

Readopt with amendment Cor 305, effective 3/23/2018 (Document #12502), to read as follows:

PART Cor 305 ACCESS TO THE FACILITIES AND GROUNDS OF THE NH DEPARTMENT OF CORRECTIONS

Cor 305.01 Purpose. The purpose of this rule is to establish the procedure through which the public, resident family and friends, clergy, official government and social services representatives, and legal counsel may access the grounds or visit residents confined within New Hampshire department of corrections (NHDOC) facilities, which includes facilities within the division of community corrections.

Cor 305.02 Scope. This rule shall apply to all residents, the public, any prospective visitors, and all departmental staff.

Cor 305.03 Definitions.

- (a) "C1" means a resident living in a transitional housing unit.
- (b) "C2" means a resident living at the transitional work center.
- (c) "C3" means a resident living in the general population section of a prison facility.
- (d) "C4" means a resident living in the close custody unit.
- (e) "C5" means a resident living in the special housing unit or the special management unit.
- (f) "Non-contact visit" means barriers, such as glass partitions are in place that shall restrict contact between the resident and his or her visitors.
- (g) "Official business visitor" means any attorneys, government officials, or representatives from other social service organizations, which includes but is not limited to clergy, or other individuals who require a visit with a NHDOC resident to conduct business within the scope of his or her official duties.
- (h) "Security threat groups" means a formal or informal group of incarcerated persons that could affect the safety and security of the institution, the public, staff, or other residents. They are what was commonly referred to as prison gangs.
- (i) "Special visit" means a visit approved by the facility warden, director, or designee, to occur during a resident's non-assigned visiting hours, or a visitation by a person or persons not on a resident's approved visitors list.
- (j) "Visitation control room" means an area within the facility where security staff process arriving visitors.

(k) “Vulnerable adult” means an adult with a intellectual disability or similar affliction who has been determined to be incompetent or unable to make decisions by a court or medical authority.

Cor 305.04 Visitor Requirement to Follow Rules.

- (a) All visitors who visit, or go on, or cross the grounds of a facility or area under the control of the NHDOC 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, or prosecution.
- (b) Everyone on prison grounds or in NHDOC facilities, regardless of whether they are a resident, visitor, staff, or anyone defined in some other category, shall be subject to search without warning of their vehicles, possessions, and persons pursuant to Cor 306.

Cor 305.05 Access to Departmental Facilities for Informational or Educational Purposes.

(a) Any person who seeks access to departmental facilities for the purpose of gathering information or data shall submit in writing a request for access to a specific NHDOC facility to the commissioner of corrections or his or her designee.

(b) Written requests for access shall contain the following:

- (1) The name of the individual(s) requesting access to a facility, as well as his or her organization if applicable;
- (2) The specific location and the time, date, and duration of the requested visit;
- (3) The purpose of the visit, which shall include specific information related to how information will be gathered, which includes, but is not limited to disclosure of the use of any computer/laptop, cellular, audio video equipment, or photography equipment requested for use while in a NHDOC facility; and
- (4) Contact information for the individual(s) and the organization if applicable.

(c) Written requests shall be mailed to “State of New Hampshire Department of Corrections, Office of the Commissioner, P.O. Box 1806, Concord, NH 03302”

(d) Requests shall be responded to by the commissioner or his or her designee within 10 business days following the receipt of the request for access. The commissioner shall approve the request as long as access would not jeopardize the safety or security of residents, staff, or the public. The commissioner or designee shall request additional information as needed, which includes, but is not limited to, information explaining the scope of the requested access, additional individual or organizational information, or a completed “Prospective Visitor Consent for Background Check Form” in accordance with Cor 305.15.

(e) Access shall be available to:

- (1) A person who is employed to gather or to assist in gathering information or data by a news organization which includes, but is not limited to newspapers, magazines, radio stations or networks, TV stations or networks, and cable networks;
- (2) A person who is engaged in gathering information or data on the subject of corrections for the purpose of informing the public in the course of research activity; or
- (3) An educational or informational tour sponsored by a school or college, a unit of local, state or federal government, or a chartered community service organization.

(f) Everyone who applies for access shall abide by all rules of the department except to the extent an exception has been granted by the commissioner, or his or her designee as described in (g) below.

(g) Access shall be denied to anyone whose presence would jeopardize the security or good order of the facility, such as unapproved visitors, offenders on probation or parole with the exception of tours by court order, individuals whose criminal history poses legitimate security concerns as discovered through screening requirements as described within (d) above, or individuals whose stated intention is to violate department rules and directives.

(h) Access to NHDOC facilities shall include:

- (1) Tours of facilities;
- (2) Interviews with staff personnel;
- (3) Observation of particular activities or programs; and
- (4) Interviews with individual residents, provided that the resident consents to the interview.

(i) Such access shall be deemed a special media visit and shall comport to all requirements and limitations set forth by the commissioner or designee. These limitations shall be made to ensure the highest level of safety and security is maintained for the visitor's, staff, residents, and the public. Limitations and requirements shall be subject to change at any time prior to, or during the scheduled visit based on current conditions within NHDOC facilities.

(j) Every application for access shall specify the purpose or purposes for which it is sought.

(k) The commissioner or designee shall grant the application for access if he or she is satisfied that the requested access is consistent with treatment programs, safety and, security, and shall impose such conditions as are necessary, in his or her opinion, to ensure effectiveness of treatment, safety and security, and minimal disruption of the order of the facility.

(l) No visual or sound recordings shall be made of any identifiable resident without the resident's individual written consent.

(m) A tour shall be summarily terminated if the person in charge of the facility or his or her representative believes that the safety of NHDOC residents, staff, or visitors is in doubt, or if conditions of the approval have been violated.

Cor 305.06 Access to NHDOC Grounds for the Purpose of Assembly.

(a) Individuals or groups seeking access to the grounds, lands, or parking areas of any state correctional facility or transitional housing unit operated by the NHDOC shall require written authorization issued by the commissioner or his or her designee.

(b) Written requests for access shall contain the following:

(1) The name of the individual(s) requesting access to the grounds of the NHDOC, as well as his or her organization if applicable;

(2) The specific location and the time, date, and duration of the requested access;

(3) The purpose of the request for access, which shall include specific information related to the purpose of the assembly, and any devices which will be brought on NHDOC grounds which includes, but is not limited to disclosure of the use of any signs, banners, audio video equipment such as megaphones or public addressing equipment, computers, laptops, cellular devices, audio video equipment, or photography equipment; and

(4) Contact information for the individual(s) and the organization if applicable.

