

NEBRASKA

Good Life. Great Mission.

DEPT OF CORRECTIONAL SERVICES

NEBRASKA CORRECTIONAL YOUTH FACILITY

PROCEDURE

VISITING

REVISION DATE
September 30, 2021

NUMBER
205.2.1

PAGE
1 of 25

STATEMENT OF AVAILABILITY

***This Procedure is to be made available in law libraries or other resource centers**

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SUMMARY OF REVISION/REVIEW

PROCEDURE III.B-New section.

APPROVED:



Loretta D. Wells, Warden
Nebraska Correctional Youth Facility

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 2 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

PURPOSE

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

GENERAL


- A. It is the belief of NCYF that supervised visits between inmates, family and friends can contribute significantly to the strengthening and maintenance of family ties, encourage socially-acceptable behavior, and assist in improving institutional stability. Therefore, NCYF encourages visits as a means of facilitating the rehabilitation and socialization process. All inmates 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 institution 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 inmate access to counsel and assist inmates 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)**

PROCEDURE

- I. This Procedure shall be made available to inmates within 24 hours after arrival at NCYF. The inmate 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 inmate during a visit).
 - G. Special visits (for example: family emergencies.)

II. AVAILABILITY OF THE RULE BOOK


Nebraska Administrative Code, Title 68 (NDCS rulebook), Chapter 4 which contains visiting rules and procedures shall be given to each inmate and team member. Chapter 4 shall be translated into those languages spoken by significant numbers of inmates. Signed acknowledgement of

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 3 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

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

III. ADDITIONAL VISITING REGULATIONS

- A. Visitors shall not be permitted to visit prior to submittal of the authorized visiting forms and approval by the Warden or designee. 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 inmate to initiate the visiting process. Inmates may obtain Visitation Request Forms (VRF) (DCS-A-adm-012) 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 either by U.S. mail or by dropping it off in person. Forms must be sent to the attention of NCYF's Visiting/Pass Clerk for processing.
 2. If the VRF is complete, the Visiting/Pass Clerk 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 visiting forms shall be marked "OK" in red ink or the NCIC printout of the visitor's record shall be attached. All visiting forms are returned to the Unit Case Manager upon completion.
 3. If the VRF is incomplete, the Visiting Clerk shall return the form, with notation of problem(s), to the applicant.
 4. At the housing unit level, a Unit Case Manager shall check Siebel to see if the applying visitor is on another NDCS inmate's visiting list. The Unit Case Manager also verifies the information on the form for accuracy (i.e. relationship, criminal history, etc.). The Unit Case Manager recommends approval or denial of the visiting form 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 to the inmate.
 6. If denied by the Unit Case Manager and Unit Administrator, the visiting form 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 to the inmate.


	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 4 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

7. The Pass Clerk/Visiting Corporal forwards the visiting form to the Records Office where it is placed in the inmate's main file.
8. The inmate has ten (10) working days after notification to appeal denials. The appeal process is initiated when the inmate submits a completed Inmate Interview Request Form to the Warden.
9. Any person shown by substantial evidence to have a harmful or deleterious effect on the inmate, or who constitutes a threat to the good order and security of the institution, shall be excluded from an approved visiting list.
10. Whenever an inmate 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 inmate to notify the person that he/she has been approved to visit, and to insure 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 include their names, ages and requested information when completing the online form. All children must have an approved visitation application on file.
6. Complete the visit preference dates, including alternate dates/times, and click "Submit."
7. All visitation requests must be submitted at least seven days prior to the selected visit date.
8. Visits are scheduled on a first come, first serve basis. The NCYF Pass Clerk will send an email, at least three days in advance, notifying the visitor of the approved visit.
9. To cancel a scheduled visit for any reason, the visitor should notify NCYF as soon as possible.

 Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 5 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			


10. The visitor must arrive at NCYF 15-30 minutes prior to the approved visit for processing. Late arrivals will not be processed.
11. 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 NCYF before the approved visit.

