
 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY DIRECTIVE</p> <p><input checked="" type="checkbox"/> Offender Manual <input checked="" type="checkbox"/> Spanish</p>	PRISON	NUMBER DOC 590.100
	SIGNATURE 	DATE
	EFFECTIVE DATE 3/15/01	
JOSEPH D. LEHMAN, SECRETARY		PAGE NUMBER 1 of 13
TITLE EXTENDED FAMILY VISITING (EFV)		

SUPERSESSION:

DOC 700.010 effective 10/1/85; DOP 590.100 effective 2/13/95

REFERENCES:

DOC 100.100 is hereby incorporated into this Policy Directive; RCW 72.09.470; WAC 137-54; ACA 3-4443; DOC 200.200 Offender Welfare/Betterment Account; DOC 420.350 Searches of Facility Visitors; DOC 450.300 Visits for Prison and Pre-Release Offenders; DOC 670.020 HIV Infection and Acquired Immunodeficiency Syndrome (AIDS)

POLICY:

- I. The Department may provide an Extended Family Visit (EFV) Program in prison facilities for eligible offenders. This program authorizes visits between an offender and his/her *immediate family* in a private visiting unit.
- II. Visits shall be managed in a manner consistent with good order, decorum, and security practices, and shall comply with the guidelines in this Policy Directive.

DIRECTIVE:

- I. Family Visiting Site
 - A. Prior to implementing an EFV Program, the proposed site and implementing procedures shall be approved by the appropriate Regional Administrator (RA).
 1. A visiting unit consists of a mobile home or similar structure. It will be furnished and contain at least one bedroom, a kitchen, bathroom, and living room.
 2. All visiting units must comply with the facility security and property policies in an effort to provide as safe and secure an environment as possible.
 3. The Superintendent shall ensure adequate provisions are available for handicapped persons.
 4. Units shall be located in a secure area reasonably screened from view of the population and which provide an evacuation route in the event of an emergency.

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5. Exclusion of the offender population, economy of supervision requirements, and security are to be considered in selecting a site.
6. Communications must be provided between the visiting units and the facility's primary, 24 hour duty station or other designated active post.

II. General Requirements

A. EFV shall be regulated according to the following principles:

1. Offenders and visitors are subject to all rules and regulations of the facility, as well as verbal instructions from staff.
2. Offenders and visitors will be advised in writing of the rules and procedures and will sign a statement acknowledging that they have read, understand, and agree to comply with the rules for EFV.
3. Any violation of visiting rules and procedures is cause for a visit to be terminated consistent with DOC 450.300 Visits for Prison and Pre-Release Offenders. Appropriate infractions may be issued to the offender for rule violations and/or the visitor may be suspended or terminated from visiting for a designated period of time.
4. Offenders and visiting participants in the program are to be treated courteously.

III. Authorization

- A. EFV for eligible offenders, and their *wives*, children, and *immediate family* members must be approved by the Superintendent.
- B. The Superintendent/designee has the authority to approve, deny, suspend, terminate, interrupt, or cancel visits.
- C. When an offender transfers, his/her privilege to receive EFV must be reviewed by the unit team and approved by the Superintendent of the receiving facility.
 1. If there is a discovery of new information, the visit approval may be denied.
 2. If there is no new information, but the receiving Superintendent believes visiting should be denied, the matter will be referred to the Office of Correctional Operations (OCO) Deputy Secretary for a final decision.
- D. If there is reason to believe that an offender, although s/he meets all other eligibility requirements, is a danger to him/herself, the visitor(s), or the orderly operation of the program, the Superintendent may exclude the offender from the program. This determination may be based upon, but is not limited to, the offender's crime, and current and prior behavior.

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- E. If a Superintendent permanently disqualifies an offender from participation in the program, supporting documentation will be placed in the offender's central file. Only the OCO Deputy Secretary may approve reinstatement to the program.
- F. Exceptions to this Policy Directive may be authorized by the Superintendent in order to accommodate unique special needs of an offender or his/her family.

IV. Appeal Process

- A. An offender may appeal the decision to deny participation in the EFV program to the OCO Deputy Secretary within 30 days of receipt of the denial. Appeals must be in writing and must clearly state the facts that support the reason for the appeal.
- B. The OCO Deputy Secretary has final decision making authority for EFV participation. However, s/he may consult with a panel consisting of community members prior to making the final decision. If utilized, the panel will play a consultation role only.