(c) Written requests shall be mailed to: State of New Hampshire Department of Corrections
Office of the Commissioner
P.O. Box 1806, Concord, NH 03302

(d) Requests shall be responded to by the commissioner or his or her designee within 10 business days following the receipt of the request for access. The commissioner shall approve or deny the request or ask for additional information, which includes, but is not limited to, information explaining the scope of the requested access, additional individual or organizational information or a completed "Prospective Visitor Consent for Background Check Form" in accordance with Cor 305.15.

(e) Requests shall be granted unless it is determined that the assembly would compromise the safety and security of the facility, the residents, staff or the public.

Individual(s) or organization(s) failing to obtain written authorization from the commissioner or designee prior to assembling will be considered in violation of RSA 635:2(III)(4), Criminal Trespass.

(f) Individual(s) or organization(s) seeking access for reasons other than assembly should apply for access as described within Cor 305.

Cor 305.07 Resident Access to Visitation Privileges.

(a) For residents seeking access to visitation, a corrections councilor/case manager (CC/CM) shall review each resident's NHDOC Electronic Client Record (ECR) and documents within the

Electronic Data Storage Area (EDSA) to determine if the resident has a history of violent or sexual crimes committed against children or adults.

(b) The CC/CM shall initiate the records review by preparing a NHDOC “Resident Visitation Enrollment and Routing Form”.

(c) NHDOC staff shall provide the following information on the NHDOC “Resident Visitation Enrollment and Routing Form” and forward it to the next applicable staff location as follows:

- (1) The CC/CM shall provide the following:
 - a. The resident’s full legal name;
 - b. The resident’s NHDOC identification number;
 - c. The date the review was initiated;
 - d. The name of the CC/CM assigned to initiate the review;
 - e. All current and previous applicable charges; and
 - f. The CC/CM shall sign and date the form and forward it to the victim services bureau of the NHDOC;
- (2) Upon receipt, the victim services bureau staff shall evaluate the preliminary finding(s) and document on the NHDOC “Resident Visitation Enrollment and Routing Form” the following:
 - a. That current and prior charges as well as any indictments have been reviewed and documented;
 - b. That the pre-sentence investigation, if applicable was reviewed;
 - c. That a review of notes prepared by NHDOC probation and parole staff within the ECR was conducted, if applicable;
 - d. That notes within the ECR pertaining to program completion, notes made by the Administrative Review Committee (ARC) as defined in Cor 501.02, and probation conditions pertaining to contact with minors have been reviewed, if applicable; and
 - e. That victim services staff have contacted staff within the sexual offender treatment program and behavioral health units if applicable;
- (3) Victim services staff shall then supply on the NHDOC “Resident Visitation Enrollment and Routing Form” recommendations based on the data contained within a resident’s ECR and information obtained from applicable programming staff;
- (4) Victim services shall make one of the following recommendations:
 - a. Approve unchaperoned visits with minor children;

- b. Deny visits with minor children unless accompanied by a trained/certified chaperone pursuant to Cor 305.16;
 - c. Deny visitation with minor children;
 - d. Approve unchaperoned visitation with a vulnerable adult visitor;
 - e. Deny visits with an adult visitor unless accompanied by a trained/certified chaperone pursuant to Cor 305.16;
 - f. Deny visitation with an adult visitor; or
 - g. No visitation restrictions shall be required if no history of violent crimes against minors or adults exists ;
- (5) A representative from victim services shall sign and date the NHDOC “Resident Visitation Enrollment and Routing Form” and forward the signed form to the warden, director or designee of the facility in which the resident resides;
- (6) The warden, director or designee shall make the final decision based on recommendations made by victim services staff and information obtained during the record review pursuant to Cor 305.07;
- (7) To ensure the safety of visitors, residents, the public and staff, the warden, director, or designee shall make one of the following determinations based on information contained within the ECR; information considered shall include, but not be limited to, criminal history, court documents, program participation and completion, and resident conduct to include disciplinary infractions. Information shall be provided by NHDOC staff which includes but is not limited to CC/CM’s, victim services staff and probation and parole staff:
- a. Approve unchaperoned visits with minor children;
 - b. Deny visits with minor children unless accompanied by a trained/certified chaperone pursuant to Cor 305.16;
 - c. Deny visitation with minor children;
 - d. Approve unchaperoned visits with a vulnerable adult visitor;
 - e. Deny visits with a vulnerable adult visitor unless accompanied by a trained/certified chaperone pursuant to Cor 305.16;
 - f. Deny visitation with a vulnerable adult visitor;
 - g. No visitation restrictions shall be required if no history of violent crimes against minors or adults exists.

- (8) The warden, director, or designee shall make additional notes relative to the case as needed and document any restriction(s) or exception(s), which may be unique to the resident and his or her individual case; and
 - (9) The warden, director, or designee shall then sign and date the completed form and forward the completed form to visitation room staff who shall enter the NHDOC "Resident Visitation Enrollment and Routing Form" into the residents ECR.
- (d) Resident access to official business visitors shall not be impacted by statuses, which would preclude a resident from receiving regularly scheduled visits.
- (e) Access to visitation shall be a privilege.
- (f) The following shall affect a resident's eligibility to participate in visitation:
- (1) While a resident is in a quarantine status, unless exigent circumstances exist which shall include, but not be limited to, death of a family member or a confirmable family emergency requests for authorization shall be made to the warden, director, or designee of the facility in which the resident resides;
 - (2) The resident shall be required to be free of any bans on visitation, which have been incurred as a result of disciplinary action taken against the resident;
 - (3) The resident shall not be in disciplinary confinement to cell (DCC) status as described within Cor 410.09;
 - (4) The resident shall not be on precautionary watches or in pending administrative review (PAR) status; and
 - (5) Residents in PAR status or on a precautionary watch shall be required to receive written approval from the warden, director or designee of the facility prior to any visit.
- (g) Residents who are placed in a DCC status shall be eligible to receive official business visitors only, pursuant to Cor 305.10.
- (h) It shall be the resident's responsibility to notify prospective visitors when he or she has been placed in a status, which precludes him or her from receiving visits.
- (i) C1, C2, and C3 residents shall be authorized a minimum of one visit weekly.
- (j) C4 residents shall be authorized a minimum of 2 visits monthly.
- (k) C5 residents shall be authorized a minimum of one visit monthly.
- (l) Women who reside at a NHDOC facility, who have given birth while incarcerated, shall be authorized 2 additional visits per week with the newborn, for a period not to exceed 8 months post-delivery.
- (m) The visitor accompanying the newborn shall be required to meet all eligibility criteria set forth within Cor 305.12.

