

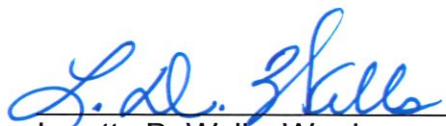
<b>NEBRASKA</b> Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	<b>NEBRASKA CORRECTIONAL YOUTH FACILITY</b>		
	<b>PROCEDURE</b>		
	<b>VISITING</b>		
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EFFECTIVE: August 30, 1998  
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**SUMMARY OF REVISION/REVIEW**

Policy Directive 024-014 incorporated.  
 PROCESS III.B.6-New section.  
 PROCESS III.C.1.a-Language updated.  
 PROCESS VI.D-New section.  
 PROCESS X.B.5.f-Language updated.

APPROVED:

  
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 Loretta D. Wells, Warden  
 Nebraska Correctional Youth Facility

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PURPOSE

To set forth procedures governing incarcerated individual visiting at the Nebraska Correctional Youth Facility (NCYF) in order to attain NCYF’s objectives to increase opportunities for incarcerated individual self-development and to maintain a safe, secure, and humane environment for the incarcerated population, team members and the public.


- A. It is the belief of NCYF that supervised visits between incarcerated individuals, family and friends can contribute significantly to the strengthening and maintenance of family ties, encourage socially acceptable behavior, and assist in improving facility stability. Therefore, NCYF encourages visits as a means of facilitating the rehabilitation and socialization process. All incarcerated individuals shall retain visiting privileges for the duration of their incarceration as long as they abide by all rules and regulations governing such activities.
- B. NCYF has available information for visitors about directions to the facility and information about local public transportation systems posted in a bulletin board in the lobby designated for this purpose. **(7D-22)**
- C. NCYF shall ensure and facilitate incarcerated individual access to counsel and assist incarcerated individuals in making confidential contact with attorneys and their authorized representatives; such contact includes, but is not limited to, telephone communications, uncensored correspondence, and visits. **(3D-01)**

PROCESS

- I. This procedure shall be made available to incarcerated individuals within 24 hours after arrival at NCYF. The incarcerated individual orientation information shall include, but not be limited to, the following: **(7D-15)**
  - A. NCYF’s address/phone number, directions to NCYF and information about local transportation. **(7D-22)**
  - B. Days and hours of visitation.
  - C. Approved dress code and identification requirements for visitors.
  - D. Items authorized in the visitation room/area.
  - D. Special rules for children.
  - F. Authorized items that visitors may bring (visitors are not authorized to bring anything to “give” the incarcerated individual during a visit).
  - G. Special visits (for example: family emergencies.)

II. AVAILABILITY OF THE RULE BOOK

Nebraska Administrative Code, Title 68 (NDCS Inmate Rulebook), Chapter 4 contains visiting rules and procedures and shall be issued to each incarcerated individual and team member. Chapter 4 shall be translated into those languages spoken by significant numbers of incarcerated

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population. Signed acknowledgement of receipt of the rulebook shall be maintained in the individual's file. When a literacy or language problem prevents an individual from understanding the rulebook, a team member or translator shall assist the individual in understanding the rules.

### III. VISITING REGULATIONS

#### A. Visiting Applications

No visitors shall be permitted to visit prior to submittal of the authorized visiting forms and approval by the warden. NCYF's unit administrator and unit case managers are responsible for the review and approval of the visiting forms. False or incomplete information on this form may result in a denial of visiting privileges. The processing of submitted forms shall be as follows:

1. It is the responsibility of each incarcerated individual to initiate the visiting process. The incarcerated population may obtain visitation request forms (VRF) (Attachment A) from their unit case workers and mail them to those persons they desire to have placed on their approved visiting list. Each prospective visitor must complete a VRF. The VRF can be returned to the facility for processing by U.S. mail. VRFs must be sent to the attention of NCYF's visiting/pass clerk for processing.
2. If the VRF is complete, the visiting/pass clerk corporal forwards the form(s) via interagency mail to the Omaha Correctional Center (OCC) team member assigned to conduct the National Crime Information Center (NCIC) check. An NCIC check shall be done to verify the visitor identity and to ensure the accuracy of the information on all visitor applicants submitting a VRF (both adults and minors from age 8 and older). The social security number(s) shall be used solely for the purpose of running the NCIC computer check. The VRF shall be marked "OK" in red ink or the NCIC printout of the visitor's record shall be attached. All VRFs are returned to the unit case manager upon completion.
3. If the VRF is incomplete, the visiting clerk shall return the VRF, with notation of problem(s), to the applicant.
4. At the housing unit level, a unit case manager shall check NiCaMS to see if the applying visitor is on another NDCS incarcerated individual's visiting list. The unit case manager also verifies the information on the VRF for accuracy (i.e. relationship, criminal history, etc.). The unit case manager recommends approval or denial of the VRF and sends it, intact, to the unit administrator.
5. If approved by the unit administrator the visiting form is returned to the pass clerk/visiting corporal. The pass clerk/visiting corporal enters the visitor on the Corrections Websuite in NiCaMS and returns the bottom portion receipt of the VRF to the individual.
6. If denied by the unit case manager and unit administrator, the VRF is returned to the pass clerk/visiting corporal. The pass clerk/visiting corporal enters the denial on the Corrections Websuite on NiCaMS and returns the bottom portion receipt of the VRF to the individual.


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7. The pass clerk/visiting corporal forwards the visiting form to the records office where it is placed in the individual's main file.
8. The incarcerated individual has ten (10) working days after notification to appeal denials. The appeal process is initiated when the incarcerated individual submits a completed Inmate Interview Request (IIR) form to the warden.
9. Any person shown by substantial evidence to have a harmful or deleterious effect on the incarcerated individual, or who constitutes a threat to the good order and security of the facility, shall be excluded from an approved visiting list.
10. Whenever an incarcerated individual receives a VRF notification slip from the pass clerk/visiting corporal indicating that a particular visitor has been approved to visit, it shall be the responsibility of the incarcerated individual to notify the person that he/she has been approved to visit, and to ensure that person is made fully aware of dress code, visiting policy, and visiting hours.

