



TITLE: Youth Visitation	PAGE 1 OF 11
	NUMBER: 175-MAL-04
RELATED RULE/CODE: ORC 5139.05 (F); 2921.36 OAC 5139-2-28	SUPERSEDES: Policy 508.03 dated 9/19/2014
RELATED ACA STANDARDS: 4-JCF-3A-18, 4-JCF-3A-19, 4-JCF-3A-20; 2-CO-5D-01	EFFECTIVE DATE: January 15, 2018
RELATED PREA STANDARDS:	APPROVED: <i>Harvey J. Reed</i> Harvey J. Reed, Director

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5139.01, which delegates to the Director of the Department of Youth Services the authority to adopt rules for the government of the department, the conduct of its officers and employees, the performance of its business, and the custody, use, and preservation of the department's records, papers, books, documents, and property.

II. PURPOSE

The purpose of this policy is to establish procedures that govern visitation programs for youth.

III. APPLICABILITY

This policy applies to the Ohio Department of Youth Services (DYS) employees and those youth that receive visits, those staff who process visitors' applications, and the visiting room staff who monitor and supervise visitation.

IV. DEFINITIONS

Applicant – A status for a potential visitor depicting that the application from the potential visitor is pending receipt or processing.

Approved Visitor – An approved visitor is a family member, friend, legal counsel, clergy of record, or other person as approved by the facility superintendent who has submitted an acceptable visitor application.

Bona Fide Identification – A valid form of government-issued photo identification.

Child – Any person under the age of eighteen (18) years.

Clergy of Record – The clergy identified by the youth as his or her current outside clergy member, whose proof of professional certification and letter are on file in DYS. Associate or staff pastors may visit in place of the clergy of record with proper application and professional verifications, and approval from the facility superintendent.

Courtesy Visit – A one-time visit granted by the superintendent/designee at intake or orientation when a visitor's application is pending approval or when other administrative delays/changes exist.

Immediate Family – Parents/legal guardian(s), stepparents (if currently married to a parent), spouse, siblings, half siblings, or children of the youth and the children's guardians.

Legal Counsel – An attorney privately employed by a youth, court appointed attorney, public defender, attorney under contract with DYS to provide legal services to youth, as well as any legal assistants, paralegals or other employees/independent contractors working with these attorneys to pursue a legal issue on behalf of youth.

Reentry Mentor – A volunteer who is affiliated with a community organization that has partnered with DYS to assist the youth in transitioning into the community.

Special Visit – A visit that has been approved by the superintendent/designee for someone who may not be an approved visitor, but where significant reasons indicate such a visit would be beneficial to the youth and would not present a security concern to the facility.

V. POLICY

It is the policy of the Ohio Department of Youth Services (DYS) to provide guidelines to govern facility visitation and to grant youth the right to receive visits subject only to the limitations necessary to maintain facility order and security. [2-CO-5D-01] DYS is committed to enhancing family engagement through innovative and family-friendly policies and procedures governing visitation.

VI. PROCEDURE

A. Visitation Requirements

1. The facility superintendent shall designate a staff member to ensure visitation regulations are included in the facility's youth handbooks and posted in the front entrance and in the designated visitation areas within the facility.
2. The facility shall not prohibit a youth who is committed to the department from seeing his parents/legal guardian, or custodian during standard visitation periods unless the facility superintendent determines that permitting the youth to visit with the youth's parent/legal guardian, or custodian would create a safety risk to that youth, that youth's parents/legal guardian, or custodian, facility staff, or other youth held in the facility. [ORC 5139.05(F)]

3. All visitation guidelines shall be set forth in the General Visitation Guidelines (Appendix A). The facility superintendent may establish additional visitation guidelines that are facility-specific. However, no facility-specific policies shall supersede the General Visitation Guidelines (Appendix A). The facility superintendent assures that local visitation guidelines include the following:
 - a. There shall be no age restrictions placed on visitors.
 - b. Visitation is permitted seven (7) days a week.
 - c. Whenever possible, facilities should offer visitation during non-traditional hours (i.e., evening and through the week).
 - d. Visitors shall be offered a minimum of 3 hours per visit.
 - e. All facility visitation areas shall have a child-friendly area with age appropriate toys and games.
 - f. All facilities shall offer at least one (1) family day during intersession.
4. Each facility shall provide a visiting room or area that allows ease and informality of communication in a natural, comfortable environment, as well as providing the opportunity for physical contact during visiting. [4-JCF-3A-20]
5. Visitation areas, including entrance/exits and restrooms, shall be fully accessible to visitors with disabilities.
6. Privileged visitation by attorneys shall be provided in accordance with DYS Policy 159-YRI-02, Legal Assistance from Private and Court Appointed Legal Counsel.
7. The facility superintendent or designee may authorize special visits by persons not on the approved visitors list, with consideration given to, but not limited to, the following:
 - a. Relationship of visitor to youth;
 - b. Purpose of visit (e.g. reunification, re-entry, long distance travel);
 - c. Rehabilitation benefits (regardless of PRIDE designation level).
8. When there is an approved special event that includes visitors, the visit shall not count toward the number of visits a youth is permitted to receive. Examples of special events include, but are not limited to, family days, graduations and programming events.
9. The youth in DYS facilities are managed under the guidelines of the DYS Policy 180-YBM-01, Positive Response Incentive Driven Environment (PRIDE), which is a multi-level behavior motivation system. As such, the number of visitors a youth receives relies on his progression within the PRIDE level system. This excludes special events visits, courts personnel, committing judge, any listed attorney of record, clergy of record or children under the age of eighteen (18) years old.