V. Eligibility for Participation

- A. Offenders must meet all of the following criteria prior to an EFV:
 1. At least 12 consecutive months have elapsed since arrival into the Department's custody on current commitment. The Superintendent may provide exceptions for offenders serving sentences of 3 years or less, providing such offenders have served no less than 6 consecutive months since arrival into the Department's custody.
 2. Maximum, close custody, and death row offenders are excluded from participating.
 3. Infraction History - All time limits pertaining to infractions start with the date the infraction occurred.
 - a. For a period of 5 years the offender may not have been found guilty of any of the following infractions or work release infraction equivalent:
 - 1) 502 Aggravated assault on another offender;
 - 2) 507 Committing a Felony;
 - 3) 521 Taking or holding any person hostage;
 - 4) 550 Escape;
 - 5) 601 Possession, manufacture, or introduction of an explosive device or any ammunition, or any components of an explosive device or ammunition;

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- 6) 602 Possession, manufacture or introduction of any gun, firearm, weapon, sharpened instrument, knife, or poison or any component thereof;
 - 7) 650 Rioting;
 - 8) 651 Inciting others to riot;
 - 9) 604 Aggravated assault on a staff member; and/or
 - 10) 511 Aggravated assault on a visitor.
- b. For a period of 3 years the offender may not have been found guilty of any of the following infractions:
- 1) 553 Setting a fire;
 - 2) 588 Causing a valid and documented threat of transmission of a contagious disease to any person due to intentional, negligent, or reckless action;
 - 3) 603 Possession, introduction, or transfer of any narcotic, controlled substance, illegal drug, unauthorized drug or drug paraphernalia;
 - 4) 607 Refusing to submit to a urinalysis and/or failure to provide a urine sample when ordered to do so by a staff member;
 - 5) 633 Assault on another offender;
 - 6) 744 Making a bomb threat;
 - 7) 704 Assault on a staff member; and/or
 - 8) 711 Assault on a visitor.
4. The offender has no pending, non-adjudicated infractions that may result in the visit being denied.
- a. All other infractions or related behavior will be handled per the allowable sanctions and policy provisions of WAC 137-28 which provides an allowable sanction as "Interruption of visitation between the offender and a specified individual(s) for a period up to 180 consecutive days, when there has been an infraction for visit related behavior or behavior that presents a security or safety threat. In cases of multiple or very serious offenses, recommendations may be made to the Superintendent for an extended or permanent loss of the privilege." A classification

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committee review must occur after an offender receives any serious infraction to determine continued eligibility.

5. The offender must be actively and successfully participating in *Case Management*, school or work assignment, or establish that a reasonable effort has been made to obtain a school or work assignment.
6. The offender is not housed in pre-hearing confinement, disciplinary/ administrative segregation, or Intensive Management Status (IMS).
7. The offender has not been charged with a felony which has been referred for prosecution to an outside law enforcement agency.
8. The offender does not have a documented detainer for a crime of violence or other serious crime which would pose a question of security risk.
9. The offender must have a positive prognosis of release. Offenders whose time/sentence structure indicates a limited if not unlikely possibility of release to the community may be denied approval for the program.
10. Offenders with documented history of *domestic violence*, as defined below, against any person shall be excluded from participation.
 - a. Documentation includes a conviction, arrest, or other evidence of *domestic violence* in the offender's central or medical file.
 - b. Such exclusion shall apply to the category of persons to whom the violence was directed (i.e., wife/intimate partner precludes visits with *spouses*).
 - c. Such exclusion may apply, but not necessarily, to other categories of family members to whom the violence was not directed (i.e., parents, children).
11. If application includes children, the offender must not have a documented history of sex offenses involving children.
12. Offenders with mental health problems or disorders must have a psychological assessment and recommendation by Department psychological services. This evaluation will be submitted with the initial application, reviewed by the Classification Committee, and forwarded to the Superintendent.
13. Medical staff must provide a recommendation if an offender is being treated for a condition which may be adversely effected if the visit occurs (i.e., has a communicable disease, is on in-patient infirmary care, or is being administered regular care for an injury or illness, etc.)
14. When more than one member of a family is incarcerated at a facility, with the approval of the Superintendent 2 offenders may be scheduled for a

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family visit if offender siblings are visiting with a parent or grandparent, or an offender parent-child is visiting with the other parent and siblings. Otherwise, one offender at a time shall visit.