**B. Scheduling a Visit**

After approval of a visiting application, a visiting adult may schedule a visit.

1. To schedule a visit, a visitor should go to the NDCS website at: <https://www.corrections.nebraska.gov>.
2. From the home page, a visitor should click on visiting hours or search "visitation," using the search feature.
3. Select NCYF.
4. Click on the "Schedule a Visit" bar. The online form will appear. Complete the online form.
5. If the visitor will be bringing any child(ren) to the visit, they must provide their names and the information requested in the online form. All children must have an approved visitation application on file.
6. Individuals wishing to visit as a clergy member are subject to application of the general visitation application guidelines. Additionally, clergy members must provide a copy of their credentials and/or letter of good standing upon submission of a visitation request form (VRF). Expired credentials are not valid.
7. Complete the visit preference dates, including alternate dates/times, and click "Submit."
8. All visitation requests must be submitted at least seven days prior to the selected visit date.
9. Visits are scheduled on a first come, first serve basis. The NCYF pass clerk/visiting corporal shall send an email, at least three days in advance, notifying the visitor of the approved visit.

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10. To cancel a scheduled visit for any reason notify NCYF as soon as possible via email or phone call.
11. The visitor must arrive at NCYF 15-30 minutes prior to the approved visit for processing. Weekday visiting sessions start at 1300hrs and 1715 hrs. Weekend visiting sessions start at 0800 hrs. and 1215 hrs. Late arrivals will not be processed.
12. PRIOR to the visit, the visitor should read all current visitation rules and updates on the web site. If there are further questions about the visit, it is recommended that they contact the NCYF pass clerk/visiting corporal via phone before the approved visit.

C. Limitations


NDCS policies and NCYF procedures shall provide the number of visitors an incarcerated individual may receive and the length of the visits. This may be limited only by the facility's schedule, space and personnel constraints, or when there are substantial reasons to justify such limitations. **(7D-14)**

There is no limit to the number of visitors an incarcerated individual may have on his authorized visiting list; however, all visitors must be approved by the warden/designee for visiting. Specific visiting policies limiting visitations are as follows:

1. Number/Space

Visitors shall not be on the visiting list of more than one incarcerated individual housed within NDCS. Three exceptions to this policy are as follows:

- a. An "immediate family" member may be granted permission to be placed on more than one individual's visiting list if one person involved is a member of the individual's immediate family.
  - 1) Credentialed news media representatives may be allowed on more than one individual's visiting list at any time.
  - 2) Credentialed clergy visitors are authorized to be on more than one incarcerated individual visiting list at any time.
- b. Visitors who leave NCYF shall not be permitted to resume their visiting privilege for that session.
- c. Visiting limitations may be imposed by NCYF due to scheduling, space, and personnel constraints. An incarcerated individual may have a maximum of four adults and four minors during any one visiting session.
- d. For the purpose of visiting, immediate family shall be defined as: spouse, parent, stepparent, person acting in place of parent (as documented in the master record), sibling, stepbrother, stepsister, half-brother, half-sister, child, stepchild, grandparent, and grandchild.

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2. Age Requirements

a. Persons 19 years of age and older

- 1) Must complete and submit an individual VRF (DCS-A-adm-012) to the warden/designee.
- 2) Must have valid picture ID and may visit without parent or guardian.

b. Persons 18 years of age and younger


- 1) Must complete and submit individual VRF to warden /designee.
- 2) Must be accompanied on visit by parent, legal guardian or court appointed agent or other authorized adult (age 19 or above).
- 3) Must submit notarized permission letter from parent, guardian or court appointed agent to visit when accompanied by an authorized adult.
- 4) Parent, legal guardian, court appointed agent or another authorized adult who accompanies said minor must also be on the individual's approved visiting list. (Except those individuals who are authorized, as a part of their employment, to accompany minors on visits are not required to be on a particular individual's visiting list. Such individuals are, however, required to submit a VRF.)
- 5) Minors aged 18 and younger must have an original birth certificate to present to the pass clerk/visiting corporal during their first visit.
- 6) All minors aged 16 and older must also present a valid picture ID to the pass clerk/visiting corporal on all visits.

Minors who are married do not need parental or legal guardian consent to visit their spouse but must be approved visitors via the VRF process. Spouses shall be required to present a copy of their marriage license with the VRF.

D. Criminal Records

Persons with criminal records shall not automatically be excluded from visiting. In determining whether to approve a person with a criminal record, the nature and extent of that person's total criminal record, plus his or her history of recent criminal activity, shall be weighed carefully against the benefits of visitation. The warden shall retain final authority to review, assess and approve/disapprove applications to visit. Appeals of denials to visits must be submitted in writing to the warden. NOTE: Failure to list previous criminal convictions on the VRF can result in denial of visiting privileges.




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1. Generally, parolees, probationers, or persons having pending charges shall not be granted permission to visit during service of sentence. Ex-felons shall not be granted permission to visit for three (3) years after expiration of sentence, except for immediate family who may be considered at the end of one (1) year. Ex-misdemeanants shall not be granted permission to visit for six (6) months after expiration of sentence. Immediate family may be considered after three (3) months.
2. An exception may be made for an immediate family member who may be allowed to visit once a month with special approval from the warden. It shall be the responsibility of the immediate family member seeking visiting privileges while on probation/parole, to provide, with the VRF a letter from the supervising probation/parole officer recommending either approval or denial of visiting privileges.
3. The warden must review and approve or deny all VRFs submitted by the victim of a violent offense, when that offense is committed by the individual being visited if such information is known to NCYF team members. Generally, the victim of a violent offense shall not be granted permission to visit. An exception may be made with an adult immediate family member, who may be allowed to visit once a month, with approval from the warden.
4. Immediate family members having pending misdemeanor/felony charges may be considered for monthly special visits, at the discretion of the warden, pending resolution of the charges.
5. Following the release of an incarcerated individual on parole, or when an individual is placed on escape status or bond, the records office shall stamp all current visitor application forms in the classification file "Deleted". The records office shall also delete these previously approved visitor names from any computer records of approved visitors for this individual.
6. An NCIC computer check to verify visitor identity and ensure the accuracy of VRF information shall be done on all visit applications submitting a VRF (both adults and minors from age 8 and up). The Social Security Number (SSN) shall be used sole for the purpose of running an NCIC computer check.