C. Visiting Limitations

Institutional policy and procedure shall provide that the number of visitors an inmate 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)**

There is no limit to the number of visitors an inmate 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. There shall be no limit to the number of visitors an inmate may have on his authorized visiting list; however, all visitors must be approved by the facility for visiting. The number of visitors an inmate 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)**. Visitors shall not generally be granted permission to visit prior to their submittal of a VRF and prior to its subsequent approval. Specific visiting policies limiting visitation are as follows:
 - a. Visitors shall not be on the visiting list of more than one inmate housed within NDCS. Three exceptions to this policy are as follows:
 - 1) An "immediate family" member may be granted permission to be placed on more than one inmate's visiting list if one person involved is a member of the inmate's immediate family.
 - 2) Credentialed news media representatives may be allowed on more than one inmate visiting list at any time.
 - 3) Approved and active members of the clergy may be allowed on more than one inmate visiting list at any time.
 - b. No more than four adults may visit an inmate during any one visiting session.
 - c. Visitors who leave NCYF shall not be permitted to resume their visiting privilege for that session.
 - d. Special visiting restrictions may be imposed by NCYF due to scheduling, space and personnel constraints. An inmate may have a maximum of four adults and four minors during any one visiting session.

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 6 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

- e. For the purpose of visiting, immediate family shall be defined as: spouse, parent, step-parent, person acting in place of parent (as documented in the master record), sibling, step-brother, step-sister, half-brother, half-sister, child, step-child, grandparent and grandchild.

2. Age Requirements

a. Persons 19 years and older

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


b. Persons 18 years of age and under

- 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 other authorized adult who accompanies said minor must also be on the inmate'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 inmate's visiting list. Such individuals are, however, required to submit a Visitation Request Form.)
- 5) Minors age 18 and under must have an original birth certificate to present to the visiting staff during their first visit.
- 6) All minors age 16 and older must also present a picture a valid picture ID to the visiting staff on all visits.

- c. 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 Visitation Request Form.

D. Criminal Records

Persons with criminal records shall not automatically be excluded from visiting. In determining whether or not 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


	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 7 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

activity, shall be weighed carefully against the benefits of visitation. The Warden or designee 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 and/or will result in denial of visiting privileges.

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. Exception may be made for a spouse/immediate family member who may be allowed to visit once a month by special approval from the Warden/designee. It shall be the responsibility of the spouse/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/designee must review and approved/disapprove all VRFs submitted by the victim of a sexual or violent offense, when that offense is committed by the inmate being visited if such information is known to NCYF staff. Generally, the victim of a violent offense shall not be granted permission to visit. An exception may be made with a spouse or adult immediate family member, who may be allowed to visit one time per month, with approval from the Warden.
4. Immediate family members having pending misdemeanor/felony charges may be considered for monthly special visits pending resolution of the charges.
5. Following the release of an inmate on parole, or when an inmate 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 inmate. Corrections website automatically deletes all visitors when an inmate is released.
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/Prior Team Member Guidelines

1. Generally, prior employees will not be granted permission to visit except with immediate family members. All Visiting Request Forms from prior 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

 Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 8 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

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/designee for final approval. The Director/designee may deny the visitation request based on safety/security concerns specific to the individual requesting to visit.

2. For instances where a prior employee is attempting to visit an inmate who is not an immediate family member, the following shall be considered:
 - a. The nature of the prior employee's relationship to the inmate.
 - b. The length of time the prior employee has known the inmate.
 - 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 departmental employees shall not be approved to visit except for immediate family. Employees must make a written request to the Warden to be considered, as well as to the Warden of the facility where the employee is assigned.

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 inmates 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

Weds.-Fri.:	Session I Session II	12:30 p.m. to 15:30 p.m. 17:15 p.m. to 20:15 p.m.
Sat./Sun:	Session I Session II	08:00 p.m. to 11:00 p.m. 12:30 p.m. to 15:30 p.m.

Note: General Population inmates shall be allowed two (2) visiting sessions per visiting week (Wednesday through Sunday).

H. Visiting Lists

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 9 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

An inmate may receive visits from anyone he chooses, subject to the approval of the Warden or designee. In making this determination, the Warden shall consider the effect that the presence of any given visitor may have on the facility, its staff, and/or the inmate confined within, and the probable effect such presence may have upon the rehabilitative progress of the inmate to be visited. Visitors may be refused admission to the facility for failing to abide by the rules and regulations. Such failure by the visitor may result in being removed from the inmate's visiting list.

IV. SPECIAL, EXTENDED AND EMERGENCY VISITS

All visitors must be authorized by NCYF's Warden/designee.