(n) Visits shall be contingent upon the facility's ability to accommodate the visit.

(o) Visits from official business visitors shall not be counted against the allotted number of authorized resident visits.

Cor 305.08 Visitation Schedules.

(a) A visitation schedule shall be established for each NHDOC facility.

(b) Visiting schedules shall be available on the NHDOC web site, or shall be obtained through the visitation control rooms. Additionally, schedules shall be posted electronically, or within each housing unit in a location where residents shall have access.

(c) Attorneys may visit during the resident's regularly scheduled visiting times, or during an approved special visit as described within Cor 305.10 (c)(3), regardless of the resident's working shift.

(d) Clergy may visit on a resident's, regularly scheduled visiting times, or during an approved special visit, coordinated through the facilities warden's office. Special visits shall be authorized if exigent circumstances exist, requiring the immediate need of a visit outside a resident's regularly scheduled visit. Exigent circumstances shall include, but not be limited to, verifiable family emergencies to include medical emergencies of family members or death of a family member.

(e) Resident's visitation times and days are dependent upon his or her classification status and housing assignment within each facility.

(f) Visitation schedules may be adjusted to include cancelation or reduction of visitation hours should a facility emergency arise.

(g) In the case of an emergency during visitation hours all visitors shall be required to depart from prison grounds as directed by security staff.

Cor 305.09 Types of Visits.

(a) Contact visits, meaning that residents and visitors are seated across from each other, or next to each other, shall be conducted as follows:

(1) Seating arrangements shall be directed by visit room staff at the time of the visit; and

(2) Factors affecting the determination of seating arrangements shall include, but not be limited to the following:

a. Seating availability within the visit room at the time of the visit, and the number of visitors present;

b. Adherence to visitation rules during a visit;

c. Previous visitation rule infractions; and

d. Any circumstance, which could endanger the public, resident, or staff, or jeopardize institutional order and security.

- (b) Non-contact visits shall occur when:
 - (1) Evidence exists that a contact visit would enhance the likelihood of contraband being introduced;
 - (2) There is a danger to the resident, the public, or facility staff;
 - (3) Disciplinary sanctions are in place for the resident, which stipulate non-contact visits;
 - (4) The location in which the resident is housed can only support this type of visit; or
 - (5) The department's investigations bureau or the facility's chief of security has evidence from a credible source that a disruptive incident is likely to occur which would cause a disruption, and jeopardize the safety of residents, the public, and facility staff.

- (c) Business visits shall occur when:
 - (1) A resident has a verifiable need for this type of visit; and
 - (2) The visiting representative has completed all applicable requirements as set forth within Cor 305;

Cor 305.10 Official Business Visits.

- (a) Space shall be set aside for attorney visits that shall provide privacy when attorney-client confidentiality is required.

- (b) All attorneys visiting a resident shall be subject to the visitor approval process pursuant to Cor 305.11, Cor 305.12, Cor 305.13, and Cor 305.14.

- (c) The following shall apply to all attorney visits:
 - (1) Attorney visits shall occur during normal business hours;
 - (2) Attorney visits shall be coordinated through the warden's office at the facility where the client resides;
 - (3) If an attorney visit is requested outside of a NHDOC resident's normal visiting time, and the attorney can articulate why he or she cannot wait until the resident's regularly scheduled visit, the warden or designee shall approve an exception and allow a visit, which shall be considered a "special visit";
 - (4) An attorney visit shall be made for the purpose of conducting legal business and not for the purpose of social visitation;
 - (5) All attorneys shall be subject to the same rules as regular visitors except as noted within Cor 305.20(h);
 - (6) Attorneys shall not be required to be on the resident's approved visitors list;

- (7) An attorney wishing to visit his or her client at a NHDOC facility shall be required to complete and submit all applicable forms pursuant to Cor 305.13 and Cor 305.14 to be registered as a NHDOC business visitor;
- (8) No attorney visits shall be authorized prior to an attorney completing all requisite paperwork, having a background check completed, and being granted access to NHDOC facilities by the approving authority;
- (9) An attorney shall not switch from being an attorney to an active visitor on a resident's approved visitors list; and
- (10) Attorney visits shall not count toward the authorized allotment of visits a resident is entitled.

(d) Official business visits shall be with members of a governmental office or post of authority, or representatives from non-profit organizations to include individuals representing those offices.

(e) The following shall apply to all official business visits:

- (1) All official business visits shall require the approval of the warden, director or designee of the facility in which the visit shall take place, prior to the visit occurring;
- (2) Official business visits shall not count toward the authorized allotment of visits a resident is entitled;
- (3) All official business visitors shall be subject to the visitor approval process pursuant to Cor 305.11, Cor 305.12, Cor 305.13 and Cor 305.14;
- (4) The commissioner, warden, director, or his or her designee shall authorize that the required background investigation, pursuant to Cor 305.14 be waived for government entities visiting for one time only; or
- (5) All official business visitors shall be subject to the same rules and regulations as regular visitors except as noted within to Cor 305.20(h).

(f) The following procedures for official business visitors shall apply:

- (1) All official business visitors shall enter through the designated entrance at each facility;
- (2) All official business 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;
- (3) A picture identification for the official business visitor and the name of the resident to be visited shall be provided to the officer on duty; and
- (4) A staff member shall escort all official business visitors while inside the secure perimeter.

(g) Visits shall be denied or restricted when:

- (1) Security or safety is jeopardized by any individual; or
- (2) If visitation by specific individual(s) would be detrimental to the behavioral health interests of the resident involved as determined and documented by behavioral health staff, or a treating medical provider.

Cor 305.11 Resident Approved Visitors Lists.

(a) The chief administrator of each facility shall assure that a list of individuals approved to visit each resident is maintained within the residents ECR.

(b) Prospective visitors shall complete and submit a "Visitor Registration Form" pursuant to Cor 305.15.