15. The Superintendent may require the offender to provide a pattern of successful and trouble free participation in the regular visiting program prior to approval.

B. All *immediate family* applicants must meet the following criteria:

1. Each applicant will be subject to legal verification of relationship to offender and must provide positive picture identification and proof of legal entry into the United States.
2. An applicant who is a former offender must have the specific authorization of the Superintendent.
3. Unless an exception is authorized by the Superintendent, subject to concurrence of the applicants' Community Corrections Officer/Supervisor or Juvenile Parole Officer/Counselor, an applicant cannot be:
 - a. On any type of supervision by the Department;
 - b. The subject of pending felony criminal or drug-related action; and
 - c. A juvenile on probation, community supervision or community placement on work-release, in a group or home on authorized leave or the subject of pending felony criminal or drug related charges.
4. An applicant who is currently an offender in any correctional facility shall not be allowed to participate.
5. The applicant cannot have any active "no contact" or "protective" order judgement from the courts involving the offender with whom the application is being made.
6. The applicant must confirm the desire to participate in the program by signing and submitting DOC 21-415 Extended Family Visiting Application.
7. The applicant must be an approved visitor on the offender's regular visitation list.
8. One-on-one visitation requests between the offender and eligible family members other than *spouses* or parents will be scrutinized carefully and must receive special approval by the Superintendent/designee prior to the visit.
9. All approved children under 18 are eligible to visit only when accompanied and supervised by an approved parent/legal guardian or grandparent with the written notarized consent of the custodial parent/legal guardian.

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10. The Superintendent may require the visitor to provide a pattern of successful and trouble free participation in the regular visiting program prior to approval.
- C. *Spouses'* must meet the following additional qualifying requirements:
1. Must have been legally married to the offender prior to conviction and any concurrently or consecutively served conviction.
 2. Is married to, and is of the opposite sex, of the offender.
 3. Must provide positive picture identification, and a certified copy of a marriage certificate obtained from state regulatory agency responsible for such documents.
- D. Children must meet the following additional qualifying requirements:
1. Is the natural or adopted child of both the offender and *spouse* or the stepchild of either the offender or *spouse* with legal custody. A certified copy of the birth certificate originally obtained from the state regulatory agency responsible for such documents and/or adoption papers from the court must be provided with the application. This documentation will be copied by the facility and the family's documentation may be returned to the family upon request.
 2. If one offender adopts another offender or adult, application for extended family visitation based upon adoption will not be approved.
 3. A child who is a victim of the offender's sexual offense, physical abuse, or other mistreatment shall not be eligible to visit.
- E. Grandfathering Provision
1. Offenders who made application and were participating in the EFV Program prior to 1/10/95 may be allowed to continue participation based on the Superintendent's review. Offenders who were grandfathered into the program and lose custody, must reapply and meet current application criteria. This also applies to parole revocations, CCI violators and reincarcerated offenders. Grandfathering is not allowed for remarriages following a divorce unless authorized by the OCO Deputy Secretary.
- VI. Application Process
- A. An offender shall submit DOC 21-414 Initial Extended Family Visiting Application, with required documentation, to his/her assigned Counselor.
 - B. The visitor must complete DOC 21-415 Extended Family Visiting Visitor Application.