A. Special Visits:


A special visit may be requested by an inmate for professionals not on the inmate'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.

Special visits are not permitted for family/friends of inmates in advance or in lieu of obtaining approval to visit through the established Visiting Request process. Family/friends of the inmate must be on the inmate's approved visiting list before being permitted to visit.

1. Specifically, whenever an inmate 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 inmate's permanent record file. A special visit may be extended with the permission of the Unit Administrator. **(7D-17)**
2. Special visits shall be applied to the number of visits an inmate is allowed per week.

B. Professional and Public Official Visits

Attorneys-of-record and public officials may visit inmates at NCYF without formal placement on an inmate's visiting list. Due to limited private space, the institution requests to have prior notice of an attorney's visit. Attorneys shall be admitted to the institution during regular administrative or visiting hours after presenting

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 10 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

proper credentials and identification. If special circumstances exist, they may be allowed to visit on non-visiting days and during non-visiting hours, but only with the prior approval of the Shift Supervisor or higher authority.

Attorneys shall be entered into the database as they come to visit; Social Security numbers or VRFs are not required.

Attorneys-of-record who utilize paralegals to conduct legal research regarding an inmate's case must first forward a letter to the Warden identifying the paralegal, the inmate client and the nature of the business to be conducted. No person acting in the capacity of a paralegal shall be admitted into the institution without a letter of endorsement from his/her attorney-of-record.

All professionals and public officials shall be pat searched when visiting an inmate on "non-official" business.

C. Extended Visits:

An extended visit may be requested by the inmate for individuals on the inmate's visiting list who visit infrequently (less than one visit per month) because of long distance (more than 200 miles) from NCYF. Special visits must not interfere with counts, security measures or emergencies, and must take place during regular business or 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.

D. Emergency Visits:


An emergency visit may be considered for instances of verifiable death or critical illness of an inmate'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 inmate's immediate family, the inmate shall be notified as soon as possible (Attachment G).

E. Inmates who Have Committed Crimes in Which Victim(s) were Minor Aged Children (Under 19 Years of Age):

1. The file of each inmate shall be reviewed to determine if any record exists meeting the above criteria. Newly committed inmate files shall be reviewed by receiving staff at NCYF in which the inmate is housed. If such a record exists, the person reviewing the record shall list out the information on the inmate Summary of Crimes Against Minors form (DCS-A-adm-105-pc).

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 11 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			


2. Once an inmate has been identified, the NiCaMS database for “prior contact with minor” shall be updated. This entry will 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 inmate file.

3. The Warden shall have the authority to impose visiting restrictions on identified inmates on a case-by-case basis. The Warden shall indicate restrictions on the Crimes Against Minor Aged Victims Form (DCS-A-adm-105-pc). Case Managers shall ensure the inmate 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 inmates to visiting children/youth at designated times and/or designated authorized areas, excluding visitors under the age of 19 from the inmate’s approved visiting list and/or suspension of all visiting privileges until the inmate has received treatment intervention. The visits shall be closely monitored by visiting room staff. Any violation of this policy shall result in immediate termination of the visit, removal of the inmate and the visitor from the visiting area and the issuance of a misconduct report. Penalties imposed against inmates 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 inmate.
 - e. Age of requested visitor and relationship to inmate.
 - f. Inmate 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 staff.

5. Inmates 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 inmates.

6. This includes current and prior convictions and any verifiable plea agreements regarding same. Arrests without convictions may be considered if a pattern of prior abuse exists. The following offenses committed against minor children shall be considered:
 - a. Murder
 - b. Manslaughter
 - c. Sexual Assault
 - d. Assault
 - e. Incest

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 12 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

- f. Terroristic Threats
- g. Kidnapping
- h. False Imprisonment
- i. Fondling
- j. Child Abuse
- k. Pornography
- l. Contribution to the Delinquency of a Minor
- m. Any other related offenses

F. Inmate to Inmate Visits:

Inmate to inmate visits may occur when the following criteria are met:


1. One inmate must be on community custody status.
2. The community custody inmate shall initiate the visit request.
3. The inmates must be immediate family as defined by current departmental guidelines.
4. Each facility's Warden or designee must approve the visit.
5. The visit shall generally occur during regular visiting hours.
6. The community custody inmate must produce his/her inmate I.D. prior to being allowed to visit at a secure facility.
7. The community custody inmate shall be safety searched upon arrival and upon leaving NCYF.
8. Visits may be approved once every three months.
9. If the facilities are in the same city, the visit may be done on pass; if the facilities are in different cities, the visit may be done on furlough.
10. If the visit occurs during furlough, it shall be considered as one of the inmate's approved four (4) hour daily itinerary activities.
11. An approved volunteer sponsor shall provide transportation.
12. The approved volunteer sponsor may also participate in the visit if the sponsor is on the visiting list of the inmate to be visited.
13. 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.