**E. Team Member/Former Team Member Guidelines**

1. Generally, former employees shall not be granted permission to visit except with immediate family members. All VRFs from former employees must be submitted to the warden for review. The warden may deny the visitation request based on safety/security concerns specific to the individual requesting the visit. If the warden is not aware of any safety/security concerns with the individual requesting to visit, a recommended disposition shall be submitted to the director for final approval. The director may deny the visitation request based on safety/security concerns specific to the individual requesting to visit.

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2. For instances where a former employee is attempting to visit an incarcerated individual who is not an immediate family member, the following shall be considered:
  - a. The nature of the former employee’s relationship to the individual.
  - b. The length of time the former employee has known the individual.
  - c. Circumstances or reasons for employment separation including: eligibility for re-hire, intelligence reports, investigations, and violations of work rules during employment.
  - d. Any investigation or intelligence information received after employment separation.
3. Generally, current NDCS team members shall not be approved to visit except for immediate family. Team members must make a written request to the warden of the facility where the individual is incarcerated, as well as to the facility warden where the team member is assigned, to be considered.

F. Posting Visiting Regulations

1. The pass clerk/visiting corporal shall ensure the visiting rules are posted near the entrance of NCYF and in the visiting room. The pass clerk/visiting corporal shall provide copies to any person upon request.
2. By the posting of these rules, visitors and incarcerated individual shall be made aware they must adhere to NCYF’s posted rules, or risk suspension or forfeiture of visiting privileges.

G. Visiting Days and Hours

Facility policy and procedure shall provide that the number of visitors an incarcerated individual may receive, and the length of visits may be limited only by NCYF’s schedule, space, and personnel constraints, or when there are substantial reasons to justify such limitations. **(7D-14)** Incarcerated individuals shall be allowed two (2) visiting sessions per visiting week (Wednesday through Sunday), including the inmate visitation program.


Weds. -Fri.:	Session I	1300 to 1600hrs
	Session II	1715 to 2015hrs
Sat./Sun:	Session I	0800 to 1100hrs
	Session II	1215 to 1515hrs

IV. SPECIAL, EXTENDED, AND EMERGENCY VISITS


All visitors must be authorized by NCYF’s warden/designee.

A. Special Visits: (Attachment B)



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1. A special visit may be requested by an incarcerated individual for professionals not on the individual's approved visiting list, to include prospective employers, attorneys, members of the clergy and social service representatives. Special visits must not interfere with counts, security measures, or emergencies, and must take place during regular business or normal visiting hours. All special visit requests are subject to the approval of the warden; denials shall be based on safety/security concerns specific to the individual requesting to visit.
  
2. A special visit may be requested by the Department of Health and Human Services (DHHS) team members for court ordered agency supervised visits. In these instances, DHHS officials must provide NDCS a copy of the court order, the name of the DHHS team member or contract service provider assigned to supervise the visit, the name(s) and age(s) of the child(ren) who shall be visiting and the requested date and time for the court ordered visit. The special visit form shall then be completed by a designated NDCS team member for approval by the warden. These special visits shall normally take place during normal visiting hours; however, so as not to unreasonably deny the special visit, DHHS team member/contract provider schedules may necessitate these visits outside of the normal visiting hours but within normal business hours. When facilitating court ordered visits, it is not necessary for the DHHS team member/contract provider or the minor children to complete the VRF or present a birth certificate. The DHHS team member/contract provider is required to present a DHHS/contracted service provider photo identification card to NDCS at the time of the visit.
  
3. Special visits are not permitted for family/friends of incarcerated individuals in advance or in lieu of obtaining approval to visit through the established visiting request process. Family/friends of the individual must be on the individual's approved visiting list before being permitted to visit.
  - a. Specifically, whenever an incarcerated individual knows at least one working day (Monday through Friday) in advance that he is expecting a visitor who would fall under these "special visit" guidelines, he shall request visiting consideration by submitting a Special Visit form to his unit case manager who shall verify the information noted on the form. The unit administrator shall make the final approval/ disapproval decision. If approved, the form shall be forwarded to the pass clerk/visiting corporal where he/she shall keep it on file until the requested visit day arrives. If the visitor does not arrive on the expected day, the pass clerk/visiting corporal shall note on the form the fact that the visitor failed to show. The pass clerk/visiting corporal then shall initial his/her name to the form, date it and forward to the records office for filing in the incarcerated individual's permanent record file. A special visit may be extended with the permission of the unit administrator. **(7D-17)**
  
  - b. Special visits shall be applied to the number of visits an incarcerated individual is allowed per week.

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B. Extended Visits: (Attachment B)

An extended visit may be requested by an incarcerated individual for approved visitors who visit infrequently (less than one visit per month) because of long distance (more than 200 miles) from NCYF. Extended visits must not interfere with counts, security measures or emergencies, and must take place during regular, normal visiting hours. Extended visits and visiting hours are subject to the approval of the warden. Denials shall be based on safety/security concerns specific to the individual requesting the extended visit. **(7D-19)**

C. Emergency Visits:


An emergency visit may be considered for instances of verifiable death or critical illness of an incarcerated individual's immediate family member and may include a visit during non-visiting hours and/or extended visits during regular visiting hours. Emergency visits must not interfere with counts and/or security measures. Emergency visits are subject to the approval of the warden. Denials shall be based on safety/security concerns specific to the individual requesting the emergency visit.