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- C. The Counselor will verify all necessary information, prepare and submit DOC 21-417 Extended Family Visit Action Form to the Classification Committee.
- D. The Classification Committee will meet with the offender, review the central file, and determine the appropriateness of the visit and the completeness/accuracy of all documents. The Classification Committee and review committee will make a recommendation and forward it to the Superintendent.
- E. If an offender receives an infraction that disqualifies him/her from visiting, the Hearings Officer/Counselor will notify the staff member responsible for scheduling visits of the ineligibility and when the offender is again eligible.
- F. If there is reason to suspend or terminate an offender or visitor from the program, the Classification Committee will initiate DOC 21-417 Extended Family Visit Action Form, meet with the offender, and make a recommendation to the Superintendent.
- G. All DOC 21-417 Extended Family Visit Action Forms, with all supporting documents, will be permanently filed in Section 4 of the offender central file.
- H. The provisions of DOC 670.020 HIV Infection and Acquired Immunodeficiency Syndrome (AIDS), regarding a counseling session with the offender and *spouse* shall be followed.
- I. Per RCW 72.09.470 there will be a charge of \$5 per night for each extended family visit.
 - 1. The \$5 fee must be paid before the visit begins and may be paid by either the offender or the visitor(s).
 - a. If the offender pays, the fee will be withdrawn from the offender's account.
 - b. If the fee is paid by the visitor, payment must be in the form of a money order or cashier's check.
 - c. Procedures for collecting fees shall be established at each facility that has an EFV Program.
 - 2. The payor will be reimbursed if a visit is canceled for any reason other than:
 - a. Disciplinary action against the offender, including placement on disciplinary segregation or administrative segregation; and/or
 - b. Program rule violation(s) by the visitor(s).

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VII. Scheduling of the Visit

- A. EFV is authorized to the extent the facility is equipped and staffed to accommodate the program. Each visiting unit shall be limited to the number of visitors established by the Fire Marshall and the amount of appropriate sleeping space available.
- B. EFV will not occur sooner than 30 days after application or more frequently than every 30 days. An offender may not apply for a subsequent visit before completion of a previously approved visit.
- C. EFV will be scheduled for not more than 48 hours in duration.
- D. Visitors are responsible for maintaining a current mailing address with the visiting coordinator.
- E. The Superintendent shall establish procedures for scheduling of approved offenders and visitors to include:
 - 1. Verification of continued eligibility with the offender's Classification Counselor;
 - 2. Notification to visitors, offenders, and staff; and
 - 3. Cancellation and fill-in procedures.
- F. Reasons that a visit may be canceled include, but are not limited to, the following:
 - 1. Failure to confirm the visit date in advance of the scheduled visit.
 - 2. Late arrivals, beyond 2 hours on the date of the scheduled visit, unless previously arranged. Extenuating circumstances beyond the control of the visitor, if confirmed (i.e., automobile breakdown) will be taken into consideration.
 - 3. Requested paperwork is not submitted.
 - 4. Any behavior that causes security concerns or disruption to the orderly operation of the facility.
 - 5. Any violation of the EFV policies or procedures.
 - 6. Failure to provide the fee in advance of the visit.

VIII. Conduct of the Visit

- A. The Superintendent shall establish search procedures for all visitors and offenders upon entering and leaving the facility.
 - 1. All incoming packages, luggage, food items, and other hand carried articles brought by visitors shall be searched.

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2. The visiting area is to be thoroughly searched by staff before and after the visit to ensure that no contraband/unauthorized items are left.
 3. The provisions of DOC 420.340 Searches of Facility Visitors shall be carefully followed.
 4. Visitors have the option of refusing to be searched, but will then be denied admittance to the facility and may jeopardize future visiting privileges.
- B. The Superintendent shall establish count procedures for the offender while in the family visiting area. Facility staff must visually and verbally communicate with the offender and visitor(s) at least once every 8 hours.
- C. The Superintendent shall establish procedures for the proper identification and control of visitors/offender medications during the visit.
1. Drugs or medication are not allowed, except those prescribed by a physician and authorized in advance on DOC 16-102 Visitor Medication Questionnaire.
 - a. Visitors may bring only the prescribed amount of medication to last the duration of the visit.
 - b. Prescription drugs must be in the pharmacy container and have the dosage instructions and all other information.
- D. Medical care for visitors will be limited to emergency medical treatment provided by the facility medical staff, when the facility has medical staff on-site. DOC 20-279 Consent to Medical Treatment and Waiver of Liability (Visitors) will be signed by the visitor before any treatment is provided.
- E. The Superintendent shall establish a list of authorized items which visitors and offenders are allowed to take into the family visiting area. This list shall be provided to the visitor before the first visit.
- F. Visitors shall not be allowed to bring any of the following items into the facility:
1. Alcoholic beverages or items containing alcohol.
 2. Vitamins, aspirin and similar non-prescription drugs without advance approval.
 3. Radios, television sets, VCR's, computer games, record players, tape decks, cassettes, video tapes, cameras, computers.
 4. Toy guns or toy knives.
 5. Weapons (i.e., guns, knives, scissors, etc.) or any other instrument which, if used, could produce serious bodily injury.