G. Holidays:

Inmates shall be allowed visits 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 or not 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 shall be responsible for posting a memo to the inmate population and the public at least 2 weeks prior to each holiday.

V. VISITOR DELETIONS

- A. Any inmate may request that one or more persons listed on his approved visiting list be deleted from that list by completing a Deletion Request Form (DCS-A-adm-063). The deleted visitor's name(s) shall not be placed on another inmate's approved visiting list for

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 13 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

six months. The deleted visitor's name(s) also shall not be reinstated on an inmate's visiting list for six months (if the visitor's name was previously removed at that inmate'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 inmate'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 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 inmate's visiting list.

I. Inmate Processing

1. Inmates 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 inmate 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 officer conducting the safety search.
2. At the end of a visit, each inmate shall be safety-searched and a second inventory of his clothing and personal items shall be conducted by the team member conducting the search.

VI. VISITOR/INMATE 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 inmate to conduct themselves in a manner that shall not bring discredit upon them or be disruptive to other visitors in the area. (Attachment H) **(7D-21)**
- 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. Staff 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: 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. NDCS prohibits all persons from introducing an electronic communication device within an NDCS facility without prior authorization, or as specifically authorized by NDCS policy.
- E. No person is permitted to provide an electronic communication device to an inmate at NCYF.

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 14 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			


- F. At the conclusion of the visit, inmates and visitors share a responsibility for cleaning up the immediate area used for the visit.
- G. An electronic communication device is any device which, in its ordinary and intended use, transmits by electronic means: writing, sounds, visual images, or data of any nature to another electronic communication device. An electronic communication device does not include any device provided to the inmate by the Department of Correctional Services.
- H. Any person who intentionally introduces within NCYF, or intentionally provides an inmate assigned to the facility any electronic communication device, commits an offense for which he/she may be criminally charged.

The following individuals are exempt from prosecution for this offense:

1. An attorney, or attorney's agent, visiting the inmate 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.
 6. Nebraska Revised Statute 28-936. (NRS 28-936).
- I. An electronic communication device involved in a violation of NRS 28-936 shall be subject to seizure by the Department 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.
 - J. The procedure for obtaining approval to introduce an electronic communication device within NCYF is as follows:
 1. A Cellular Device Institutional Use Request (DCS-A-ims-005-pc7)) must be completed and submitted to the NDCS Director. Only the Director or his/her designee can grant permission to introduce an electronic communication device within NCYF.
 2. If approved, Human Resources at Central Office shall issue an institutional use card, which shall include the approved person's photo, name, title, phone number, brand and model number of the device. To be valid, the information on the card must be accurate.
 3. Prior to proceeding past the first institutional check point, the card and authorized device shall be presented for verification. The card shall be retained at the access point to provide inventory and tracking control.

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 15 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

4. Upon exiting the institution, the device shall be presented for verification and the card shall be returned to the individual.
 5. If an electronic communication device is approved, individuals introducing such a device are required to abide by all departmental and institutional restrictions regarding photography in NCYF. The taking of photos/video must be approved, in advance, by the Warden or communications office.
- K. 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 departmental policy.
 5. Inappropriate dress, as defined in this Procedure.
 6. Poor sanitation and hygiene of visitor.
 7. False or incorrect information on the VRF, or attempting to visit under a false identification.
 8. Any circumstance that presents a threat to the security of NCYF, team members, visitor(s) and/or inmates.
- L. 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 inmate disciplinary process. **(7D-16)**
 2. Visitors and inmates must accept responsibility to behave in a mature, responsible manner and be respectful of the rights of other inmates and their visitors.
 3. Physical contact between visitors and inmates 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.
 4. Inmates 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 be maintained at all times.
 5. An inmate and a visitor may hold hands during the visit. Hands shall remain visible above the tables at all times.

