within 30 days.
6. Visitors and residents shall follow all policies in effect.
7. The following rules apply to non-contact visits, where applicable:
   a. If the resident or visitor needs to leave for any reason, the visit shall be terminated.
   b. Once a visitor is processed at the front door, they shall be escorted to and from the non-contact area by an officer and shall sit at the assigned numbered table.
   c. Residents will be patted down first, and then escorted from the door of the visiting room to their visit in the non-contact room.
   d. All residents shall be stripped searched after any visit no matter the duration.
   e. When the visit is complete, the visitor will be escorted back.
   f. All non-contact areas shall be searched before and after each visit to inspect for contraband or damage to the area. All residents or visitors shall be held responsible for damage to the area.
   g. The visiting room Officer-in-Charge (OICs) will be responsible for obtaining a list of non-contact visits that day and provide a copy to all officers on duty.
   h. Non-contact visits shall be processed first so that visits will commence in a timely manner.
   i. Visitors for non-contact visits who arrive late by 30 minutes or more regardless of conditions shall not be permitted the visit.
   j. No food or drink shall be allowed in this area at any time.

(18) Marriage.

Weddings/legal civil union ceremonies (PPD 7.13) are part of the visiting program. If the resident has lost visiting privileges through disciplinary actions, the sanction must be served before eligibility for marriage/legal civil union can occur.

(19) Visitors with Service Dogs.

1. A visitor who is otherwise allowed to visit and who has a disability and is using a service dog to perform work or tasks related to the visitor's disability shall be allowed to bring the service dog while on the visit, provided performance of the work or tasks might be needed traveling to and from the visit or during the visit, subject to the following.
2. A service dog is a dog that has been individually trained to do work or perform tasks for an individual with a disability. The work or task(s) performed by the dog must be directly related to the person's disability. Examples of such work or tasks include, but are not limited to, assisting a person who is totally or partially blind with navigation; alerting a person who is deaf or hard of hearing to the presence of people or sounds; pulling a wheelchair; assisting a person during a seizure; and providing physical support and assistance with balance and stability to a person with a mobility disability.
3. A dog whose primary purpose is to deter crime or to provide emotional support, comfort, well-being or companion does not qualify as a service dog for purposes of this policy.
4. In determining whether a dog is a service dog, facility staff may ask the visitor if the dog is required because of the visitor's disability and work or task the dog is trained to perform, unless this information is readily apparent (e.g. a guide dog leading a person whose sight is impaired). Staff may not demand proof or documentation of the visitor's disability or certification that the service dog is trained, although the visitor may provide these voluntary.
5. On the first occasion when a visitor brings a service dog to a visit, prior to allowing the service dog to

be admitted to the visit, staff shall require the visitor to sign the Acknowledgement for Visitors with Service Dogs form, (Attachment 7) acknowledging that the visitor is liable for all injuries or property damage caused by the service dog while on facility property. The signed form shall be maintained in file-hold and an entry shall be made in the ECR noting that the visitor is allowed to bring a service dog to the visit.

6. If the visitor refuses to sign the form, unless there is another reason to not allow the visit, the visitor shall be given the opportunity to visit without the dog, provided that the dog is removed from facility property.
7. A service dog may be excluded from entering or removed from the facility if it is out of control and the visitor does not take effective action to control it; if it is aggressive toward or interferes with staff, other visitors, prisoners, other persons, or other dogs; if it is not housebroken; or if it's behavior otherwise presents a risk of injury or property damage.
8. A service dog may also be excluded from entering the facility based on a past incident of behavior at the facility or another facility that presented a risk of injury or property damage.
9. A determination to remove or exclude a service dog shall be made on an individualized basis and not on assumptions about the animal's behavior or propensities based on its breed or size.
10. If a dog is excluded before a visit begins, either because it is not a service dog or because of its behavior, unless there is another reason to not allow the visit, the visitor shall be given the opportunity to visit without the dog, provided that the dog is removed from facility property.
11. If a service dog is removed during a visit, the visitor shall be required to leave with the service dog and shall not be allowed to return to complete the visit.
12. Neither a service dog nor any dog claimed to be a service dog shall be permitted to be left in a vehicle on facility property under any circumstances.
13. If a dog is excluded or removed from a facility, it shall not be allowed in the facility again unless the visitor requests in writing to the warden, or designee, for the dog to be allowed. An entry shall be made in the resident's ECR noting that the dog is not allowed unless the warden, or designee, grants a request to allow the dog.
14. If the visitor claims that it was wrongly determined that a dog is not a service dog, the warden, or designee, shall consult with the department's representative in the attorney general's office prior to making a decision on the request.
15. If a visitor claims that a service dog was wrongly excluded or removed based on the dog's behavior or for some other reason, the warden, or designee, in his or her complete discretion, shall decide whether the service dog will be allowed in the facility in the future.
16. A service dog allowed to be brought into the facility during a visit shall be on a leash, harness or tether at all times, while on facility property, unless this would interfere with the tasks it performs, in which case it shall be under voice control of the visitor.
17. Facility staff will not provide care for a visitor's service dog. The visitor may not bring in food, water or medication for the service dog. The service dog may not transport carrying bags or other containers or other property unless necessary to the work or task it performs for the visitor.
18. A service dog on its leash, harness, tether, vest or other items shall be required to pass all security searches applicable to visitors. A visitor with a service dog may be separated briefly from the service dog to allow for a search by a local, state police or NH DOC canine unit.