In the case of a verifiable death or critical illness to an individual's immediate family, the individual shall be notified as soon as possible (Attachment C) **(7D-18)**

D. Victims Who Were Minors

Incarcerated individuals who have committed crimes in which victim(s) were minor aged children (under 19 years of age):

1. The file of each incarcerated individual shall be reviewed to determine if any record exists meeting the above criteria. Newly committed individual's files shall be reviewed by receiving team members at NCYF in which the individual is housed. If such a record exists, the person reviewing the record shall list out the information on the incarcerated individual Summary of Crimes Against Minors form (Attachment D).
2. Once an individual has been identified, the NiCaMS database for "prior contact with minor" shall be updated. This entry shall automatically update the NiCaMS classification study and the visitor's list databases. In addition, the records office shall red-ink stamp "no contact with minor" to the front cover of the individual's file.
3. The warden shall have the authority to impose visiting restrictions on identified individual on a case-by-case basis. The warden shall indicate restrictions on the Crimes Against Minor Aged Victims form (Attachment E). Case managers shall ensure the individual signs and receives a copy of the form. If the no physical contact with minor aged children restriction is imposed, additional actions may include restricting these individuals to visiting children/youth at designated times and/or designated authorized areas, excluding visitors under the age of 19 from the individual's approved visiting list and/or suspension of all visiting privileges until the individual has received treatment intervention. The visits shall be closely monitored by visiting room team members. Any violation of this policy shall result

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in immediate termination of the visit, removal of the individual and the visitor from the visiting area and the issuance of a misconduct report may occur. Penalties imposed against individuals shall be consistent with agency disciplinary procedures. Actions imposed on visitors shall be handled administratively by the warden. Factors considered in making the above determination may include, but are not limited to, the following:

- a. Length of time since last child-related offense occurred.
  - b. Seriousness of prior offense(s).
  - c. Number of prior offense(s).
  - d. Mental health status of minor child and/or individual.
  - e. Age of requested visitor and relationship to individual.
  - f. Incarcerated individual history of violence.
4. The warden has the authority to modify or eliminate visiting restrictions imposed as provided in this procedure. Such modification or elimination shall normally be in consultation with appropriate mental health, program, and custody team members.
  5. Incarcerated individuals returned to NCYF from bond, court, etc., or as a parole violator shall have files reviewed upon admission and upon reclassification. Identification procedures and visitation restrictions shall be the same as for newly committed individuals.

**E. Incarcerated Individual to Incarcerated Individual Visits:**

Incarcerated individual to incarcerated individual visits may occur when the following criteria are met:

1. One individual must be on community custody status.
2. The community custody individual shall initiate the visit request.
3. The individuals must be immediate family as defined by current NDCS guidelines.
4. Each facility's warden must approve the visit.
5. The visit shall generally occur during regular visiting hours.
6. The community custody individual must produce his/her NDCS-issued ID prior to being allowed to visit at a secure facility.
7. The community custody individual must wear state-issued grey pants and shirt.

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8. The community custody incarcerated individual shall be safety searched upon arrival and upon leaving NCYF.
9. Visits may be approved once every three months.
10. Whether the facilities are in the same city or are in different cities, the visits may be done when the community custody individual is on furlough.
11. If the visit occurs during a furlough, it shall be considered one of the individual's four-hour daily approved itinerary activities.
  - a. An approved volunteer sponsor shall provide transportation.
  - b. The approved volunteer sponsor may also participate in the visit if the sponsor is on the visiting list of the individual to be visited.
12. If the approved volunteer sponsor is not on the visiting list, he/she shall be required to stay in the front entrance of the facility during the visit.

F. Holidays:


When facility operational schedules and facility staffing allows, visits shall be allowed on Thanksgiving Day, Christmas Day, and New Year's Day, regardless of the days upon which the holiday falls. All other holidays shall be treated as any other day relative to whether visits are allowed. If these other holidays fall on regular visit days, then visits shall be allowed, but if they are on non-visit days, then no visits shall be allowed. These visits shall not affect the number of allowed visits during the rest of the visiting week. The pass clerk/visiting corporal shall be responsible for posting a memo to the incarcerated individual population and the public at least 2 weeks prior to each holiday.

Notice of facility specific visiting schedules for Thanksgiving, Christmas and New Year's days shall be posted on the NDCS website a minimum of two weeks prior to the holiday.

If a facility is on a modified operational schedule that does not allow for incarcerated individual movement on whatever day Thanksgiving, Christmas or News Year's days fall on, visits shall not be allowed on these days.

V. VISITOR DELETIONS

- A. Any incarcerated individual may request that one or more persons listed on his approved visiting list be deleted from that list by completing a Deletion Request form (Attachment G). The deleted visitor's name(s) shall not be placed on another individual's approved visiting list for six months. The deleted visitor's name(s) also shall not be reinstated on an individual's visiting list for six months (if the visitor's name was previously removed at the individual's direction).
- B. A visitor may request deletion by submitting the request in writing to the warden. Such visitor requested deletions require the visitor to wait six months before he/she may be placed on another individual's list. The six-month waiting period shall also apply to clergy status visitors; however, the warden may waive the six-month waiting period at the recommendation of the religious coordinator. In the event that the individual requesting

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deletion has not visited for a period of at least six months, the warden may waive the six-month waiting period to be added to another individual's visiting list.

VI. VISITOR RESPONSIBILITY, CONDUCT AND BEHAVIOR

A. Each visitor must verify his/her identity. Visitors must register upon entry into NCYF and may be subject to a search of their person and belongings as specified by written procedure, to include canine searches, prior to entrance. It is the responsibility of the visitor and the incarcerated individual to conduct themselves in a manner that shall not bring discredit upon them or be disruptive to other visitors in the area. **(7D-21)**

1. Visitors, including visitors 13 years of age and older, shall be required to undergo a body scan prior to entering the facility where this technology is available. Visitors 12 years and younger shall be pat searched, accompanied by an approved adult visitor who has completed a body scan.

Requests for an exception to the body scan or metal detector for medical (including pregnancy) or mobility reasons by be submitted in writing to the facility warden. In these instances, documentation from a medical provider must accompany the request. With justification, the warden may authorize exceptions to the body scanner. Such exceptions shall be in writing, with a copy to the visitor and at a secured location only accessible to the facility designated body scanner operators.