 Good Life. Great Mission. <hr/> DEPT OF CORRECTIONAL SERVICES	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 16 of 25
STATEMENT OF AVAILABILITY *This Procedure is to be made available in law libraries or other resource centers			

6. No materials such as blankets, cloth, etc., may be used as a lap cover, draped over tables, benches or chairs in the visiting area.

7. Visitors and inmates shall not be allowed to sit on each other's laps or straddle chairs, benches, etc. Inmates may be permitted to hold children, age 5 and under, during visits. No exceptions to this provision shall be made.

M. It is the responsibility of the visitor to supervise and maintain control over accompanying children. Neither visitors nor inmates 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 inmate, the visit may be terminated.


N. Visitors and inmates must obey team member instructions and posted rules and regulations governing visits.

VII. VISITATION RESTRICTION/SUSPENSION

A. Visitor Restrictions

It is the policy of NCYF to encourage visits between members of the community and inmates as a means of promoting the rehabilitation process. However, inmates 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 inmate 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 inmate.
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 one's self 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.

 Good Life. Great Mission. <hr/> DEPT OF CORRECTIONAL SERVICES	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 17 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

10. False or incomplete information on VRF, or visiting/attempting to visit under a false identification.
11. Physical contact with a minor by an inmate on “No Contact” status with minors.
12. Poor sanitation and hygiene of visitor.

B. Visitor Suspension and Termination

The Warden of the facility 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 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 institution or the safety of an individual. The inmate involved will 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 inmate 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 staff observes behavior between an inmate and his visitor which he/she feels is inappropriate or disruptive, that staff shall contact the Shift Supervisor and inform him/her of the situation.

The Shift Supervisor shall make the decision as to whether or not 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 Unit Administrator’s office. 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

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 18 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			


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 inmate or the visitor may require modification.

1. Improper inmate or visitor conduct during the visiting process.
2. Disruptive behavior.
3. Introduction of contraband or taking unauthorized items or property from the facility. VISITORS WHO HAVE BEEN FOUND INTRODUCING OR ATTEMPTING TO BRING CONTRABAND INTO THE NEBRASKA CORRECTIONAL YOUTH FACILITY MAY BE SUBJECT TO CRIMINAL PROSECUTION UNDER NEBRASKA LAW.
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. (Types of searches may include: Canine, pat search or other searches as indicated/approved.)
6. Refusal to allow oneself to be marked with invisible skin-marking ink.
7. Violation of any posted visiting rules and regulations or failure to follow staff 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 or attempting to visit, under a false identification.
11. Poor sanitation and hygiene of the visitor(s).
12. Physical contact with a minor by an inmate on “no contact” status with minors.

VIII. VISITOR ATTIRE

When visiting at NCYF, casual attire is appropriate. However, clothing should not be distracting or offensive to inmates or visitors, and must be in good repair. Footwear in good repair is required to be worn at all times; open toe shoes are allowed. A lightweight outer jacket/sweater without any hood or 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.


	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 19 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

- 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. Staff 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 ball 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. INMATE ATTIRE DURING VISITING

- A. Pants: Inmates shall wear state-issued khaki long pants or personally purchased blue jeans. Pants shall be kept neat, properly buttoned and zipped at all times. Inmates 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: Inmates 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 with the exception of 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.

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 20 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

- C. Inmates may wear state-issued kitchen whites, if kitchen whites are clean and if coming directly from work.
- D. Shoes and Socks: Inmates shall wear state-issued socks and black shoes at all times except when the Medical Department authorizes, in writing, alternative footwear.
- E. No clothing other than described above shall be permitted in the visiting area. Inmates and their respective visitors shall not be allowed to wear or exchange each other's clothing while visiting. No inmates 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. Inmate Items

Inmates in general population shall be required to be in possession of his inmate I.D. card. Control over items brought into the visiting room is necessary for the safety, health and welfare of the inmates', visitors and team members. Only the Warden/designee may authorize items other than those items listed below.

