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	<b>BUREAU OF LEGISLATIVE RESEARCH</b>  <b>ADMINISTRATIVE REGULATION STATE OF ARKANSAS BOARD OF CORRECTIONS</b>	<b>Section Number:</b> <b>DCC-ACC AR 7.24</b>	<b>Page Number:</b> <b>1</b>
		<b>Board Approval Date:</b> <b>8/26/05</b>	
		<b>Supersedes:</b> <b>DCC AR 7.24</b>	<b>Dated:</b> <b>8/30/04</b>
		<b>Reference:</b> <b>Secretary of State Rule Code: 159.00</b>	<b>Effective Date:</b> <b>10/24/05</b>
<b>SUBJECT: RESIDENT VISITATION</b>			

1 **I. AUTHORITY.** The Board of Corrections is vested with the authority to promulgate  
2 Administrative Regulations by ~~Ark. Code Ann. 16-93-1203~~ Arkansas law sections 12-27-105, 16-93-  
3 1203; and 16-93-1205.

4  
5 **II. APPLICABILITY.** This policy applies to staff, residents, and persons who visit residents at  
6 residential centers administered or operated by ~~the Arkansas Department of Community~~  
7 Correction (~~DCC-ACC~~).

8  
9 **III. POLICY.** Residents ~~are permitted to~~ may have visits with their family, friends, attorneys, and  
10 ministers under conditions consistent with applicable law, good order, and department rules  
11 and regulations. Staff must show respect toward visitors without compromising safety and  
12 security. Individuals may apply to visit residents and submit to an approval process which  
13 includes an investigation. Further, for the purpose of security and good order, searches of  
14 individuals and property may be conducted and contraband, evidence, or potential evidence  
15 of a crime seized.

16  
17 **IV. DEFINITIONS.**

18  
19 ~~A. **Contraband.** Property that is illegal, against center policy or rules or is prohibited by~~  
20 ~~parole/probation conditions.~~


21  
22 ~~B. **Evidence.** Anything which may be helpful in forming a conclusion or judgment about~~  
23 ~~illegal or unauthorized activity; and testimony, writings, or material objects offered in~~  
24 ~~proof of an alleged fact or proposition.~~

25  
26 ~~C. **Minister.** A person who has been ordained, licensed, or authorized by a sitting Pastor~~  
27 ~~of a church of record to serve as spiritual advisors to offenders. Documentation of such~~  
28 ~~authorization is on file at the DCC residential center.~~

29  
30 ~~D. **Pat Search.** A means for detecting contraband hidden on a person's body that involves~~  
31 ~~patting or sliding the hands along the fully clothed body of a person.~~


32  
33 ~~E. **Reasonable Suspicion.** A degree of certainty based on facts and reasonable inferences~~  
34 ~~drawn there from that cause one to believe that a person has violated the law or agency~~

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- 35 policy.
- 36
- 37 ~~F. Residents. Offenders incarcerated or confined in DCC residential centers.~~
- 38
- 39 ~~G. Tobacco Products. Any smoking or smokeless tobacco product.~~
- 40
- 41 ~~H. Communication Devices. Any cellular telephone, pager or other electronic device~~
- 42 ~~which might allow a resident to establish unsupervised and unauthorized contact with~~
- 43 ~~individuals outside of the facility.~~
- 44
- 45 ~~V. GUIDELINES.~~
- 46
- 47 A. **General Information.** Approved visitors are welcome. To support the ACC program
- 48 objectives of DCC programming, residents will be allowed to receive visitors, following
- 49 appropriate applicant screening to assure safety and security of employees and residents.
- 50 The DCCACC can limit visitation in accordance with pursuant to applicable law and for
- 51 such reasons as programming and scheduling requirements, resident behavior, and
- 52 scheduling requirements. ~~security concerns.~~
- 53
- 54 ~~People who wish to visit residents must apply using Form 1, A Center Visitation~~
- 55 ~~"Application to Visit a Resident." For the safety of residents, staff, and visitors, certain~~
- 56 ~~precautions are necessary including conducting a background check of people who apply~~
- 57 ~~to visit residents. Applicants will be screened giving weight to the potential for~~
- 58 ~~therapeutic benefit of their visit against likely harm or bad influence which may result.~~
- 59 ~~Investigations will consist of an ACIC/NCIC criminal history check, assessment of~~
- 60 ~~information provided on the Visitor Application to Visit a Resident Form, and any~~
- 61 ~~information obtained from Parole/Probation Officers, residents, or other reliable sources.~~
- 62 ~~Staff also use metal/drug detection equipment and conduct pat searches when~~
- 63 ~~appropriate. Violators of rules are subject to prosecution pursuant to Arkansas Code~~
- 64 ~~Annotated 'law section 5-54-119. Visitors must follow rules to ensure safety, security,~~
- 65 ~~and to set the example for residents who are learning to follow rules. Although~~
- 66 ~~precautions are taken to assure safety and security, visitors must understand there are~~
- 67 ~~risks. Visitors are welcome.~~
- 68
- 69