2. Individuals refusing to cooperate with or complete the body scan shall not be permitted to enter the facility. In such case, visitors may be subject to visiting privilege restrictions or suspension consistent with this policy.
3. If contraband is detected during the body scan, the visitor shall not be allowed into the facility, and, based on the totality of the circumstances, law enforcement may be contacted. In such cases, visitors may be subject to visiting privilege restrictions or suspension as consistent with this policy.

B. Attorneys entering NCYF on official business shall be required to show a current, valid photo ID along with a valid Bar Card. Attorneys shall not be subject to a search of their person; however, the attorney's belongings shall be searched. Team members shall not read any legal materials during the search of the attorney's belongings. The attorney shall pass through the metal detector and shall be under escort while in the facility. **(3D-02)**

C. Attorneys are authorized to bring the following items with approval from the facility warden: a digital camera and a laptop or tablet that does not have cellular capability. Attorneys shall present these items for inspection and a notation shall be made in the log at the front entrance.

D. Clergy visits are conducted in accordance with this policy and Policy 208.01, *Religious Services*.

E. NDCS prohibits all persons from introducing an electronic communication device within an NDCS facility without prior authorization. Electronic communication devices are any

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device which, in its ordinary and intended use, transmits by electronic means writings, sounds, visual images, or data of any nature to another electronic communication device. (Neb. Rev. Stat. 28-936)

For the purpose of this procedure, the definition of electronic communication device includes all cellular phones, tablets, or any other similar electronic devices intended to transmit writings, sounds, visual images, or data of any nature to another electronic device. Due to the ever-changing technological advances, making it difficult to detect the functionality of transmission in many devices, the definition of electronic communication device shall include all smart-type and fitness-type watches with independent cellular or internet connectivity features.

- F. Any person who intentionally introduces within NCYF, or intentionally provides an incarcerated individual assigned to the facility any electronic communication device, commits an offense for which he/she may be criminally charged under Nebraska Revised Statute 28-936.

The following individuals are exempt from prosecution for this offense:


1. An attorney, or attorney's agent, visiting the incarcerated individual who is a client of the attorney.
2. The public counsel or any employee of his/her office.
3. A peace officer acting under his/her authority.
4. An emergency responder or firefighter responding to an emergency and/or incident within NCYF.
5. A person acting with permission of the NDCS director or in accordance with NDCS rules, regulations, or policies.

An electronic communication device involved in a violation of NRS 28-936 shall be subject to seizure by the NDCS or a peace officer, and disposition may be made in accordance with the method of disposition directed for contraband in NRS 29-818 and NRS 29-820.

- F. Visitors may be denied access to visit for reasons including, but not limited to:

1. A visitor refuses to show appropriate identification.
2. A visitor refuses to submit to a person/pat search.
3. A visitor appears under the influence of an intoxicating substance.
4. Possession of contraband that is prohibited by NDCS policy.
5. Inappropriate dress, as defined in this procedure.
6. Poor sanitation and hygiene of visitor.



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7. A visitor arrives after the processing time has ended.
8. False or incorrect information on the VRF or attempting to visit under a false ID.
9. Any circumstance that presents a threat to the security of NCYF, team members, visitor(s) and/or incarcerated individuals.


**G. Physical Contact**

1. NCYF shall permit informal communications, including the opportunities for limited brief contact. Devices that preclude physical contact shall not be used, except in instances of substantial security risk, or as a sanction through the incarcerated individual disciplinary process. **(7D-16)**
2. Visitors and incarcerated individuals must accept responsibility to behave in a mature, responsible manner and be respectful of the rights of other visitors.
3. Physical contact between visitors and incarcerated individuals is limited to a brief kiss and a short embrace at the beginning and end of the visit. Caressing is prohibited. Touching or playing with hair is prohibited. Individuals on “No Contact” status with a minor shall have no contact at any time with a minor, including at the beginning and end of visitation. A visible separation shall always be maintained.
4. An incarcerated individual and a visitor may hold hands during the visit. Hands shall always remain visible above the tables.
5. No materials such as blankets, cloth, etc., may be used as a lap cover, draped over tables, benches, or chairs in the visiting area.
6. Visitors and incarcerated individuals shall not be allowed to sit on each other’s laps or straddle chairs, benches, etc. Individuals may be permitted to hold children, age 5 and under during visits. No exceptions to this provision shall be made.

H. It is the responsibility of the visitor to supervise and maintain control over accompanying children. Neither visitors nor incarcerated individuals are permitted to use corporal punishment on children or others when on NCYF property. If a child becomes disruptive during a visit and is not controlled by verbal direction from the supervising visitor or the incarcerated individual being visited, the visit may be terminated.

I. At the conclusion of a visit, the individual and visitor(s) share a responsibility for cleaning up the immediate area used for the visit.

J. Visitors and incarcerated individuals must obey team member instructions and posted rules and regulations governing visits.

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VII. VISITATION RESTRICTION/SUSPENSION


A. Visit Restrictions

It is the policy of NCYF to encourage visits between members of the community and individuals as a means of promoting the rehabilitation process. However, individuals and visitors share a responsibility with NCYF for proper conduct during the visiting process. Some actions which may result in either temporary or permanent visiting restrictions are: (See Attachment H for specific restriction time periods.)

1. Improper incarcerated individual or visitor conduct during the visiting process.
2. Disruptive behavior, to include but not be limited to minor child(ren) for which inappropriate behavior cannot be controlled by the visitor and/or incarcerated individual.
3. Introduction of contraband into NCYF or taking unauthorized items or property from the facility (criminal prosecution possible).
4. Drinking of alcohol/use of illegal drugs or being under the influence of alcohol/illegal drugs.
5. Refusal to submit to a search of any type: canine, pat search or other search(es) as indicated/approved.
6. Refusal to allow oneself to be marked with skin marking invisible ink.
7. Violation of any posted visiting rules and regulations for failure to follow team member instructions.
8. Leaving the visiting area and proceeding into an unauthorized area.
9. Doing anything that jeopardizes the safety and good order of the facility.
10. False or incomplete information on VRF or visiting/attempting to visit under a false ID.
11. Physical contact with a minor by an individual on "No Contact" status with minors.
12. Poor sanitation and hygiene of visitor.