1. One ring.
2. Two earrings and one necklace.
3. One handkerchief.
4. One comb.
5. One pair prescription glasses.
6. One religious medallion/headwear (rosaries are not permitted to be worn as necklaces).
7. One religious book for a clergy visit.
8. Authorized medical prosthetic appliances such as artificial limbs, wheelchairs, canes, hearing aids, crutches etc., heart and asthma medication.
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:


	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 21 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

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 medication must be in the original container and kept at the Visiting Corporal's desk.
2. Infant necessities will not exceed 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. 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 identification to verify the visitor status/relationship.
 - b. Once 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.
 - f. Religious materials for a clergy visit.
 - g. Credentialed media representatives approved to visit with an inmate 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 inmate (inspected, but not read). The inmate is not authorized to bring any documents to the visiting session or take any of the notes back to his cell.
 - h. Authorized photographs taken during the visiting session are allowed to be taken out of the visiting room by the visitor.

XI. INMATE CHANGE OF STATUS


The inmate 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.

 Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 22 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

Major change of status shall be considered transfer from one major facility to another, such as the Lincoln Correctional Center to the Nebraska State Penitentiary or from Community Corrections Center back to an institution. It is the responsibility of the inmate to notify any visitor of intra or inter-institutional program changes such as change of housing unit. Where the inmate is unable or not allowed to personally notify someone, the Warden/designee shall notify a visitor of the change of status. After a reasonable effort, if the Warden/designee is unable to contact a visitor to relay a major change of status, then the inmate shall be so notified.

XII. 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 institution, 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 inmate’s authorized visiting list shall be permitted to visit. Each visitor must bring with him/her at least one form of valid government issue photo identification and must present this document to the Pass Clerk/Visiting Corporal each time he/she enters NCYF. Expired identifications shall not be accepted.
 - 2. The Pass Clerk/Visiting Corporal shall exercise good judgment in establishing that each visitor has provided sufficient identification. If ever there is a question concerning the adequacy of a visitor’s identification, the Pass Clerk/Visiting Corporal shall consult with the Shift Supervisor who shall make the decision as to whether or not to deny a visit.
- 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 #1) 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 inmate, 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 inmate’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)**

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 23 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

G. The dates of all visits with inmates 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 inmate 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 hand held 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/designee 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 will contact law enforcement officers as appropriate. Law enforcement may be contacted by NCYF staff if NDCS investigators are unavailable. Under no circumstances will visitors be involuntarily searched or detained. All visitors will be searched by trained NCYF/NDCS staff of the same gender. Male staff are not allowed to pat search female visitors.


Refer to Policy 120.01, *Official Visitors to Correctional Facilities and Programs*, Attachment A for additional information on visitor searches.

Full-Time volunteers are defined as those who initially attend and complete Pre-Service Training at the Staff Training Academy in Lincoln, to include the successful completion of defensive tactics training. Additionally, these volunteers must successfully complete the required In-Service Training, annually, to maintain "Full-Time Volunteer" status.

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.

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

3. 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 inmate 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 DCS investigators and/or law

	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 24 of 25
STATEMENT OF AVAILABILITY			
*This Procedure is to be made available in law libraries or other resource centers			

enforcement and forward all relevant reports for possible legal action against the visitor.

4. 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.

5. Marking Visitors with Invisible, Skin-Marking Ink

Visitors shall be marked just prior to entering the Sallyport into the institution. After each visitor has been pat-searched, he/she shall pass through the walk-through metal detector or hand held 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 wrist watch 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.

6. Checking Visitors with the Ultraviolet Light as They Leave the Institution
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 Clerk 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 institution.

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

 Good Life. Great Mission. <hr/> DEPT OF CORRECTIONAL SERVICES	NEBRASKA CORRECTIONAL YOUTH FACILITY		
	PROCEDURE		
	VISITING		
	REVISION DATE September 30, 2021	NUMBER 205.2.1	PAGE 25 of 25
STATEMENT OF AVAILABILITY *This Procedure is to be made available in law libraries or other resource centers			

- B. Special/Extended/Emergency Visit Request
- C. Inmate Immediate Family Medical Notification Form
- D. Inmate Summary of Crimes Against Minors
- E. Crimes Against Minor-Aged Victims
- F. Entrance/Exit Procedures
- G. Visitor Deletion
- H. Visiting Restriction Guidelines
- I. Cellular Device Institutional Use Request (DCS-A-ims-005-pc)

IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS

- A. Expected Practices for Adult Correctional Institutions (ACI) (5th 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) (4th edition):
 4-ACRS-2A-02, 4-ACRS-5A-17, 4-ACRS-5A-18, 4-ACRS-6A-01