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- 70 ~~B. Identification.~~ Upon entrance of a DCC residential center, all visitors will be required  
71 to show photo identification, follow staff instructions, and comply with the visitation  
72 policy, procedures and rules.
- 73
- 74 ~~C. Treatment of Others.~~ Staff, residents, and visitors must respect other's civil rights  
75 and must not engage in retaliatory acts against anyone who claims or reports  
76 harassment.
- 77
- 78 ~~D. Searches.~~
- 79
- 80 ~~B. Resident's Responsibility.~~ The resident must provide the "Application to Visit a  
81 Resident" form to each person he/she wants to visit.
- 82
- 83 ~~C. Searches.~~ Visitors are subject to search and may be asked to wait in the area for  
84 permission to enter. They are free to leave at any time, unless they are suspected of  
85 trying to introduce contraband or committing any other felony on ACC grounds. In  
86 these situations, they may be detained until law enforcement arrives to take them into  
87 custody." Any personal or State property is subject to reasonable search when on State  
88 property or in the possession of someone on State property. Visitors may be pat  
89 searched by an authorized person of the same gender. Visitors who refuse to be  
90 searched are subject to having their visitation ended, being barred from entering or  
91 remaining on DCC property, and having visitation privileges revoked. Circumstances  
92 that may lead to search include the following: a special security search of people  
93 entering, leaving, or currently on DCC premises; before, during, or immediately  
94 following a visit with a resident; when there is a reasonable suspicion of possession  
95 of contraband (see description on Form 1); if a major crime/critical incident has  
96 occurred in which contraband or evidence is involved; and in conjunction with the  
97 drug testing process. Visitors may be asked to wait in the area for permission to  
98 enter; however, they may not be detained and are free to leave at any time they  
99 choose. Visitors must sign out upon leaving. ACC property, and having visitation  
100 privileges revoked.

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<b>SUBJECT: RESIDENT VISITATION</b>			

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Reasons for searches include the following:

- routine visitor search
- a special security search of people entering, leaving, or currently on ACC premises
- before, during, or immediately following a visit with a resident
- reasonable suspicion. Reasonable suspicion is a degree of certainty based on facts and reasonable inferences that causes a person to believe a law, conditions of supervision, or policy has been violated.
- if a crime/critical incident has occurred.


**D. Documentation.**

Visitor application information must be entered in eOMIS where it will be available for use by any ACC or ADC facility. Staff should also enter comments in eOMIS about any problems with a particular visitor.


**E. Visitation Conditions and Restrictions.**

1. Visitors must complete, sign and have on file an approved Visitation-“Application (to Visit a Resident” Form-1) at the appropriate center prior to being allowed resident visitation.
2. All visitors age 15 and older must show valid photo identification. Children under 15 may be required to show photo identification or a birth certificate.
3. All visitors must follow staff instructions and comply with the visitation policy, procedures and rules.
4. All visitors may be photographed by staff and photos may be maintained for future identification; such photos should be uploaded to eOMIS and deleted from the camera.