(c) Additionally, a "Prospective Visitor Consent for Background Check Form" shall be completed and submitted pursuant to Cor 305.17.

(d) A visitor shall not be listed on more than one approved visitors list of any resident, unless he or she is a member of the immediate family of each resident, as described within Cor 305.13(f).

(e) There shall be no limit on the number of eligible members of a resident's immediate family who can be approved to visit.

(f) For the purpose of (e) 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.

(g) An additional 20 eligible visitors, who are not immediate family, may be added to a resident's approved visitors list.

(h) Residents may submit a request utilizing a "Request Slip Form" pursuant to Cor 312, to remove individuals from his or her approved visitors list to ensure space is available for new eligible visitors to be added.

(i) Any visitor removed from one resident's approved visitors list may not be placed on a different resident's approved visitors list for a period of one year from the date of removal, unless the approved visitor is a family member as described within Cor 305.13(f).

Cor 305.12 Eligibility for Access to Correctional Facilities for the Purpose of Resident Visitation.

(a) For prospective visitors whose "Prospective Visitor Consent For Background Check Form" as described within Cor 305.15 reveals an individual to have a criminal record shall not be eligible to attend visits as follows:

- (1) Prospective 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) Prospective 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) Prospective visitors with pending drug related offenses shall not be allowed to visit;
- (4) Prospective 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) Prospective 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) Prospective visitors who are actively 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 as follows:
 - a. Consideration shall be given for immediate family members only;
 - b. The prospective visitor may request permission in writing to the probation/parole officer assigned and the warden, director or designee of the facility, which houses the resident intended to be visited;
 - c. Approval shall be granted if it will support and promote the goal of reintegrating the resident back into the community; and
 - d. Approval shall be given unless the assigned PPO or warden, director or designee can articulate a reason not to grant the approval, such as the approval would

jeopardize the safety of the resident, the public, or facility staff, or put institutional security at risk.

(b) Exceptions for individuals who are not actively on probation or parole, and have been deemed ineligible based on the criteria stated above within Cor 305.12(a)(1)-(5) shall be granted if they support and promote the goal of reintegrating the resident back into the community.

(c) Prospective visitors who do not meet the specific visitation criteria may request an exception by submitting a written appeal to the warden, director or designee of the facility in which the resident resides.

(d) The warden, director, or designee shall review all requests for exceptions.

(e) The warden, director, or designee shall grant exceptions based on information that has been collected and verified as described within (1)-(9) below, and will promote a successful transition from confinement to society as described within Cor305.12(a)(6)(c.) above;

- (1) The prospective visitor's relationship to the resident;
- (2) The length of time since a disqualifying offense occurred;
- (3) The prospective visitor's criminal history as determined by a criminal background check as described within Cor 305.15;
- (4) Input received from the assigned probation and parole officer, if applicable;
- (5) The resident's disciplinary history, if applicable;
- (6) The resident's program compliance and completions, if applicable;
- (7) The resident's current classification status;
- (8) The reason the request has been made; and
- (9) Any other pertinent facts which the warden, director or designee deems relevant to the specific case.

(f) Exceptions shall be granted by the warden, director or designee on a case by case basis, and all considerations for exceptions shall be determined utilizing the information provided as described within Cor 305.12 (e)(1-9).

(g) A written explanation of the decision by the warden, director or designee shall be made within 30 days from the date in which the exception request was made.

(h) Current or former employees of the NHDOC or any other confinement facility shall be authorized to visit incarcerated immediate family members upon written request and approval by the warden, director, or designee of the institution housing the resident, unless the individual requesting visitation would be deemed ineligible for visitation pursuant to Cor 305.

- (i) Exceptions as described within Cor 305.12 shall be revoked should any information obtained be false or misleading, or the conditions for which an exception has been granted change, which shall include but not be limited to, negative police interactions with or arrests of the visitor, the resident being visited has a status change or safety and security are jeopardized as a result of the previously granted exception.

Cor 305.13 “Visitor Registration Form”.

- (a) Each prospective visitor shall complete and submit a “Visitor Registration Form” to be considered for eligibility for access to a correctional facility for the purpose of visiting a resident.
- (b) The prospective visitor shall supply on the “Visitor Registration Form” the following:
 - (1) His or her title and full legal name;
 - (2) His or her gender;
 - (3) His or her mailing address;
 - (4) The type of government issued identification he or she shall use when entering a NHDOC facility;
 - (5) The photo identification identifier number;
 - (6) The photo identification issuing authority or jurisdiction;
 - (7) Answers to the following questions and provide explanation for answers that are affirmative:
 - a. Have you ever been convicted of any crime(s);
 - b. Are you subject to any orders of the court or other judicial authority;
 - c. Have you ever been incarcerated, or on probation or parole in the past 5 years;
 - d. Are you currently under charges for any violation of law;
 - e. Do you have a family member(s) in the custody of the NHDOC;
 - f. Do you have any household resident(s) under the supervision of the NHDOC;
 - g. Have you been on any resident’s visiting list in the past 1-year; and
 - h. Have you ever corresponded with, or received phone calls from, any NHDOC resident.
 - (8) An indication whether he or she is a United States (US) citizen;

- (9) If the prospective visitor is a US resident, he or she may provide his or her social security number in order to ensure accurate and timely processing;
- (10) If the prospective visitor is not a US resident, he or she shall provide his or her immigrant registration identification number;
- (11) His or her passport number if applicable;
- (12) His or her place of birth;
- (13) His or her date of birth;
- (14) All additional names he or she is known by if applicable;
- (15) Any previous addresses used in the past 5 years if applicable;
- (16) His or her driver's license number if applicable;
- (17) The state from which his or her license was issued; and
- (18) His or her signature and the date signed.

Cor 305.14 “Official Business Visitor Registration Form”.

(a) Any individual visiting a facility in the capacity of an official business visit as described within Cor 305.11 shall complete and submit the “Official business visitor Registration Form”.