REFERENCES:

<u>Standards for the Administration of Correctional Agencies</u>
Second Edition Standards
2-CO-5D-01

<u>Standards for Adult Correctional Institutions</u>
Fourth Edition Standards
4-4498 <u>thru</u> 4500; 4-4501; 4-4503

<u>Standards for Adult Community Residential Services</u>
Fourth Edition Standards

4-ACRS-5A-17 thru 5A-18; 4-ACRS-5A-23

Standards for Adult Probation and Parole Field Services
Third Edition Standards

Other

NH RSA 622:24
Administrative Rule COR 305.02
Administrative Rule COR 305.03
Administrative Rule COR 305.04
Administrative Rule COR 305.05
Administrative Rule COR 306.01
Administrative Rule COR 306.02
Administrative Rule COR 306.03
Administrative Rule COR 306.04
PPD 7.13 Resident Marriage Request Procedure

KENCH/lb

Cor 305.02 Access to Departmental Facilities for the Purpose of Visiting Persons Under Departmental Control and Patients of the SPU.

(a) Persons confined in departmental facilities may receive visits on a schedule established by their facility.

(b) Visits may be conducted as contact visits, meaning that persons under departmental control or patients of the SPU and visitors sit together.

(c) Non-contact visits shall occur when:

(1) Contact visiting would enhance the likelihood of contraband being introduced; or

(2) The department's investigations bureau or the facility's chief of security has evidence from a credible source that a disruptive incident might occur.

(d) Visits shall be denied or restricted when:

(1) Security or safety is jeopardized; or

(2) When visitation by specific individuals would be detrimental to the behavioral health interests of the person under departmental control or patient of the SPU involved as determined and documented by the SPU behavioral health treatment team or treating psychiatric provider.

(e) Space shall be set aside for attorney visits that provide privacy where attorney-client confidentially can be maintained. Attorney visits shall occur during normal business hours. Attorneys shall not need to be on the person under departmental control or patient of the SPU approved visitors list.

(f) The chief administrator of each facility shall assure that a list of individuals approved to visit each person under departmental control or patient of the SPU is maintained. Attorneys who wish to visit person under departmental control or patient of the SPU in a personal capacity shall be on the person under departmental control or patient of the SPU list of approved visitors. In order to apply for approval for visitation the individual's name, address, telephone number, relationship, and date of birth shall be submitted by the person under departmental control or patient of the SPU for approval. The department shall conduct a national crime information center criminal background check after receipt of a signed and notarized consent form from the proposed visitor pursuant to Cor 303.03. A visitor shall not be listed on more than one approved list of a person under departmental control or patient of the SPU unless he or she is a member of the immediate family of each person under departmental control and patient of the SPU.

(g) There shall be no limit on the number of members of a person under departmental control or patient of the SPU's immediate family who can be approved to visit.

(h) For the purpose of (g) above, immediate family shall include:

(1) Husband;

(2) Wife;

(3) Children, either natural, adoptive or step;

(4) Mother, either natural, adoptive or step;

(5) Father either natural, adoptive or step;

(6) Grandparents either natural, adoptive or step;

(7) Brothers either natural, adoptive or step;

(8) Sisters either natural, adoptive or step;

(9) Aunts;

(10) Uncles;

(11) Brother's spouse;

(12) Sister's spouse;

(13) Legal civil union partners; and

(14) Grandchildren.

(i) A maximum of 20 visitors outside the immediate family shall be approved to visit. At the person under departmental control or patient of the SPU's request these persons shall be taken off the approved list and replaced with another approved visitor. Any such visitor removed from the approved list shall not be placed on any other person under departmental control or patient of the SPU's list of approved visitors for a period of 12 months.

(j) Visitors shall not visit persons under departmental control or patients of the SPU hospitalized in the community unless the person under departmental control or patient of the SPU is affected with a life threatening illness or injury as verified by the treating physician.

(k) Adult visitors shall establish their identity by presenting a photographic identification document, current or expired, issued by a federal, state, or territorial government agency such as a non-driver ID, driver's license, military identification card, passport issued by any country, or similar document. Each visitor shall personally surrender this identification document to the security officer prior to entry into the facility for visiting and shall personally recover the identification document from the officer upon departure from the facility. Children under 18 shall be required to present a valid photographic identification card, current or expired, or a valid birth certificate to visit.

(l) Children under 18 shall not be permitted to visit unless accompanied by an adult who shall be a family member, guardian, or other person who shall produce a notarized letter from the parent or guardian demonstrating in writing that the minor has permission to visit at the prison from an adult who is responsible for the child.

(m) DOC shall utilize a specific process to approve minor visitors in an effort to ensure safety, security and the well-being of the child. Persons under departmental control who are incarcerated for crimes committed against children or have a history of crimes against children, may have visiting privileges with children denied or further restricted.

(n) At intake, the assigned case manager shall utilize the Visitation Checklist and Routing Sheet to initiate the process to approve or deny minor visitors. The Visitation Checklist and Routing Sheet shall incorporate case-specific information from case management, sex offender treatment team, and victim services. The warden shall make the final determination after review of information presented.

(o) Persons under departmental control with family court orders specifically addressing visitation with a minor child in the presence of an authorized person shall be permitted visitation upon the warden's

approval, as follows:

(1) "Authorized person" means a person approved by the court, or by agreement of the parents or the provider, to be present during the visits; and

(2) The court order shall be provided to and verified by victim services and stored in the person under departmental control's electronic record.

(p) The DOC may recommend that an adult accompanying the minor complete a sex offender treatment chaperone training program, in the interest of:

(1) Increasing safety and security of the child;

(2) Ensuring that the offender and child have healthy contact; and

(3) Program completion promotes successful and safe reintegration into the community.

(q) Victim services shall review documentation of completed chaperone training. This may include speaking with the community sex offender treatment provider. Paperwork regarding the completion of a certified chaperone program shall be kept in the person under departmental control's electronic record, and noted in CORIS under Alerts/Concerns.