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6. Recreational or reading items.
 7. Bedding, linens, or towels without a physician's approval due to allergies.
 8. Personal items for the offender, such as clothing, publications, paperwork, etc.
 9. Any other item as specified in the local Field Instructions.
- G. The Superintendent shall establish procedures governing food use.
1. The cost of food consumed by an offender and visitor(s) participating in the Program will not be borne by the state.
 2. The facility may provide stock staple items such as sugar, salt, coffee, condiments, etc.
 - a. The facility may charge the offender a nominal fee to cover the cost of these items.
 - b. The visitors will be informed in advance of what items are provided.
 3. Food items brought to the facility for the visit must be in factory sealed containers. Fresh fruit and vegetables may be brought in but shall be carefully inspected for tampering.
 - a. Staff shall inspect all food items and transfer items in cans or glass to plastic bags or plastic containers provided by the visitors.
 - b. Staff shall be trained in sanitary search procedures and provided necessary sanitary equipment.
 4. All leftover food items which have not been prepared must be removed from the visiting unit, inspected by staff, and removed from the facility by the visitor.
 5. Certain food items, such as poppy seed's, may be prohibited as determined by the Superintendent.
- H. If the offender or visitor leaves the confines of the assigned family visiting unit area at any time without permission, the visit may be immediately terminated.
- I. No offenders are allowed into the family visiting area unless authorized and accompanied by staff.
- J. The Superintendent shall establish procedures for urinalysis testing of the offender before and after visiting.

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K. Staff may intrude upon the visit as considered necessary or in an emergency. Routine intrusions should be approached carefully by staff to minimize disruption of the visit.

L. The Superintendent is responsible for ensuring that the physical plant and grounds are kept in a safe and sanitary manner.

1. Offenders and visitors are responsible for ensuring that the family visiting area is left in clean condition and in accordance with established check-out instructions.
2. Procedures shall be established to verify the condition of the visiting unit before and after a visit.
3. A schedule shall be established to maintain cleanliness and the facilities shall be periodically closed for extermination, painting, major repairs, and deep cleaning of the units.
4. Arrangements shall be made to provide maintenance, cleaning, towels and bedding. Cleaners, detergents, household goods, utensils, furnishings, etc. as required and approved will be provided by the offender betterment fund.
5. An on-going inventory will be maintained of the contents of the visiting units.

IX. Family Planning

- A. All offenders are encouraged to participate in a family planning program. Family planning information is available through community agencies or upon request from the facility health care department.
- B. Birth control devices shall be provided upon request by the offender. The cost of such devices shall be provided by the offender and will not be borne by the state. *Spouses* will be responsible for providing desired birth control devices at their own expense.

X. Program Orientation

- A. Staff and offenders shall be provided orientation to the EFV program.
- B. Before the first visit, all visitors will receive a program orientation that will include an explanation of the rules, and the procedures to be followed in the event of emergencies that may occur in the family visit area.
 1. This shall include but not be limited to:
 - a. Emergencies (riot, escape, fire, medical);
 - b. Counts;
 - c. Contraband;

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- d. Visiting boundary restrictions;
- e. Visitor conduct;
- f. Sanitation; and
- g. Check-out procedures.

2. The visitors will acknowledge this orientation in writing.

- C. Written information on emergency and evacuation procedures shall be maintained in a conspicuous, easy-to-locate place in the family visiting units.
- D. The responsible supervisor shall ensure that staff implementing the program are properly trained in the expectations of their position. The supervisor shall monitor search and entry procedures to ensure procedures are being closely followed.

DEFINITIONS:

The following words/terms are important to this Policy Directive and are italicized and defined in the Glossary section of the Policy Directive Manual: Case Management, Domestic Violence, Immediate Family (2), Spouse. Other words/terms appearing in this Policy Directive may also be defined in the Glossary.

ATTACHMENTS:

None

DOC FORMS (See Appendix):

- DOC 16-102 Visitor Medication Questionnaire
- DOC 20-279 Consent to Medical Treatment and Waiver of Liability (Visitors)
- DOC 21-414 Initial Extended Family Visiting (EFV) Application
- DOC 21-415 Extended Family Visiting Application
- DOC 21-417 Extended Family Visit Action Form