(b) All official business visitors shall supply on the “Official business visitor Registration Form” the following:

- (1) Official business visitors who are attorneys shall supply in section 1 the following information:
 - a. The telephone number to the firm being represented;
 - b. The name of the firm being represented;
 - c. The address of the firm being represented;
 - d. The visiting attorney's New Hampshire bar association identification number;
 - e. The name of the resident who shall be represented, as well as the resident's NHDOC identification number; and
 - f. His or her signature and date signed affirming all information supplied is true and accurate;
- (2) Official business visitors who are clergy or an official religious delegate shall supply in section 2 the following information:
 - a. A telephone number for the organization being represented;

- b. The name of the organization being represented;
 - c. The address of the organization being represented;
 - d. The name of the resident being visited, as well as the resident's NHDOC identification number; and
 - e. The visiting clergy member or religious delegate shall sign and date acknowledging he or she has read and agrees to the disclaimer within section 2 which reads as follows:

“The privilege of spiritual care visitation is limited to the visiting room only for individual resident contact during established visitation schedule at state correctional facilities. Clergy applicants, or designated representatives 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 criminal offender(s). Do not complete this form if you intend a voluntary ministry to multiple residents through group religious study, corporate worship, or other temporal activity with residents. Obtain and submit a citizen involvement application and attend an orientation for approval as an authorized volunteer. A person shall not be designated as both an official business visitor and an authorized volunteer by the NHDOC.”
- (3) Official business visitors who are a government or inter-agency official shall supply in section 3 the following information:
- a. The telephone number to the agency being represented;
 - b. The name of the agency being represented;
 - c. The function or purpose of the visit;
 - d. The name of the resident who shall be represented, as well as the resident's NHDOC identification number; and
 - e. His or her signature and date signed affirming all information supplied is true and accurate; and
- (4) Official business visitors who are a social services organization representative shall supply in section 4 the following information:
- a. A telephone number for the organization being represented;
 - b. The name of the non-profit or social services organization;
 - c. The name and title of the head administrator of the organization being represented;
 - d. The address of the organization being represented;
 - e. The agencies mission or purpose;

- f. The name of the resident being visited, as well as the resident's NHDOC identification number;
- g. The anticipated benefit to the NHDOC resident being visited; and
- h. His or her signature and date signed affirming all information supplied is true and accurate.

Cor 305.15 "Prospective Visitor Consent For Background Check Form".

(a) A prospective visitor of a resident shall supply on the "Prospective Visitor Consent For Background Check Form" the following information:

- (1) The name of the resident to be visited;
- (2) The resident's identification number;
- (3) His or her first name, last name, and middle initial, to include any alias;
- (4) His or her address;
- (5) His or her date of birth;
- (6) His or her hair color;
- (7) His or her eye color;
- (8) His or her gender;
- (9) Whether the prospective visitor is currently under probation or parole supervision, and why if applicable;
- (10) His or her driver license number and issuing state; and
- (11) Whether the prospective visitor is a victim of the resident to be visited.

(b) The prospective visitor shall:

- (1) Sign and date the form in front of a notary public;
- (2) Have the form notarized; and
- (3) Deliver the form to the respective correctional facility care of the facility's visiting room.

Cor 305.16 Chaperone Certification For Adults Accompanying Minors.

- (a) Residents identified as requiring chaperoned visitation with minor children shall not be authorized to visit with minor children unless the adult accompanying a minor child has successfully completed the NHDOC chaperone safeguard training program.
- (b) To qualify for chaperone safeguard training at a NHDOC facility, prospective chaperones shall meet all requirements for visitation pursuant to this rule and be placed on the approved visitors list of the resident with whom the visit shall take place, prior to enrollment in the chaperone safeguard training program. This shall include out of state visitors who have been granted permission for a special visit.
- (c) Individuals who have completed chaperone training programs and submitted chaperone certifications from community-based programs prior to December 31, 2019 shall not be required to attend the NHDOC chaperone safeguard training program.
- (d) Information regarding the NHDOC chaperone safeguard training program offered within NHDOC locations may be obtained by contacting the NHDOC bureau of victim services.
- (e) The bureau of victim services may be reached by calling (603) 271-7351, or (603) 271-4979 to inquire about upcoming training schedules. Information regarding chaperone safeguard training programs which shall include but not be limited to scheduling, cancellations, and upcoming locations shall also be located on the NHDOC web page <https://www.nh.gov/nhd/doc/policies/index.html> .
- (f) The NHDOC shall provide chaperone safeguard training to individuals free of charge.
- (g) Program schedules and locations shall be determined based on demand, and shall be subject to change.
- (h) Individuals attending the NHDOC chaperone safeguard training program shall be required to complete the following prior to enrollment:
- (1) The prospective chaperone shall complete and submit all requisite information required to determine eligibility for placement on a resident's approved visitors list pursuant to, Cor 305.12 and Cor 305.13;
 - (2) The prospective chaperone shall complete and submit the NHDOC "Chaperone Safeguard Training Application" at a minimum 14 days prior to a scheduled program date, by providing the following information;
 - a. His or her printed name;
 - b. The date in which the application has been completed;
 - c. His or her date of birth;
 - d. His or her current mailing address;
 - e. His or her telephone number(s); and
 - f. An e-mail address if applicable;

- (3) The prospective chaperone shall answer the following questions on the “Safeguard Training Application”;
- a. What is your relationship to the resident;
 - b. How long have you known the resident;
 - c. What have you been told about the resident’s crime(s);
 - d. Do you believe that the resident is guilty of these crime(s);
 - e. How do you feel about the resident’s crime(s);
 - f. Do you understand why you have been referred to complete the NHDOC Safeguard Training prior to bringing minor children into the NHDOC Visiting Room to visit with the resident;
 - g. Can you tell us about any strengths that you have that will be helpful in being a chaperone for visitation between the resident and the child/vulnerable adult; and
 - h. Can you tell us about any weaknesses or vulnerabilities that you believe you have that could prevent you from being an appropriate chaperone;
- (4) The prospective chaperone shall sign and date the completed application acknowledging the included NHDOC disclaimer and certifying all information supplied is factual; and
- (5) The NHDOC disclaimer which appears within the “Safeguard Training Application” shall read as follows and shall include a signature, as stated below:

“If you are not currently an approved visitor, complete and submit all required forms to the NHDOC in accordance with NH Admin Rule Cor 305 to become approved. Upon receipt of the safeguard training application, it shall be reviewed by the victim services staff for completeness and review of responses to all questions within the application. If information within the application requires further explanation, a staff member from the bureau of victim services shall contact the applicant for clarification. All applicants shall receive a letter stating whether they have been approved or denied entrance into the chaperone safeguard training program.”