(r) Once a decision is made either approving or denying visitation with minors, the person under departmental control shall be notified of the decision and the decision shall be noted in CORIS. The person under departmental control shall have the opportunity to appeal the decision to restrict visitation privileges through the grievance process.

(s) All visitors shall consent to a search of their persons, possessions, and vehicle, if the vehicle is on departmental property or remove themselves from departmental property. Visitors shall not introduce anywhere on or within departmental property any items identified as contraband and restricted in Cor 306.01. Visitors shall not introduce items not authorized within the secure confines of a facility. Such items shall be secured in their vehicles or in the small lockers provided outside the visiting room prior to visiting. Visitors found to possess contraband contrary to law shall be reported to law enforcement authorities for possible prosecution and shall be barred from entry in accordance with Cor 305.04.

(t) Each visitor shall obey the orders and instructions furnished by the facility staff. Failure to do so shall result in termination of the visit and possible debarment pursuant to Cor 305.04.

(u) Potential visitors with criminal records shall be restricted from visiting as follows:

(1) Potential visitors with criminal records involving felony drug offenses within the last 5 years from the date of conviction shall not be allowed to visit;

(2) Potential visitors with criminal records involving a drug offense violation within the last 5 years from the date of conviction shall not be allowed to visit;

(3) Potential visitors with pending drug related offenses shall not be allowed to visit;

(4) Potential visitors with a criminal history that resulted in confinement to a correctional facility for any offense shall not be allowed to visit for 5 years of the date of the release from confinement regardless of the duration of the confinement;

(5) Potential visitors with any criminal record for non-drug related offenses within one year from the date of the most recent criminal conviction shall not be permitted to visit; and

(6) Potential visitors who are on probation or parole shall not be granted visiting privileges without the written recommendation of the supervising probation or parole officer and the written approval of the warden of the facility. Consideration shall be given for immediate family members only. The potential visitor shall request permission in writing, and approval shall be given unless either party can articulate a reason not to grant the approval, such as the approval will put institutional security at risk and by what means.

(v) No visitor shall give, convey, or leave any item or thing to a person under departmental control or patient of the SPU without advance approval of the administrator of the facility or his designee.

(w) Each visitor shall conform to the rules regarding visiting in the specific facility visited as follows:

(1) Displays of affection such as hugging, and embracing shall be limited to short durations, 3 seconds or less at the beginning and end of visits. No bodily contact, except for handholding, in sight of the correctional staff observing the visit, shall be permitted during visiting for visitors above the age of 16;

(2) Abusive, obscene, or vulgar language shall not be used on the facility grounds;

(3) Small children shall be restrained from disruptive behavior by the visitor responsible for them;

(4) Disruptive behavior on the part of adults or children shall result in the termination of the visit; and

(5) Refusal to follow instructions of the persons in charge of visiting shall result in the termination of the visit.

(x) Each visitor shall conform to the rules regarding a visitor's attire while visiting in the facility. Clothing not permitted in a visiting room shall be as follows:

(1) Jackets, coats, or outer sweaters;

(2) Garments that expose the breasts, the midriff, the upper thighs, or buttocks or the genitalia;

(3) See-through clothing of any kind;

(4) Low-cut sweaters, blouses and skirts that exposes any level of cleavage or breast area, tank tops, halter tops, or tube tops;

(5) Skirts or dresses with slits longer than 4-inches or shorts with slits;

(6) Skirts, dresses or shorts that are two inches or more above the knee when standing;

(7) Blouses or shirts that are too short to tuck-in or that expose the midriff;

(8) Tight-fitting athletic-type clothing;

(9) Spandex outerwear or, stirrup, sweat, yoga, or swish pants whether long-legged or short-legged;

(10) Hats, headbands or hooded clothing;

(11) Including all shirts, sweaters or long-sleeve t-shirts that have any type of zipper;

(12) Outdoor jackets, including but is not limited to pullover style jackets, sport coats and suit coats;

(13) Shawls, scarves, wraps or loose open over shirts;

(14) Clothing with holes, rips or tears;

(15) Clothing with pockets removed or altered to allow access beneath the garment;

(16) Sleeveless garments;

(17) "Farmer style" overalls;

(18) Any clothing that could be mistaken for inmate clothing;

(19) Military clothing to include actual uniforms and look-alikes;

(20) Clothing which closely resembles correctional officer uniforms or other law-enforcement officials;

(21) Nursing uniforms to include scrubs;

(22) Metal hair ornaments; and

(23) Clothing which displays strategic threat group affiliation or culture, clothing that is obscene, racist, or displaying sexual content , alcohol, or drugs;

(y) Any request for a religious accommodation shall be made in advance of the visit to the warden of the facility;

(z) Children under 10 years of age may be allowed to visit wearing shorts, skirts, or dresses shorter than mid-thigh, rompers, and sleeveless shirts;

(aa) Clergy and attorneys visiting in their official capacity shall be allowed to visit wearing a:

(1) Suit, sport-coat or blazer;

(2) Jacket that is part of the individual's outfit, but does not include a jacket, or coat specifically for outdoor wear;

(3) Sweater which may also be worn under a jacket, suit or sport-coat, or blazer;

(4) Skirt or dress with slits intended solely for freedom of movement, or dress-pant; and

(5) Sleeveless blouse worn under a jacket, suit, sport-coat, or blazer.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 305.03 Prospective Visitor Consent For Background Check Form.