B. Visitor Suspension and Termination

The facility warden may suspend the visiting privileges of the visitor. Suspensions shall be in accordance with NDCS Visiting Restriction Guidelines (Attachment H). Based on the severity of the incident, the warden has the discretion to suspend visitation on the first offense for all rules violated. Attached exclusions may range from denial of visiting for the day, suspension of visiting for a specified period, or indefinite removal from the approved visiting list. A violation that poses a significant risk to security or injury to another person can result in an immediate and indefinite restriction. Indefinite removal

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shall only occur with the written approval of the warden. Visiting suspensions shall occur by stating that fact in a letter to the person and citing the reasons for it.

The statement of reasons may be deleted if it would jeopardize the security of the facility or the safety of an individual. The individual involved shall also receive a copy of the letter.

In that same letter to the visitor, the warden will also specify the length of time that the suspension is to last (i.e., whether indefinitely or for a specified period of time). In the case of an indefinite suspension, the letter will include a date when that visitor may resubmit an application for visiting privileges. Visitors that are suspended from visiting at one NDCS facility are suspended from visiting at all NDCS facilities. Exceptions may be considered by the warden if immediate family members are involved.

Any individual aggrieved by the removal from his visiting list of one or more of the approved visitors from his visiting list may appeal such action through the regular grievance procedure.

If visiting room team members observe behavior between an incarcerated individual and his visitor which he/she feels is inappropriate or disruptive, that team member shall contact the shift supervisor and inform him/her of the situation.

The shift supervisor shall make the decision as to whether to terminate the visit. If the shift supervisor determines that the behavior on the part of the visitor was serious enough to merit some type of suspension of visiting privileges, he/she shall cite all available information on a Supervisor Incident Report form, with a recommendation for a suspension of visiting privileges, and submit a copy to the captain who will forward to the unit administrator. If the unit administrator concurs with the shift supervisor's report and recommendation, he/she shall endorse it by stating his/her concurrence with it and forward it to the warden for a final decision.


C. Modification

The warden may modify the condition of the visit based on results of any part of the search procedures. For example, a positive indication from a canine search. Additionally, behavior on the part of the individual or the visitor may require modification.

VIII. VISITING ATTIRE

When visiting at NCYF, casual attire is appropriate. However, clothing should not be distracting or offensive to incarcerated individuals or visitors and must be in good repair. Footwear in good repair is required to be always worn; open toe shoes are allowed. A lightweight outer jacket/sweater without any pockets may be worn into the visiting area. Female visitors are encouraged to wear slacks/pants.

- A. Visitors must wear undergarments. Visitors may not wear multiple layers of undergarments. Females must wear one bra and one pair of underwear (10 years of age and younger are not required to wear a bra). Males must wear one pair of underwear/undershorts.

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- B. Visitors are not allowed to wear a combination of both khaki-colored pants and shirt at the time of a visit. A visitor may wear khaki pants or a khaki shirt, but never at the same time during a visit.
- C. Shorts and skirts must be below the knee when standing. Dresses are permitted for adult visitors. Female visitors wearing skirts/dresses shall not be required to lift the garment to their waist to facilitate an appropriate pat search. Team members shall perform the pat search through the afore-mentioned clothing.
- D. Shirts and dresses must cover the shoulders. Shirts/dresses shall not be low-cut in the front (cleavage cannot be visible), unusually low-cut in the back and must fall below the knee when standing.
- E. Clothing with pictures, symbols or language that may be considered profane or offensive by current public standards shall not be allowed.
- F. Children 10 years and younger may wear shorts, skirts, or rompers provided that said clothing completely covers the child’s shoulders and buttocks.
- G. Clothing which is tight fitting (clothing shall be considered tight fitting if it reveals the outline of genitalia or the areola), revealing or made of see-through fabric shall not be allowed.
- H. Clothing is expected to be in good repair, without rips, tears, holes, or torn pockets allowing for access beneath the garment(s).
- I. Hats, headbands, hooded clothing, or outerwear are not allowed. Clergy are permitted to wear religious headwear.
- J. Watches, exercise trackers and similar devices are not permitted.

No visitor shall be refused the opportunity to visit due to visitor dress code violations except as approved by the shift supervisor or higher authority.

**IX. INCARCERATED INDIVIDUAL ATTIRE DURING VISITING**

NCYF procedures shall specify incarcerated individual attire for visits. Undergarments are required. Appropriate attire for visits are as follows:

- A. Pants: Incarcerated individuals shall wear state-issued khaki long pants. Pants shall be kept neat, properly buttoned, and zipped at all times. Incarcerated individuals shall wear underwear and may wear a belt. The belt shall be fastened at all times. Pants pockets must not have rips or holes in them. No sagging shall be allowed.
- B. Shirts: Incarcerated individuals shall wear a state-issued khaki shirt and white t-shirt. Polo shirts are not allowed in visiting. Shirts shall be tucked into the pants. Shirts shall be properly buttoned except for the top collar button, which is optional. Thermal shirts can be worn under the state-issued khaki shirt between October 15th and April 15th. Thermal shirts can only be worn in place of t-shirt; they may not both be worn with state-issued khaki.

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- C. Shoes and Socks: Incarcerated individuals shall wear state-issued socks and may wear state-issued black shoes or personal shoes, except when the medical department authorizes in writing alternative footwear.
- D. No clothing other than described above shall be permitted in the visiting area. Incarcerated individuals and their respective visitors shall not be allowed to wear or exchange each other's clothing while visiting. No individuals shall be allowed to leave the visiting area with any item(s) of clothing that he did not have in his possession when he first entered the visiting area. All unauthorized items are subject to immediate confiscation and shall be considered contraband. The shift supervisor shall be contacted and briefed of any suspected violations.

X. APPROVED VISIT ITEMS

A. Incarcerated Individual Items

Incarcerated individuals in general population shall be required to be in possession of his incarcerated individual ID card. Control over items brought into the visiting room is necessary for the safety, health and welfare of the incarcerated individuals', visitors, and team members. Only the warden may authorize items other than those items listed below.