“Applications shall be denied if applicants are not on a residents’ approved visitors list, or responses to provided application questions depict an individual whom is unwilling or unable to be an effective chaperone, thus disqualify the applicant.”

“Upon approval, the applicant shall be added to a chaperone safeguard training roster and provided notification of the training date, time and location.”

“By signing below you are affirming that you have completed the application and all information provided is factual.”

- i. Completed forms shall be mailed to the “State of New Hampshire Department of Corrections, Office of the Commissioner, attention Program Information Officer, P.O. Box 1806, Concord, NH 03302” ..

- j. Upon approval into the NHDOC chaperone safeguard training program, prospective chaperones shall be added to a chaperone safeguard training roster and provided notification of the training date, time, and location.
- k. Following successful completion of the safeguard training, certification shall be entered into the client ECR, and chaperoned visits may commence.

Cor 305.17 Minor Children Attending Visits.

(a) Children under 18 shall not be permitted to visit unless accompanied by an adult who shall be a family member, guardian, or other person designated as the responsible adult on a "Permission for Minor Children to Visit a Resident of the NHDOC Form".

(b) The parent, guardian or responsible adult of the minor child shall complete and submit the "Permission for Minor Children to Visit a Resident of the NH DOC Form" demonstrating in writing that the minor has permission to visit a NHDOC facility.

(c) The adult responsible for the minor child shall provide on the "Permission for Minor Children to Visit a Resident of the NHDOC Form" the following:

- (1) The date;
- (2) The printed name of the parent, guardian, or responsible adult;
- (3) The parent, guardian, or responsible adult's relationship to the minor child;
- (4) The parent, guardian, or responsible adult's signature;
- (5) The full name of each minor child authorized to visit;
- (6) The date of birth for each minor child listed;
- (7) The resident's name which visits shall take place with;
- (8) The resident's identification number;
- (9) The printed name of the individual(s) authorized to escort the minor(s) into NHDOC facilities;
- (10) The date of birth of the individual(s) authorized to escort the minor(s); and
- (11) A selection shall be made stating the approved period of time which permission shall be granted for:
 - a. One day only, and the date the visit shall take place on; or
 - b. An inclusive date, which shall not exceed one year, and the date ranges for which authorization has been granted.

(d) The parent, guardian, or responsible adult shall have the form notarized.

Cor 305.18 Caring for Infants and Breastfeeding/Nursing During Visits.

- (a) In accordance with RSA 132:10-d, a woman shall be allowed to breastfeed her child on state correctional facility property, provided the woman and the child are authorized to be on state correctional facility property.
- (b) Breastfeeding shall be authorized in NHDOC visiting rooms.
- (c) The following shall apply to mothers who are breastfeeding in a NHDOC visiting room: The female visitor, shall at a minimum, utilize a nursing scarf, nursing cover, breastfeeding shawl or similar item to drape her infant and chest while breastfeeding/nursing, so there shall be a minimal chance of a breast being exposed.
- (d) In instances where guidelines are not followed and the breastfeeding becomes disruptive, or conduct, which is prohibited within Cor 305, occurs, the visit shall be terminated.
- (e) Applicable penalties shall be enforced according to NH state law, and NHDOC administrative rules.
- (f) Mothers caring for infants shall be authorized to carry into the visitation room the following items:
 - (1) Quantity 2 empty, clear baby bottles per child;
 - (2) Quantity one factory sealed package of formula per child;
 - (3) Quantity 3 loose diapers, per child;
 - (4) A clear package of loose baby wipes; and
 - (5) For mothers that are nursing, a nursing scarf, nursing cover, breastfeeding shawl or similar item for privacy.
- (g) All items noted above shall be subject to search in accordance with Cor 306.03.

Cor 305.19 Visitation Procedures.

- (a) All visits shall be conducted within the visit room at the facility in which the resident resides.
- (b) Each facility shall post a visitation schedule, which shall be accessible to the public and residents.
- (c) Visit schedules shall be subject to change without warning.
- (d) Visitors shall not visit residents who are hospitalized in the community without authorization of the warden, division director or designee of the facility in which the resident resides.
- (e) 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.

(f) 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.

(g) Children under 18 shall be required to present a valid photographic identification card, current or expired, or a valid original birth certificate to visit.

(h) Individuals on prison grounds shall be subject to search pursuant to Cor 306.01 and Cor 306.03.

(i) All visitors shall consent to a search of their persons, possessions, and vehicle, if the vehicle is on departmental property, pursuant to RSA 622:6-a, or remove themselves from departmental property.

(j) Bandages, dressings, casts, or other medical devices shall be searched in accordance with Cor 306.03 to the extent possible. Staff conducting the search shall exercise care to be sure that they do not aggravate any injury, contaminate any wound, or damage the coverings.

(k) Visitors who do not comply with lawful searches shall not be allowed to attend future visits without approval of the warden, director or designee.

(l) Visitors shall not introduce anywhere on or within departmental property, any items identified as contraband pursuant to Cor 306.01.

(m) 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.

(n) Visitors found to possess contraband, contrary to law, shall be reported to law enforcement authorities for possible prosecution in accordance with RSA 622:24 and RSA 622:25 and shall be barred from entry in accordance with Cor 305.25.

Cor 305.20 Visit Room Rules.

(a) 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 305.25.

(b) Each visitor shall conform to all rules pertaining to visitation within NHDOC facilities as follows:

- (1) No visitor shall give, convey, or leave any item or thing to any resident without advanced approval of the warden, director or his or her designee at the facility, which is being visited;
- (2) Displays of affection such as hugging and embracing shall be limited to a duration of 3 seconds or less at the beginning and end of visits;

- (3) 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;
 - (4) Minor children 5 years of age or younger may be held by the resident in his or her lap or arms;
 - (5) Abusive, obscene, or vulgar language shall not be used on the facility grounds;
 - (6) Small children shall be restrained from disruptive behavior by the visitor responsible for them;
 - (7) Disruptive behavior on the part of adults or children shall result in the termination of the visit; and
 - (8) Refusal to follow instructions of the person(s) in charge of visiting shall result in the termination of the visit.
- (c) Each visitor shall conform to the rules regarding a visitor's attire while visiting in the facility.
- (d) The following clothing shall not be authorized for wear in a NHDOC visiting room:
- (1) Jackets, coats, or outer sweaters;
 - (2) Garments that expose breasts, midriff, upper thighs, buttocks, or genitalia;
 - (3) See-through clothing of any kind;
 - (4) Low-cut sweaters, blouses, and skirts that expose any level of cleavage or breast, 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 2 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) Long or short legged spandex outerwear, stirrup, sweat, yoga, or swish pants;
 - (10) Hats, headbands, or hooded clothing;
 - (11) Zippered shirts to include all shirts, sweaters, or long-sleeve t-shirts that have any type of zipper;
 - (12) Outdoor jackets to include, but not be 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; or
- (23) Clothing which displays security threat group affiliation or culture, clothing that is obscene, racist, or displays sexual content, alcohol, or drugs.