(a) A prospective visitor of a person under departmental control shall supply on the "Prospective Visitor Consent For Background Form" the following information:

(1) The name of the person under departmental control to be visited;

(2) The prospective visitor's first name, last name, and middle initial, to include any alias;

(3) The prospective visitor's address;

(4) The prospective visitor's date of birth;

(5) The prospective visitor's hair color;

(6) The prospective visitor's eye color;

(7) The prospective visitor's sex;

(8) Whether the prospective visitor is currently under probation or parole supervision, and why if applicable;

(9) The prospective visitors driver license number and issuing state;

(10) Whether the prospective visitor is a victim of the person under departmental control to be visited;

(11) Have the form notarized; and

(12) Deliver the form to the respective correctional facility in care of the facility's visiting room.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 305.04 Visitor Requirement to Follow Rules. All visitors who visit, or go on, or cross the grounds of a facility or area under the control of the department shall be subject to the rules established in Cor 305. Failure to follow such rules shall subject the visitor to removal from the grounds, arrest, prosecution or both.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 305.05 Debarment from Departmental Facilities. Visitors or others who fail to follow the rules pertaining to departmental facilities or areas shall be barred from re-entry thereon by the commissioner, or person in charge of the facility or their agent, by notifying them in person or in writing of the debarment, the
reasons therefore, and the duration of the debarment. Persons found to be in violation of the debarment order shall be reported to law enforcement authorities for possible prosecution under the provisions of RSA 635:2, or other appropriate statutes. All debarred persons shall have the right of appeal pursuant to Cor 200.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 305.06 Permission to Re-Enter. Persons desiring to re-enter departmental facilities, once being removed or debarred, shall not re-enter said facilities without filing a complaint pursuant to Cor 200 or requesting the commissioner of corrections or their designee to have the visits restored. The commissioner or designee shall render a written decision based on an assessment of future risks, rehabilitative needs of the person under department control or patient of the SPU, and security of the institution.

Source. (See Revision Note #1 and Revision Note #2 at

PART Cor 306 CONTROL OF CONTRABAND ON DEPARTMENTAL PROPERTY

Cor 306.01 Contraband.

(a) Items identified as contraband shall fall into 2 general categories:

(1) Items not allowed anywhere on departmental property; and

(2) Items not allowed inside departmental facilities that must be secured either in a visitor's vehicle or within a locker available in a visitor reception area.

(b) Contraband items not allowed anywhere on departmental property shall consist of the following:

(1) Any substance or item whose possession is unlawful for the person or the general public possessing it;

(2) Any explosive device, bomb, grenade, dynamite or dynamite cap or detonating device including primers, primer cord, explosive powder, or similar items, or simulations of these items; and

(3) Lock-picking kits or tools or instructions on picking locks, making keys, or making surreptitious entry or exit.

(c) Neither visitors from the general public nor department employees shall be permitted to have in their possession items not allowed anywhere on departmental property.

(d) Contraband not allowed inside departmental facilities shall include the following:

(1) Any firearm, simulated firearm, or device designed to propel or guide a projectile against a person, animal, or target;

(2) Any bullets, cartridges, projectiles, or similar items designed to be projected against a person, animal, or target;

(3) Any drug item, whether medically prescribed or not, in excess of a one day supply or in such quantities that a person would suffer intoxication or illness if the entire available quantity were consumed alone or in combination with other available substances;

(4) Any intoxicating beverages;

(5) Knives and knife-like weapons;

(6) Clubs and club-like weapons;

(7) Maps of the prison vicinity or sketches or drawings or pictorial representations of the facilities, its grounds, or its vicinity;

(8) Sums of money or negotiable instruments in excess of $100;

(9) Pornography or pictures of visitors or prospective visitors undressed;

(10) Radios capable of monitoring or transmitting on the police band in the possession of other than law enforcement officials;

(11) Identification documents, licenses, and credentials not in the possession of the person to whom properly issued;

(12) Ropes, saws, grappling hooks, fishing line, masks, artificial beards or mustaches, cutting wheels, or string, rope, or line impregnated with cutting material, or similar items to facilitate escapes;

(13) Balloons, condoms, false-bottomed containers, or other containers which could be used to facilitate transfer of contraband;

(14) Tobacco products, except those secured in a visitor's locked vehicle; and

(15) Cellphones.

(e) Visitors from the general public shall secure items that are not allowed inside any departmental facility in the visitor's locked vehicle or within a locker available in a visitor reception area.

(f) Departmental employees shall secure items that are not owned or issued by the department and are not allowed inside any departmental facility either in their vehicle or within a locker available in an approved area not in the secure perimeter of departmental facilities.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 306.02 Contraband on Departmental Property Prohibited. The possession, transport, introduction, use, sale or storage of contraband on departmental property shall be prohibited under the provisions of RSA 622:24 and RSA 622:25.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 306.03 Searches and Inspections Authorized.

(a) Any person or possessions on departmental property shall be subject to search to discover contraband. Searches shall be necessary to prevent the introduction of contraband into the facilities by persons under departmental control and to prevent escapes, violence, and situations where violence is likely. Travel onto departmental property shall constitute implied consent to search for contraband pursuant to RSA 622:24-25, and RSA 622:39. In such cases where implied consent exists, the visitor shall be given a choice of either consenting to the search or immediately leaving departmental property. Nothing in Cor 306.03, however, shall prevent non-consensual searches in situations where probable cause exists to believe that the visitor is or has attempted to introduce contraband into a departmental facility pursuant to the laws of New Hampshire concerning search, seizure, and arrest or otherwise authorized by law.

(b) All motor vehicles parked on departmental property shall be locked and have the keys removed. Correctional uniformed staff shall check to ensure that vehicles are locked and shall visually inspect the plain view interiors of the vehicles. Vehicles discovered to be unlocked shall be searched to ensure that no contraband is present. Contraband discovered during searches shall be confiscated as evidence and turned over to law enforcement authorities for use in possible prosecution.