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- 134 \_\_\_\_\_ 5. Visits will be continuously supervised by staff.
- 135
- 136 ~~\_\_\_\_\_ 3. Visitors are subject to pat search before, during, or following a visit.~~
- 137
- 138 \_\_\_\_\_ 6. An attorney visitation area will be provided upon request to ensure privileged
- 139 communication between the attorney and client; however, the area is subject to
- 140 general staff supervision. No background investigation is required for attorneys.
- 141 However, an attorney may be asked to sign a statement indicating he/she is a licensed
- 142 attorney and represents (attorney of record) or is in the process of determining
- 143 whether to represent the resident. Attorney visits must be scheduled at least 24 hours
- 144 in advance.
- 145
- 146 ~~57.~~ The number of concurrent visitors for a resident may be limited.
- 147
- 148 ~~68.~~ Visits may be terminated, restricted or suspended if there is poor or disruptive
- 149 behavior on the part of the resident or visitor or as part of a therapeutic measure
- 150 imposed on a resident for rule violations.
- ~~9.~~ Visits will not be allowed for residents in Disciplinary Detention ~~or~~, Reflection Chair status ~~or pending transfer to the Arkansas Department of Correction.~~
- ~~810.~~ Residents may not have visitors while in Treatment Phase 1 (Orientation Phase) other than visits from an attorney or minister.
- ~~911.~~ Residents in the ~~Technical Violator Supervision Sanction~~ Program who earn visitation privileges may be allowed visitors ~~only near the end of their confinement as established by the program schedule and criteria.~~
- ~~1012.~~ Restrictions may be placed on articles taken into the visitation area. Additional restrictions and conditions may be imposed considering the therapeutic benefits, space limitations, and risks to security and order.
- ~~1113.~~ Special visits between regularly scheduled visitation times may be allowed in certain circumstances when approved by the Center Supervisor, ~~i.e.,~~ for situations such as:
- complying with court orders,

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- signing documents,
- when requested by the Department of Human Services,
- accommodating a visitor who lives more than 300 miles from out-of-town, the center,
- accommodating ministers, job interviewers, housing representatives, or other representatives assisting the resident with transition back into the community. Individuals allowed to make special visits are required to show photo identification and wear a visitor badge. A minister is person who has been ordained, licensed, or authorized by a sitting Pastor of a church of record to serve as a spiritual advisor. Documentation of such authorization may be required.

\_\_\_\_\_ 12. The resident is responsible \_\_\_\_\_  
 \_\_\_\_\_ 14. \_\_\_\_\_ All  
visitors must sign in and out. Those making special visits are also required to provide an application form, wear a visitor badge.

**F. Video Visitation.** To provide both the resident and their family a way to improve family reunification while minimizing security-related incidents or concerns, a video visitation system, which allows residents and visitors to communicate by way of video conferencing equipment, may be used at residential centers.

**V. ATTACHMENTS.**

\_\_\_\_\_ AR 7.24 Form 15 - Application to each person he/she wants to receive as a visitor. Visit a Resident

**VI. ATTACHMENT.**

AR 7.24 Form 1a - Resident 2 - Visitation Application  
 \_\_\_\_\_ AR 7.24 - Form 1b - Resident Visitation Rule Rules and Conditions

**Arkansas Community Correction  
Application to Visit a Resident**

**Instructions to Residents:** Send this form to each person (including children) you would like to have visit. Each person wishing to visit must complete all applicable sections of this form, sign it, and return it to the address below. A parent or legal guardian other than a resident must sign for children under 18.

~~address below. A parent or legal guardian other than a resident must sign for children 18 or younger.~~

**Applicant:** ~~The rules on the back or attached~~ “Visitation Rules and Conditions” (AR 7.24 Form 2) apply to all visitors to a ~~DCC~~ Arkansas Community Correction (ACC) center. One application form must be completed for each applicant. Anyone (including a child) who wishes to visit a resident must submit this application and be approved prior to visiting. Incomplete applications will not be accepted. Visitation will be scheduled on a Saturday or Sunday during established hours. The resident will tell you the appropriate day and time for your visit.

~~Generally residents are given the option of receiving visitors on Saturday or Sunday during established visitation hours. One application form must be completed for each applicant. The resident will be notified of approval or disapproval and will inform you as to when you may visit. Return the completed form to the following address:~~

Center Records Section

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Applicant Agreement:** I am applying for visitation privileges at an Arkansas Community Correction Center. ~~(Indicate center).~~ I agree to abide by the “Visitation Rules and Conditions” as stated on the back of this form or attached AR 7.24, Form 2. I understand that violations may result in suspension or termination of my visitation privileges. I realize searches are necessary to assure safety, security, and orderly operations at the Center and agree to submit to a search prior to, during or following a visit, while on ACC property. I further understand that it is the ~~resident~~ resident’s responsibility to tell me when visitation is permitted. I understand I may be detained and arrested if I attempt to bring contraband into a center or otherwise break the law. I understand I may be photographed and my photo may be stored in the ACC database for future identification. The information I have provided on this form is true and I understand that if I willfully submit false information my visitation privileges will be revoked. I authorize ACC to conduct a criminal background check.