(e) The only jewelry or adornment visitors shall be permitted to wear into the visiting area is a wedding ring set, one religious necklace pendant, medical alert badges, and dermal jewelry implants that cannot be removed by the visitor.

(f) Religious articles of clothing, which shall include but not be limited to, face veils, head dresses, hats, or other garments shall be authorized but subject to search pursuant to Cor 305.21.

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

(h) Official business visitors shall be allowed access to NHDOC facilities 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, sport-coat, or blazer;
- (4) Skirt or dress with slits intended solely for freedom of movement, or dress-pant;
- (5) Sleeveless blouses worn under a jacket, suit, sport-coat, or blazer.

Cor 305.21 Religious Attire.

(a) Individuals on prison grounds wearing religious headwear shall allow an officer to perform a security screening of the individual and their headwear and/or facial covering as follows:

- (1) 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;
- (2) The staff member assigned to complete this task shall be of the same gender as the visitor;
- (3) A resident shall notify staff that a visitor wearing religious headwear or a facial covering shall be arriving to visit with them at least 48 hours prior to the visiting time to allow staff to arrange for a staff member of the same gender to be present for the security screening;
- (4) The removal of the religious headwear or facial covering shall be completed in a private area to prevent the visitor from being seen by other visitors and staff when he or she is removing his or her religious headwear or facial covering;
- (5) While the visitor is holding his or her headwear or facial covering, the staff member shall visually inspect the headwear and/or facial covering without touching the items;
- (6) If no contraband or suspected contraband is detected by the staff member, the visitor shall be permitted to place their religious headwear or facial covering back on their person and return to the visitor processing area;
- (7) The visitor shall complete the security screening process before entering the visiting room, which shall include one or more security screenings and inspections that might incorporate the use of electronic devices, visual searches, pat searches, or search by canine;
- (8) The visitor shall be allowed to wear his or her religious headwear to include facial coverings in the visiting room after successfully completing the visitor screening and identification process;
- (9) If the staff believe it is necessary for security reasons to verify the identity of the visitor wearing religious headwear or a facial covering before the visitor departs from the institution, staff shall follow the same procedure outlined in Cor 305.18;
- (10) In the event that the assigned staff member observes contraband or suspected contraband during their visual inspection of the visitor's religious headwear or facial covering, the staff member shall take possession of the contraband or suspected contraband item(s) and immediately notify the shift commander;
- (11) The visitor shall remain in the private area, under direct supervision, in the location of the visual inspection, while NHDOC records and processes the contraband. The action taken by the NHDOC staff shall include *inter alia*, seeking assistance from state or

local law enforcement, contacting NHDOC investigations unit or the visitor is allowed to leave NHDOC property and face debarment as described within Cor 305.25. Action taken by NHDOC staff shall be executed in accordance with Cor 304, Cor 306.01, Cor 306.03 as well as NHDOC PPD 357 and PPD 358.

- (12) 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.

Cor 305.22 Visitors with Service Animals.

(a) A visitor who is otherwise allowed to visit, and who has a disability, and is using a service animal to perform work or tasks related to the visitor's disability shall be allowed to bring the service animal while on the visit. Access shall be granted provided performance of the work or tasks might be needed traveling to and from the visit or during the visit.

(b) "Service animal" means an animal 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 animal shall be directly related to the person's disability. Examples of such work or tasks shall include, but are not limited to, assisting a person who is totally or partially blind with navigation. Other examples shall include, but not be limited to, 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.

(c) An animal whose primary purpose is to deter crime or to provide emotional support, comfort, well-being or companionship shall not qualify as a service animal for purposes of this rule.

(d) In determining whether an animal is a service animal, facility staff may ask the visitor if the animal is required because of the visitor's disability and what work or task the animal is trained to perform, unless this information is readily apparent, such as a guide animal leading a person whose sight is impaired. Staff shall not demand proof or documentation of the visitor's disability or certification that the service animal is trained, although the visitor may provide these voluntarily.

(e) On the first occasion, when a visitor brings a service animal to a visit, prior to allowing the service animal to be admitted to the visit, staff shall require the visitor to sign the "Acknowledgement for Visitors with Service Animals Form", pursuant to Cor 305.23.

(f) Completion of this form shall acknowledge that the visitor is liable for all injuries or property damage caused by the service animal while on facility property.

(g) The signed form shall be maintained in the electronic data storage area (EDSA) system and an entry shall be made in the resident's electronic client record (ECR) noting that the visitor is authorized to bring a service animal to visits.

(h) 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 animal, provided that the animal is removed from facility property.

(i) A service animal shall be excluded from entering or removed from the facility if the animal:

- a. Is out of control and the visitor does not take effective action to control it;
- b. Is aggressive toward or interferes with staff, other visitors, residents, other persons, or other animals;
- c. Is not housebroken; or
- d. Its behavior otherwise presents a risk of injury or property damage.

(j) A service animal shall 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.

(k) A determination to remove or exclude a service animal shall be made on an individualized basis and not on assumptions about the animal's behavior or propensities based on its breed or size.

(l) If an animal is excluded before a visit begins, either because it is not a service animal 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 animal, provided that the animal is removed from facility property.

(m) If a service animal is removed during a visit, the visitor shall be required to leave with the service animal and shall not be authorized to return to complete the visit.

(n) Neither a service animal nor any animal claimed to be a service animal shall be permitted to be left unattended in a vehicle on facility property under any circumstances.

(o) If an animal 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, director or designee, for the animal to be allowed. An entry shall be made in the ECR noting that the animal is not allowed unless the warden, director or designee, grants a request to allow the animal.