(c) All persons entering departmental facilities to visit with persons under departmental control or patients of the SPU, or staff, or to perform services at the facilities or to tour the facilities shall be subject to having their persons checked for contraband. In order to minimize the scope of such searches, items not needed for the visit such as purses, coats, and other baggage shall be left either in the vehicles or in

the small lockers provided. All items and clothing carried into the institution waiting area shall be searched for contraband. Items left at the storage area shall be subject to inspection and search. Contraband seized shall be retained as evidence and turned over to law enforcement authorities for use in possible prosecution.

(d) Individual employees shall not be searched by a person of lower rank or of the opposite sex without explicit approval of the Commissioner.

(e) When reliable information exists from informants or law enforcement agencies that a visitor is expected to deliver contraband to a person under departmental control, or patient of the SPU, the visitor shall be offered the opportunity to choose to be searched, including a body scan, strip search and a viewing of body cavities, or not to enter the facility. Since such searches are unpleasant and time consuming for all involved, they shall be required only on the authority of the chief of security, chief administrator of the facility, or higher authority on a special need basis where such apparently reliable information clearly mandates the need for contraband exclusion. Such searches shall be accomplished by 2 or more staff members of the same sex as the person to be searched and shall be done out of the public view.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

Cor 306.04 Inspection of Material Subject to Attorney-Client Privilege.

(a) Material the confidentiality of which is protected by attorney-client privilege shall be, nevertheless, subject to some inspection, as outlined below, to ensure the absence of contraband. The interest of persons under departmental control and patients of the SPU and attorneys in maintaining the confidentiality necessary to effectuate legal representation shall be accommodated to the maximum extent possible consistent with the facility's need to ensure internal security.

(b) Prior to entering a departmental facility, all visiting attorneys and other persons designated in writing by the attorney as his or her agent, such as paralegals, law clerks, or private investigators, shall be required to certify in writing that no written or other contraband is contained in any material brought into the facility by the attorney or the attorney's agent.

(c) Prior to entering a departmental facility, all visiting attorneys and other persons designated in writing by the attorney as his or her agent, such as paralegals, law clerks, or private investigators, shall submit their persons and all books, briefcases, folders, files, or other containers of whatever description being carried by them to a search by the appropriate officer.

(d) Prior to any search, the attorney or his or her agent shall designate which materials in his or her possession, if any, are subject to an attorney/client privilege of confidentiality.

(e) The inspecting officer shall search all material except that designated as coming within the scope of attorney/client privilege. Material designated as privileged shall only be inspected in a manner detailed in (f) below and in the immediate presence of the visiting attorney or the attorney's agent.

(f) The inspecting officer shall not scrutinize any material designated as privileged for textual contraband. Rather, the attorney shall place the privileged material or file face down or text side down on a flat surface designated by the officer. The officer shall then by touching or mechanical means inspect the privileged material to ensure the absence of concealed physical contraband other than textual contraband. Such inspection shall include a page-by-page separation of and pat down of the privileged written material provided the inspected material is examined text side down and in the presence of the visiting attorney. The attorney shall ensure that no attempt to read any confidential material occurs, and

shall report any suspected violation to the warden or his or her agent immediately. The warden or his or her agent shall initiate immediate and appropriate administrative action against any officer violating any provision of this rule.

(g) The procedures set out herein pertaining to the inspection of privileged material sought to be introduced into a facility shall also be applicable to privileged material upon departure from the facility.

(h) Inspected legal material may be given to the person under departmental control or patient of the SPU client during the visit.

Source. (See Revision Note #1 and Revision Note #2 at chapter heading for Cor 300) #12502, eff 3-23-18

New Hampshire Department of Corrections

OFFICIAL VISITOR REGISTRATION

PLEASE PRINT - ATTACH STATEMENTS OF EXPLANATION AS NEEDED.
ALLOW 15 BUSINESS DAYS FOR PROCESSING

REQUIRED PERSONAL INFORMATION

STRINGENT PERSONAL DATA CONFIDENIALITY MAINTAINED

GENDER		LEGAL NAME: First Name MI Last Name Suffix	Title
❑ Female ❑ Male	❑ Dr. ❑ Mr. ❑ Mrs. ❑ Ms. ❑ Rev. ❑ _____	Entity that Registrant represents:: House of Worship or Faith Community, Law Office, Social Services or Government Agency- include Name, Office Address, Phone Number:	

NOTICE: All Persons Must Surrender a valid government-issued **Photographic ID** when entering any state correctional facility. Indicate the expected document you will surrender.	❑ Driver License ❑ Agency-issued ID ❑ Passport ❑ Specify Other: _____	Photo ID Identifier Number ID Issuing Authority or Jurisdiction

Emergency Contact Information:	Relationship	Contact Phone

ANSWER EACH QUESTION. FULL DISCLOSURE REQUIRED FOR EACH AFFIRMATIVE ANSWER BELOW; USE ADDITIONAL PAGES AS NEEDED **

EVER CONVICTED OF ANY CRIME?	[ ] NO, [ ] YES
ARE YOU SUBJECT TO ANY ORDER OF THE COURT OR OTHER JUDICIAL AUTHORITY?	[ ] NO, [ ] YES
BEEN INCARCERATED, ON PROBATION OR PAROLE IN PAST 5 YEARS?	[ ] NO, [ ] YES
ARE YOU NOW UNDER CHARGES FOR ANY VIOLATION OF LAW?	[ ] NO, [ ] YES
ANY FAMILY MEMBER A PERSON UNDER CUSTODY WITH THE NH DOC?	[ ] NO, [ ] YES, WHO
ANY HOUSEHOLD RESIDENT UNDER SUPERVISION OF NH DOC?	[ ] NO, [ ] YES, WHO
DURING THE PAST 3 MONTHS, ON ANY OTHER PERSON'S VISITING LIST?	[ ] NO, [ ] YES, WHO
CORRESPOND WITH OR RECEIVE PHONE CALLS WITH ANY INCARCERATED PERSONS	[ ] NO, [ ] YES, WHO