I  am  am not currently on Parole or Probation. My supervising Parole/Probation Officer is:

↓ RESIDENT(S) NAME & NUMBER ↓	↓ YOUR RELATIONSHIP ↓

**APPLICANT INFORMATION**

Signature of  Applicant or  Guardian      Applicant’s Driver’s License/ID No.      Licensing/ID State

Print Applicant's First Name	Middle Name	Last Name	Date
Applicant's Birth Date	Place of Birth	Applicant's Social Security Number	Telephone Number
Street Address	City / State		Zip Code
Sex: <input type="checkbox"/> Female <input type="checkbox"/> Male			
Race		AR 7.24 Form 1 (Rev 3/31/16)	

### Visitation Rules and Conditions

1. ~~Visitors must complete an application (reverse side) and be approved to visit a resident in a DCCan ACC center. Note, The number of persons visiting a resident at one time may be limited.~~
2. ~~Children under fifteen 15 must be accompanied by an adult and. All visitors age 15 and older must show valid photo identification. Children under 15 may be required to provide a show photo identification or a birth certificate for age verification.~~
3. ~~All visitors must follow staff instructions, and comply with the visitation policy, procedures and rules. A visitor may be denied access if the security, order, and discipline of the center may be compromised.~~
4. ~~Visitors may only visit the residents they were granted permission to visit.~~
- 4.5. ~~Prescription drugs may only be brought into the Center with permission of the Center Supervisor.~~
5. ~~Visitors must not be under the influence of drugs or alcohol while visiting a resident.~~
7. ~~Visitors must comply with DCCACC policies and procedures.~~
6. ~~Visitors shall must not have in their possession or property on DCCACC grounds explosive devices illegal substances, explosives, firearms (or other instruments which can be used as weapons), or ammunition. The following are NOT allowed inside the facility: cell phones, pagers, other communication devices, alcoholic beverages, tobacco products (including chewing tobacco and snuff), illegal substances, narcotics or smokeless vapor products (electronic cigarettes and related products), and objects or materials of any kind which might be used to compromise the security, and safety of the center. Any attempt to bring such contraband onto center property will result in loss of visitation privileges and criminal prosecution. Pursuant to Criminal Code Arkansas law section 5-54-119, the introduction of contraband into a correctional facility amounts to either a Class B or C felony, depending on the nature of the contraband.~~
7. ~~Visitors must not be under the influence of drugs or alcohol while visiting a resident.~~
8. ~~Visitors must be aware that there are risks inherent in visiting a DCC correction center.~~
9. ~~Visitors are subject to screening devices and may be searched. Vehicles on DCC grounds are also subject to search.~~



~~10. Persons entering a DCC center must provide sufficient information for the Center Supervisor to review criminal history and background. A person may be denied access if the security, order, and discipline of the center may be compromised.~~

~~11. Visitors must possess, and present on demand, adequate identification such as agency identification, drivers license or other picture I.D. and must sign in and out.~~

~~12. Visitors must be appropriately dressed as follows: No miniskirts/short dresses, shorts, halter tops, see through or other provocative clothing, shoulders must be covered at all times. Note: Children under fifteen are allowed to wear shorts of a respectable length.~~

~~13. Visitors may be under continual supervision, unless otherwise authorized by the Center Supervisor or designee.~~

149. Visitors may not give to, accept or exchange materials with a resident except as authorized by the Center Supervisor or designee, including notes or correspondence, money, gifts, food or other items. All such items are considered contraband and may be confiscated by staff. Purses, backpacks and other items ~~shall~~bags must not be brought into the facility during visitation with residents.

10. Visitors must be aware that there are risks inherent in visiting an ACC correction center.

11. Visitors are subject to screening devices and may be searched. Vehicles on ACC grounds are also subject to search.

12. All visitors must sign in and out. Those making special visits are also required to wear a visitor badge.

13. Visitors must be appropriately dressed as follows: No hats, miniskirts/short dresses, shorts, halter tops, revealing necklines, see-through or other provocative clothing; shoulders must be covered at all times. Children under age 10 are allowed to wear shorts of a respectable length.

14. Visitors will be under continual supervision, unless otherwise authorized by the Center Supervisor or designee.

15. Residents and visitors are allowed to briefly embrace upon arrival and departure, ~~sit side by side~~, and small children may be held or sit on the ~~resident~~resident's lap. Physical contact between residents and visitors may be restricted when there are security concerns.

16. Visitors ~~shall~~must conduct themselves in an exemplary manner at all times. This includes controlling children so they do not run or make too much noise. Improper conduct may result in ending the visit and suspension or termination of visitation privileges.