(p) If the visitor claims that it was wrongly determined that an animal is not a service animal, the warden, director, or designee shall consult with the department's representative in the attorney general's office prior to making a decision on the request.

(q) A service animal authorized entry into a 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.

(r) Facility staff shall not provide care for a visitor's service animal. The visitor shall not bring in food, water, or medication for the service animal. The service animal shall not transport carrying bags or other containers or other property unless necessary to the work or task it performs for the visitor.

(s) A service animal 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 animal may be separated briefly from the service animal to allow for a search by a local, state police, or NHDOC canine unit.

Cor 305.23 "Acknowledgement for Visitors with Service Animals Form"

(a) Individuals attending visits with a service animal shall be required to complete and submit an “Acknowledgement for Visitors with Service Animals Form”.

(b) Forms shall be completed and submitted prior to a service animal being granted access to a NHDOC facility.

(c) A prospective visitor who is accompanied by a service animal shall provide on the “Acknowledgement for Visitors with Service Animals Form” the following:

- (1) His or her printed name;
- (2) The type of work the service animal is trained to perform for the visitor; and
- (3) The signature of the individual who is being accompanied by a service animal indicating that the individual has read and agrees to all the terms within the “Acknowledgement for Visitors with Service Animals Form” which are listed below:
 - a. “I acknowledge that my service animal is required to be on a leash, tether or harness at all times while on facility property, unless this would interfere with the tasks the animal performs, in which case the animal must be under my voice control.”
 - b. “I acknowledge that my service animal may be excluded from entering or may be removed from the facility if it:
 1. Is out of control and I do not take effective action to control it;
 2. Presents as aggressive or interferes with staff, other visitors, prisoners, other persons, or other animals;
 3. Is not housebroken; or
 4. Its behavior otherwise presents a risk of injury or property damage.”
 - c. “I also acknowledge that my service animal 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.”
 - d. “I acknowledge that if my service animal is excluded before a visit begins, I may visit without the animal provided that the animal is removed from facility property. I also acknowledge that if my service animal is removed during a visit, I shall be required to leave with the service animal and I will not be authorized to return to complete the visit.”
 - e. “I acknowledge that if my service animal 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, director or designee, for the service animal to be allowed. The warden, director or designee, in his or her complete discretion; will decide whether the service animal may be admitted to the facility in the future.”

- f. "I acknowledge that I will be liable for all injuries or property damage caused by my service animal while on facility property."
- g. "I acknowledge that I must comply with the requirements of NH Admin Rule Cor 305, Access Of Visitors To Facilities Of The Department Of Corrections and the instructions of staff.

Cor 305.24 Facilities within the Division of Community Corrections.

(a) In addition to the following, all rules established within Cor 305 shall apply at all facilities within the division of community corrections.

(b) Transitional Work Center (TWC) and Transitional Housing Unit (THU) residents shall be authorized to have visits with approved visitors as outlined within the community corrections resident handbook.

(c) Visits shall not interfere with work, meetings, programming or house job responsibilities.

(d) TWC and THU residents, who, while residing in the prison, have had their visiting privileges suspended, shall have their visiting privileges reinstated, while residing at the TWC or a THU.

(e) This exception shall only be in effect only while the resident is residing at the TWC or a THU.

(f) Any previously suspended restrictions shall be reinstated if a resident is returned to a secure facility.

(g) Additional guidelines and site-specific details that shall apply to facilities within the division of community corrections shall be detailed within the resident handbook for the community corrections facility in which a resident is assigned.

(h) Questions, comments, or concerns related to visiting procedures at NHDOC community corrections facilities shall be addressed to the director of community corrections or his or her designee.

Cor 305.25 Debarment from Departmental Facilities. Visitors or others who fail to follow the rules pertaining to NHDOC 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 to the applicable warden, director or designee.

Cor 305.26 Permission to Re-Enter. Persons desiring to re-enter NHDOC facilities, once being removed or debarred, shall not re-enter said facilities without requesting of the commissioner of corrections or the commissioner's designee to have the person's visiting privileges restored. The commissioner or designee shall render a written decision based on an assessment of future risks, rehabilitative needs of the resident, and security of the institution.



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

INTRA-DEPARTMENTAL MEMORANDUM
Office of the Commissioner

FROM: Helen Hanks
Commissioner

DATE: 1/5/2021

SUBJECT: Visitation Policy
Policy 305.00

OFFICE: Commissioner's Office
Phone: 603-271-5603

TO: All NHDOC Staff

The following updated internal procedures are specific to DCYF regarding Visitation Policy 305.00 in order to ensure a streamlined process for the Division of Children, Youth and Families (DCYF) and DCYF contracted agencies to escort/monitor visits between individuals incarcerated and their children who are under the care and/or custody of DCYF occurring in NHDOC facilities.

Page 4: (9) c. 1 (Insert New Section).

d. Pursuant to RSA 169-C, in order for children under the care and/or custody of DCYF to visit their parent incarcerated in NHDOC facilities, the following procedure must be followed:

- i. All DCYF staff and their contracted employees must fill out the Application for Child Visitation escort for the NH Division of Children, Youth and Families (DCYF) employees (Attachment 8 - Citizen Involvement and Volunteers Policy 1010.00). DCYF employees will submit a completed application to the NHDOC Program Information Officer to process, and if approved will enter staff names on the DCYF Escort list. This application can be submitted at any time, but must be submitted at least two weeks in advance of a desired visit for a child and their parent who resides in a NHDOC facility.
- ii. Attachment 5 of Visitation Policy 305.00 needs to be completed for all children who are in DCYF custody. Attachment 5 must be filled out by DCYF staff and sent to the NHDOC Program Information Officer at least 2 weeks in advance of a visit date. Attachment 5 for DCYF will be entered into CORIS Alerts as DCYF approved, allowing any staff name on DCYF approved visitation monitor list to accompany the visiting child to a visit.
- iii. All approved DCYF staff names will be on the DCYF Escort List and accessible to visiting room staff members. Any approved staff on the DCYF Escort list can accompany and supervise an in-person visit or a video/tele-visit between a child in DCYF custody and their parent residing in a NHDOC facility.
- iv. Pursuant to NH RSA 169-C, DCYF may also authorize visitation if they are responsible guardian for the child per judicial order.



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 PENALTY 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).



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: _____ One day only, date _____
(CHECK ONE ONLY) _____ Inclusive date (one year max.) from _____ to _____

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