All Persons intending to be on any property of or in contact with a person under department control (PUDC) of the NH DOC are subject to Criminal History Records Review

To verify your identity, maintain criminal offender management standards and assure public safety, furnish all information requested below:

Are You a US Citizen? ____ Yes _____ No If Yes, provide Social Security # _____ ____ _____ If No, provide Alien Registration # _____ Provide Passport # _____	Driver License #_____ State of Issue
Place of Birth	Date of Birth
Any Other Name(s) Ever Known by:	
List any other Address used in past 5 years:	

ALL PERSONS AND VEHICLES ARE SUBJECT TO SEARCH WITHOUT PRIOR WARNING AT NH DEPARTMENT OF CORRECTIONS FACILITIES {RSA 622: 24, 25}

I do hereby certify that all information I have provided the department on this form, and any attachments, is accurate and complete. I agree to abide by all applicable New Hampshire laws, and NH Department of Corrections rules and regulations governing persons within a state correctional facility, especially those policies relating to confidentiality. I hereby authorize a review of and full disclosure of any and all records, including criminal records, concerning myself to any duly authorized agent of the NH Department of Corrections. I also certify that any persons, agencies, or businesses who may furnish such information concerning me shall be held harmless for releasing said information. I understand such review is required before I am allowed to enter/serve at any NH DOC facility and that refusal to provide all necessary information may result in 1) denial of entry and 2) denial of certification. This authority shall continue for five years from date signed unless revoked by me in writing. I recognize the potential risks with, and assume personal responsibility for, my involvement with the Department of Corrections. I will inform the NH DOC of any changes to the information furnished on this application, once approved, including change of address and phone, location or area of service, and will report any ensuing criminal arrest, conviction or related justice system matter. **This application is signed under penalty of unsworn falsification pursuant to RSA 641:3.**

PERSONAL SIGNATURE _____ DATE: _____

Complete both pages of this application.

Subscribed and sworn to before me, in my presence, this _____ day of _____, 20_____.

My commission expires_____, _____.

_____ **Notary Public**

Signature

Filed in: Visitation

Print Your Name	
PURPOSE & DATES OF NH DOC CONTACT	**WHAT NH DOC FACILITIES**

State Prisons & Institutions	Transitional Housing/Work Centers & Field Services
❑ NH State Prison for Men (Concord)	❑ Calumet House (Manchester)
❑ NH Correctional Facility for Women	❑ North End House (Concord)
❑ Northern NH Correctional Facility (Berlin)	❑ Transitional Work Center (Concord)
❑ Residential Treatment/Secure Psych. Unit (Concord)	❑ Shea Farm (Concord)
❑ DOC Health Care Center/Outside Hospital	❑ Probation-Parole District Office:
❑ Central Office/HQ (Concord)	Office Locations:

OPTIONAL **Personal Contact Information**

Mailing Address	Town	State	Zip Code+4
Telephone Home #	Work #	Work Ext. #	Cell or Mobile #
Email address			

Complete Page 1 & above. Only complete the following section related to your Official Visitation purpose

❑ ATTORNEY AT LAW

Please verify current membership the New Hampshire Bar Association	
Certification as Legal Representative for following PUDC (s) print Name(s), ID #, Housing	
Expected duration of legal representation	Affirmation

==========

❑ CLERGY OR OFFICIAL RELIGIOUS DELEGATE

The **PRIVILEGE** of **SPIRITUAL CARE VISITATION** is limited to the VISITING ROOM ONLY for individual PUDC contact during established visitation schedule at state prisons, institutions or correctional centers. Clergy Applicant, or designated representative of a faith community, must attach a letter from affiliated ecclesiastic authority specifying an endorsement of religious qualification, preparation, experience and competence for spiritual care and pastoral counseling of PUDCs incarcerated within the NH state prison system.

DO NOT complete this form if you intend a voluntary ministry to multiple PUDCs through group religious study, corporate worship, or other temporal activity with offenders. Obtain and submit a **CITIZEN INVOLVEMENT APPLICATION** and attend an orientation for approval as an authorized Volunteer.

A person may not be designated as both an official visitor and an authorized volunteer by the New Hampshire Department of Corrections.

❑ GOVERNMENT INTER-AGENCY OFFICIAL

An employee, or elected or appointed official, of the Federal, State of New Hampshire, or a local government unit, acting in their official capacity

Jurisdiction or Agency Represented	
Administrator or Supervisor	Phone
Function or Purpose of PUDC Visitation	

❑ SOCIAL SERVICE ORGANIZATION REPRESENTATIVE

Any employee or agent of a non-government community organization acting in their official capacity

Name of Non-Profit Agency or Social Services Organization	
Head Administrator & Office Address	Office Phone
Agency Mission or Purpose	
Anticipated Benefit to PUDCs	

The New Hampshire Department of Corrections shall grant **OFFICIAL VISITOR** authorization for a term not exceeding three years. This authorization may be renewed upon satisfactory renewal application and credentialing.

New Hampshire Department of Corrections
Prospective Visitor's Consent for Background Investigation

Dear Sir/ Madam:

You are receiving this form because _____, a person under the custody (PUDC) of the New Hampshire Department of Corrections is requesting you to be placed on his/her approved visitor list. In order for you to be placed on this list, a criminal background check must be conducted. Please fill out this form, have it notarized, and return it to the respective PUDC.

The Records Central Repository collects and distributes criminal history record information (CHRI). CHRI consists of descriptions and notations of arrests, detentions, indictments, information, formal criminal charges and subsequent dispositions. CHRI is forwarded to the repository from criminal justice agencies throughout the state. In addition, the repository tracks information pertaining to sentencing, correctional supervision and release.