1. One ring.
2. One handkerchief.
3. One comb.
4. One pair prescription glasses.
5. One religious medallion/headwear (rosaries are not permitted to be worn as necklaces).
6. Authorized medical prosthetic appliances such as artificial limbs, wheelchairs, canes, hearing aids, crutches etc., heart and asthma medication.
7. Two earrings and one necklace (with the exception of the Reception & Treatment Center-RTC 1).
8. One religious book or one religious study sheet for a clergy visit.
9. Five picture tickets.
10. Legal materials for an attorney visit. **(3D-02)**

B. Visitor Items

All property items shall be searched prior to bringing into the facility. Visitors are permitted the following items in the visiting room/area:

1. Heart and asthma medications. Other medications may not be taken into the visiting room without prior approval from the warden or facility physician. All medications must be in the original container and kept at the pass clerk/visiting corporal's desk.
2. Parents with infants may bring in two (2) factory sealed single serving size ready-to-eat formula or two (2) clear bottles (no glass), four (4) disposable diapers, eight (8) wet wipes inside a clear bag, one (1) receiving blanket, one (1) plastic teething instrument, and when not furnished by the facility, toys of a simple, non-weapon, plastic type for pre-school aged children.
3. Where paper currency is authorized, each visitor (adults and minors) may bring up to \$20.00 in change for use in the vending machines where vending machines are available.
4. No vending/canteen items may be taken back to the housing unit by the incarcerated individual.
5. Except as authorized in the following, all visitors' personal property shall be secured in their vehicle or in the lockers provided by the facility.
  - a. Sufficient ID to verify the visitor status/relationship.
  - b. One comb, one handkerchief, jewelry as appropriate, one religious medallion/headwear and one pair of prescription glasses.
  - c. Authorized medical prosthetic appliances, such as wheelchairs, canes, artificial limbs, hearing aids, crutches, medical-alert jewelry, service animals, etc.
  - d. Tobacco products may not be used on department property and must be secured in the visitor's vehicle. These products may not be brought into NCYF.
  - e. Legal materials needed for an attorney/client visit. **(3D-02)**
    - . Cellphones/electronic communication devices needed for the attorney visit must be logged at the front entrance and approved by the warden prior to entry.
  - f. Religious materials for a clergy visit in accordance with Policy 208.01, *Religious Services*.
  - g. Credentialed media representatives approved to visit with an incarcerated individual are authorized to bring two pens and one legal size pad of paper for the purpose of taking notes. The pens and pad of paper shall be inspected by team members prior to entering the visiting room and at the end of the visit with the individual (inspected, but not read). The individual is authorized to bring legal materials only to the visiting session and may take notes specific to this visit back to his cell.



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- h. Authorized photographs taken during the visiting session are allowed to be taken out of the visiting room by the visitor.

**XI. INCARCERATED INDIVIDUAL CHANGE OF STATUS**


The incarcerated individual shall designate an immediate family member or visitor to be contacted in the event of an emergency or major change of status and to coordinate the weekly desired visiting days. Major change of status shall be considered as a transfer from NCYF to another facility or from a community corrections center back to NCYF. It is the responsibility of the individual to notify any visitor of intra or inter-facility program changes. Where the individual is unable or not allowed to personally notify someone, the warden shall notify a visitor of the change of status. After a reasonable effort, if the warden is unable to contact a visitor to relay a major change of status, then the incarcerated individual shall be so notified.

**XII. VIRTUAL VISITATION**


The Virtual Visitation Program (VVP) is designed to strengthen community support, to improve quality of life during and after incarceration. VVP supplements the in-person visitation opportunities, offering incarcerated individuals and their family members and/or friends a virtual visit using an online platform (e.g., Zoom, Webex, Skype) to encourage communication and support. Conversation prompts may be provided to assist in positive, pro-social communication. VVP effectiveness shall be measured by self-report, using a post-visit survey. Other measurable outcomes may include a decrease in negative behaviors and increased participation in recommended treatment/programming (i.e., accepting a recommendation previously refused). In addition, it is expected that participants shall have improved interactions with their peers and team members. See the *Virtual Visitation Program* (Attachment I) for more information.

**XIII. PROCESSING VISITORS INTO NCYF**

- A. The pass clerk/visiting corporal shall search all visiting areas before and after each visiting session. This shall include emptying restroom trashcans and replacing liners before each session. Unannounced canine searches of visitors/visitor areas may also take place.
- B. The function of the pass clerk/visiting corporal is to facilitate authorized and “special” visitors in and out of the facility, preserve security and maintain a record of visits. To ensure that the visiting process is conducted with these points in mind, the following rules and procedures shall be followed closely:
  - 1. Only those visitors listed on an incarcerated individual’s authorized visiting list shall be permitted to visit. Each visitor must bring with him/her at least one form of valid government issued photo ID and must present this document to the pass clerk/visiting corporal each time he/she enters NCYF. Expired IDs shall not be accepted.
  - 2. The pass clerk/visiting corporal shall exercise good judgment in establishing that each visitor has provided sufficient ID. If ever there is a question concerning the adequacy of a visitor’s ID, the pass clerk/visiting corporal shall consult with the shift supervisor who shall make the decision as to whether to deny a visit.