Several tiers of rules govern the collection and dissemination if CHRI including the Code of Federal Regulations, the New Hampshire Code of Administrative Rules and state statutes to include RSA 106-B:14 and RSA 106-B:7 (b). Based upon these rules, law enforcement personnel, or an individual requesting his or her own CHRI, will receive both non-conviction and conviction data. Additionally, any individual or agency may receive the CONVICTION INFORMATION of another, provided they produce a notarized CRIMINAL RECORD RELEASE AUTHORIZATION FORM signed by the individual whose record is sought. To assist you in this transaction, I have enclosed this copy of the required CRIMINAL RECORD RELEASE AUTHORIZATION FORM. *FAX OR TELEPHONE REQUESTS WILL NOT BE ACCEPTED.*

PLEASE TYPE OR PRINT CLEARLY. ALL INFORMATION IN THIS SECTION MUST BE COMPLETED

NAME_____
LAST (MAIDEN / ALIAS) FIRST MI

ADDRESS_____
STREET CITY STATE ZIP CODE

DATE OF BIRTH_____ HAIR COLOR _____ EYE COLOR _____ SEX_____
MM/DD/YYYY

Are you currently under Probation or Parole supervision in NH or any other State? Yes No

If yes, where?

_____

DRIVER LICENSE NUMBER_____STATE_____

Are you a victim of the incarcerated person making the request? Yes No Explain if yes:

_____

_____

YOUR SIGNATURE_____ DATE_____
SIGNED UNDER PENALY OF UNSWORN FALSIFICATION PURSUANT TO RSA 641:3

Subscribed and sworn to before me, in my presence, this_____ day of _____, 20_____.

County of _____State of _____

My commission expires_____, 20_____. _____
(Signature) Notary Public

PPD 7.09

Filed in: Visitation

New Hampshire Department of Corrections
Adult Correctional Institution Visitor Dress Code

All visitors MUST wear undergarments

Visitors to any NHDOC facility are **prohibited** from wearing:

- See-through clothing of any kind;
- Low-cut sweaters, blouses and shirts that exposes any level of cleavage or breast area, tank tops, halter tops, or "tube" tops;
- Skirts or dresses with long slits or shorts with slits. Skirts or dresses may have "kick pleats" (short slits no longer than 4 inches) ;
- Skirts, dresses or shorts that are two inches or more above the knee when standing;
- Blouses or shirts too short to tuck in; blouses or shirts that expose the midriff;
- Tight-fitting athletic-type clothing
- Long or short legged: Spandex outerwear, stirrup, sweat, yoga, or swish pants;
- Hats, headbands and/or hooded clothing. No hooded garments will be allowed in the visit room including sweaters, sweatshirts, and long-sleeved T-shirts;
- Zippered shirts. This will include any and all shirts, sweaters or long-sleeved T-shirts that have a zipper of any kind;
- Outdoor Jackets. No jackets designed to be worn outdoors will be permitted into the visit room. This includes but is not limited to pullover style jackets sport coats, and suit coats;
- Shawls, scarves, wraps or loose open over shirts;
- Clothes with holes, rips, tears (clothing must be completely intact);
- Clothing with pockets torn out or torn to allow access beneath the garment;
- Sleeveless garments;
- "Farmer jeans" – overalls;
- Any clothing which could be mistaken for inmate clothing;
- Military clothing (actual uniforms and look-alikes);
- Clothing which closely resembles uniforms (Correctional Officer, police, sheriff, marshal, etc);
- Nursing uniforms (scrubs);
- Metal hair ornaments;
- Clothing which displays gang affiliation or gang culture, clothing that is obscene, racist or displaying sexual content, alcohol or drugs;
- The Visiting Room Officer will use reasonable judgment if an article of clothing is questionable. The Officer may defer to the Shift Commander for a final decision if needed.
- Any request for a religious accommodation must be made in advance of the visit to the Warden of the facility.

EXCEPTIONS: Children under 10 years of age may be allowed to visit wearing shorts, skirts and/or dresses shorter than mid-thigh, rompers, sleeveless shirts, etc. The Visiting Room Officer's discretion will prevail. Also, exceptions for members of the clergy and attorneys visiting in their official capacity are listed within this policy in Art IV, L (6).

Attachment 5

New Hampshire Department of Corrections
Notarized Permission for Minor Children To Visit an Individual Under the Care & Custody of the New Hampshire Department of Corrections

Date: _____

In accordance with the New Hampshire Code of Administrative Rules, COR 305.02 Sections (k) & (l), children under 18 shall not be permitted to visit unless accompanied by an adult who shall be a family member, guardian, or other person who shall demonstrate in writing that the minor has permission to visit from an adult who is responsible for the child.

Please complete the following information and have this form notarized. This form must be mailed back to the facility where the individual under the care and custody of the Department of Corrections is located, and accepted before the child is placed on the Person Under Department Control (PUDC) approved visitors list.

During each visit, child visitors shall establish their identity by presenting a birth certificate issued and authenticated by an appropriate government entity.

I, _____ _____ _____
Print Full Name | Relationship to Child | Signature

Being the parent, legal guardian, or adult responsible for said minor children (list full name and date of birth of each child):

_____ _____

_____ _____

Do hereby give my permission for said children to visit:

Person under NHDOC care/custody: _____ _____
Name | ID #

I hereby authorize the following adult(s) to escort the above stated minor children into any NHDOC facility:

_____ _____
Name | Date of Birth

_____ _____
Name | Date of Birth

_____ _____
Name | Date of Birth

The above stated adults have permission to accompany said minor child/children and be responsible for the child/children during the approved visit(s) with the above-named PUDC. Medical treatment of the above child is granted in the case of an emergency. I also certify that no court order is preventing contact between any minor child/children and the named PUDC.

This permission form is valid for: **(CHECK ONE ONLY)**	_____ One day only, date _____ _____ Inclusive date (one year max.) from _____ to _____

PPD 7.09

Revised 9-27-2018

Filed in: Visitation

Parent/Legal Guardian's Initials _____	_____ One year from date of notary

I understand that if I have provided any false information to officials at the NH Department of Corrections that I may be subject to suspension of visiting privileges and/or legal recourse. I also understand that it is my responsibility to provide the New Hampshire Department of Corrections with an updated consent form, and/or withdrawal of this authorization in writing if any information provided herein is no longer valid.

State of _____ County of _____

On _____ before me, _____
Date Name, title of Officer / e.g., Jane Doe, Notary Public

Personally appeared _____ personally known to me [or] _____ proved to me

On the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

_____ _____
Form will not be accepted without seal

New Hampshire Department of Corrections
Visitation Checklist and Routing Sheet

Person Under Department Control (PUDC)_____
NHDOC ID#_____ Date_____

Correctional Counselor/Case Manager (CC/CM) Assigned (please print)_____

CC/CM: (Please complete and forward to victim services within 30 days of initial intake)

Does the PUDC have a current or previous history of violent offenses against minor children or adults? Yes - No (Circle one). If yes, what are the offender's current and previous charges (list below):

_____

_____

CC/CM Signature_____ Date_____

Victim Services:

____ Review current and former charges and indictments
____ Review PSI if available
____ Review Probation/Parole CORIS notes
____ Review CORIS notes for previous program completion, ARC conditions and parole conditions regarding contact with minors
____ Contact Sexual Offender Treatment and/or Mental Health for input

Victim Services Recommendations based on above information:

_____

_____

_____

Victim Services Staff signature_____ Date_____

Warden/Director or Designee:

_____ Approve visits with minor children or adult
_____ Deny visits until there is a trained/certified chaperone present
_____ Other (provide explanation below)

_____

_____

_____

Warden/Director or Designee Signature_____ Date_____

Forward to visiting room on _____

Filed in: Visitation PPD 7.09

Attachment 7

New Hampshire Department of Corrections
Acknowledgement for Visitors with Service Dogs

Printed Name: _____

I wish to bring my service dog to visits. My dog is required because of my disability and is trained to perform the following work or tasks for me:_____

_____

_____

1. I acknowledge that my service dog is required to be on a leash, tether or harness at all times while on facility property, unless this would interfere with the tasks it performs, in which case it must be under my voice control.

2. I acknowledge that my service dog may be excluded from entering or may be removed from the facility if it is out of control and I do not take effective action to control it; if it presents as aggressive or interferes with staff, other visitors, prisoners, other persons, or other dogs; if it is not housebroken; or if it's behavior otherwise presents a risk of injury or property damage. I also acknowledge that my service dog may be excluded from entering the facility based on a past incident of behavior at this facility or another facility that presented a risk of injury or property damage.

3. I acknowledge that if my service dog is excluded before a visit begins, I may visit without the dog provided that the dog is removed from facility property. I also acknowledge that if my service dog is removed during a visit, I shall be required to leave with the service dog and I will not be allowed to return to complete the visit.

4. I acknowledge that if my service dog is excluded or removed from the facility, it will not be allowed in the facility again unless I apply in writing to the facilities Warden, or designee, for the service dog to be allowed. The Warden or designee, in his or her complete discretion; will decide whether the service dog may be admitted to the facility in the future.

5. I acknowledge that I will be liable for all injuries or property damage caused by my service dog while on facility property.

6. I acknowledge that I must comply with the requirements of NH DOC PPD 7.09 *Visiting Policy* (available on the department's website or through the Public Information Officer), facility visitation rules (available at the facility), and the instructions of staff.

Signature: _____ Date: _____

Resident: _____ ID No. _____

DEPARTMENT OF CORRECTIONS
STATE OF NEW HAMPSHIRE
P. O. BOX 1806
CONCORD, NH 03302-1806

INTRA-DEPARTMENT MEMORANDUM
Office of the Commissioner

FROM:	Helen E. Hanks Commissioner	**DATE:**	November 30, 2018
SUBJECT:	Visitation Policy (7.09) Updates	**OFFICE:** Phone:	Commissioner's Office 271-5603
TO:	All Staff and Persons Under Department Control		

On October 22, 2018 the NHDOC PPD 7.09 Visiting Room Policy was updated. Please review the Policy for changes regarding visitation with minor children. Also see below, as action is required for residents who have approved visitation with minor children.

In accordance with PPD 7.09, in order to continue visitation with minor children listed on a person's visitor list, attachment 5 *"Notarized Permission for Minor Children to Visit an Individual Under the Care and Custody of the NHDOC"* must be filled out, notarized, and sent to the facility's designated visiting room staff by **March 1, 2019.**

The *"Notarized Permission for Minor Children to Visit an Individual Under the Care and Custody of the NHDOC"* form is available through unit staff or can be found at the facility's library. This form must be updated by the resident on a yearly basis.

Please note, between now and March 1, 2019, the NHDOC will continue to allow visits with minor children who have previously submitted notarized letters of escorts from parents and legal guardians; however, if attachment 5 *"Notarized Permission for Minor Children to Visit an Individual Under the Care and Custody of the NHDOC"* form is not filled out for each minor on a person's visit list by March 1, 2019, that minor child will not be allowed to visit the resident until the form is completed and received by visiting room staff.

The NHDOC will continue to require that all children under the age of 18 present a Birth Certificate when arriving for a visit with a resident.

Thank you,

Helen E. Hanks
Commissioner