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- C. The pass clerk/visiting corporal shall ensure a record is kept of each visitor that enters NCYF. Visitors shall sign-in on a Visitor Sign-in Log (Attachment A) provided for this purpose upon entry into NCYF. **(7D-21)** Information asked for on this form shall include the name of the visitor, relationship of the visitor to the incarcerated individual the date of the visit, and the time the visitor entered NCYF.
- D. After each visitor signs in, the pass clerk/visiting corporal shall log each visitor into the database, then print and sign the visitor pass.
- E. After preparing the Visiting Permit, the pass clerk/visiting corporal shall notify the appropriate housing unit to inform them of the incarcerated individual's visit.
- F. NCYF 's visiting area permits informal communication, including opportunity for physical contact. The no contact visiting area precludes physical contact and is not used except in instances of substantiated security risk. **(7D-16)** There is adequately designed space to permit screening and searching of visitors. Lockers/space is provided for the storage of visitor's coats, handbags, and other personal items not allowed into the visiting room. **(2E-03)**
- G. The dates of all visits with incarcerated individual shall be recorded in the database; there are no exceptions. This record shall not be revealed to the public without the written consent of the incarcerated individual and approval of the warden.
- H. Search of Visitors
1. Pat Search All visitors may be subject to a pat search, canine search, property search, x-ray scan; may be under continuous escort or supervision and/or required to pass through a metal detector or handheld metal detector upon entrance to NCYF. Searches shall occur in a location and manner that is not degrading to the individual consenting to the search. The warden may order a pat search of those individuals who are exempt from such search under the reasonable suspicion that contraband is being concealed. NDCS investigators shall be contacted if illegal contraband is discovered during a search, and they shall contact law enforcement officers as appropriate. Law enforcement may be contacted by NCYF team member(s) if NDCS investigators are unavailable. Under no circumstances will visitors be involuntarily searched or detained. All visitors will be searched by trained NCYF/NDCS team members of the same gender. Male team members are not allowed to pat search female visitors. Refer to (Attachment F) for additional entrance/exit information.
  2. Under no circumstances shall a visitor be physically searched unless he/she voluntarily consents, nor subjected to a safety search. If a visitor refuses to consent to any type of search as previously noted, the visit shall be denied or terminated. The shift supervisor shall be notified, and a written report shall be submitted to the security administrator.
  3. All minors shall be pat searched and/or canine searched in the presence of the accompanying adult. In the event a minor visitor is wearing a diaper, the accompanying adult shall be required to remove and replace the diaper with a diaper previously searched. The removal of a minor visitor's diaper, by the

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accompanying adult, shall not be considered a safety search and shall also conclude the pat search.

- I. If contraband is found on the person or in the clothing of a visitor, or if there has been an attempt to pass contraband between an incarcerated individual and a visitor, the contraband shall be confiscated, and the visitor shall be asked to wait for law enforcement officials. NO FORCE or the locking of doors shall be used in attempting to detain an individual. If the visitor leaves after attempting to introduce contraband, the facility shall contact NDCS investigators and/or law enforcement and forward all relevant reports for possible legal action against the visitor.
- J. NCYF has the authority to order a private citizen to leave NCYF grounds. If a citizen refuses to leave, the Nebraska State Patrol or Omaha Police Department shall be contacted to have the party(ies) removed.

K. Marking Visitors with Invisible, Skin-Marking Ink

Visitors shall be marked just prior to entering the Sallyport into the facility. After each visitor has been pat-searched, he/she shall pass through the walk-through metal detector or handheld wand and be stamped/marked by the pass clerk/visiting corporal with invisible skin-marking ink. Each marking shall be placed on the underside of the left wrist approximately two to three inches above the area where a wristwatch would be located (an alternative location, i.e., right wrist, may be used if the left wrist is not available due to an injury or prosthetic). If visible via an ultraviolet light, the pass clerk/visiting corporal shall signal Central Control to allow the visitor(s) to enter.


L. Checking Visitors with the Ultraviolet Light as They Leave the Facility

Whenever visitors leave the visiting room, they will be allowed to enter the sallyport. However, while inside the Sallyport with all doors closed, the pass central control corporal shall shine the ultraviolet light on each visitor's left wrist area (or other area if the wrist was not available) to determine if the original invisible skin-marking is still there. If the mark is intact, Central Control shall allow the visitor(s) to leave. If the marking appears illegible, altered, or "suspiciously different" from what was originally stamped or written on or if no mark is visible at all, the Central Control shall notify the shift supervisor, immediately, and request instructions. The visitor(s) in question shall be detained inside the Sallyport with all doors closed until the shift supervisor authorizes the person(s) to pass through. The pass clerk/visiting corporal or person processing the person in will be consulted to verify the person's identity.

Any visitor who refuses to allow him/herself to be marked with invisible skin-marking ink shall not be permitted to enter the facility.

XIV. INCARCERATED INDIVIDUAL PROCESSING

- A. Incarcerated individuals shall be notified by team members when they have a visit and shall report to the visiting area where he shall be safety-searched in the incarcerated individual shakedown room prior to entering. All clothing and personal items shall be inventoried on an Inmate Property form (DCS-A-sec-004). The form shall be signed by the corporal conducting the safety search.

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- B. At the end of a visit, each incarcerated individual shall be safety-searched, and a second inventory of his clothing and personal items shall be conducted by the team member conducting the search.

XV. ANNUAL REVIEW AND UPDATE

Policies and procedures governing visiting shall be reviewed annually and updated as necessary.

REFERENCE

I. STATUTORY REFERENCE

- A. Nebraska Revised Statute: SS83-173 and 83-186
- B. DCS Rules and Regulations – Chapter 4 – VISITING

II. NDCS POLICIES – None noted

III. ATTACHMENTS

- A. Visitation Request Form
- B. Special/Extended/Emergency Visit Request
- C. Incarcerated Individual Immediate Family Medical Notification Form
- D. Incarcerated Individual Summary of Crimes Against Minors
- E. Crimes Against Minor-Aged Victims
- F. Entrance/Exit Procedures (Revised 3/20/2024)
- G. Visitor Deletion
- H. Visiting Restriction Guidelines
- I. Virtual Visitation Program

IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS

- A. Expected Practices for Adult Correctional Institutions (ACI) (5<sup>th</sup> edition):  
5-ACI-3D-01, 5-ACI-3D-02, 5-ACI-2E-03, 5-ACI-7D-14, 5-ACI-7D-15, 5-ACI-7D-16,  
5-ACI-7D-17, 5-ACI-7D-21, 5-ACI-7D-22
- B. Standards for Adult Community Residential Services (ACRS) (4<sup>th</sup> edition):  
4-ACRS-2A-02, 4-ACRS-5A-17, 4-ACRS-5A-18, 4-ACRS-6A-01