- a. Level 1 – Youth can be visited by immediate family members, committing judge, legal counsel, and clergy of record.
 - b. Level 2 – Youth can be visited by immediate family members, reentry mentor, committing judge, legal counsel, one family-approved friend/significant other and clergy of record.
 - c. Level 3 – Youth can be visited by immediate family members, reentry mentor, committing judge, legal counsel and clergy of record, family-approved friends/significant others.
 - d. Level 4 – Youth can be visited by immediate family members, reentry mentor, committing judge, legal counsel and clergy of record, family approved friends/significant others.
 - e. Youth on the Orientation Units shall be permitted visits from immediate family members in addition to the committing judge, attorney and clergy of record.
10. When a youth is in seclusion during visitation hours, the youth shall receive his/her visit with the following conditions:
- a. If a youth is on the mental health caseload, a Behavioral Health staff member shall meet with the youth and his visitors to discuss the youth's behavior that led to his placement and the progress he is making in correcting his behavior.
 - b. If the youth is not on the mental health caseload, the unit manager or case manager shall meet with the youth and his visitors to discuss the youth's behavior that led to his placement and the progress he is making in correcting his behavior.
 - c. The youth shall not be able to have privileges during visitation (i.e., snacks, pictures taken, etc.).
 - d. When a youth is in post Acts of Violence (AOV) Seclusion, visits for that day shall be cancelled.
11. Information entered into the approved visitation database located on the shared network drive (O:) shall include, but not be limited to, the following:
- a. Name and address of the visitor to the youth;
 - b. Name of youth being visited;
 - c. Date of the visit;
 - d. Time the visitor enters and time the visitor leaves the facility. [4-JCF-3A-19]

B. Visitor Application and Processing Procedures

1. Intake

- a. The assigned intake case manager shall provide written procedures and/or guidelines governing visitation to all youth and communicate the same visitation procedures and/or guidelines to the parents, legal guardian and/or custodian within 24 hours after the youth's arrival to the facility. The visitation procedures/guideline are provided in the Youth Handbook. The information shall include, but is not limited to, the following [4-JCF-3A-18]:
 - i. Facility address and phone number
 - ii. Directions/maps to the facility and information about public and local transportation
 - iii. General Visitation Guidelines
 - iv. Visitation Application
 - v. Visitation Rules
 - vi. DYS Visitation Violation Sanction Grid
 - vii. Days and approved hours of visitation
 - viii. Approved dress code
 - ix. Identification requirements
 - x. Items authorized in visitation room
 - xi. Special rules for children/visitors under the age of 18
 - xii. Special visit options and instructions on how to arrange them
 - b. The intake case manager shall review the DIR and/or contact the committing court and parents/legal guardian to verify any visitation restrictions and document these restrictions in JJCMS.
2. When the visitor application has been received by the facility, the assigned case manager shall identify the person/family member responsible for determining the approved visitors list for each youth based upon records of family members and other supportive individuals in the youth's life.
- a. The youth's assigned case manager shall verify the identity of all proposed visitors and approve them for visitation.
 - b. The case manager, in consultation with youth's facility program personnel, parent/legal guardian and juvenile parole officer, shall ensure they are consulted on any approval of a visitor.
 - c. The assigned case manager shall check JJCMS and communicate with the intake staff to obtain any visitation restrictions imposed by the committing court.

3. Courtesy visits may be granted to immediate family members once the visitors' applications have been received.
4. The superintendent/designee may approve visitors to visit with more than one youth during a scheduled visit if all involved are immediate family members and/or approved visitors. This does not include clergy of record.
5. With the exception of a youth's legal counsel, each potential visitor must complete a [Visitor Application \(DYS2274\)](#). A copy of the application can be retrieved from the DYS website or by contacting the facility directly. The potential visitor shall complete the application and return it to the facility through the U.S. Mail, email, and fax or in-person submission; however, visitation shall be limited to the parent/legal guardian until the application has been processed and the visitor has been approved and notified.
6. The facility chaplain shall verify credentials of the prospective clergy/minister of record according to procedures outlined in the DYS SOP 507.01.05, Juvenile Contact with Personal Clergy and Religious Advisors. The facility chaplain shall submit a copy of the approved [Request for Visitation by a Minister of Record \(DYS2265\)](#) and provide proof of professional certification to the youth's assigned case manager. The case manager shall add the clergy/minister of record to the youth's visitation list in the youth's file and the case manager shall create a note that includes the approved visitation list in JCMS.
7. Each visitor, with the exception of legal counsel, must sign a copy of the General Visitation Guidelines (Appendix A) and submit it with the visitor application prior to visiting a youth for the first time. Case managers or assigned staff shall note receipt of the application and all required supporting documents in department-approved data collection system.
8. The superintendent at each facility may disapprove visitation requests to persons under the following circumstances: [4-JCF-3A-19]
 - a. There is a previous documented abuse issue between the visitor and the youth;
 - b. It is determined through psychology, social worker or interdisciplinary team that the visit is not in the best interest of the youth due to a victim/perpetrator or co-defendant relationship between the visitor and the youth;
 - c. There is substantial evidence that a visitor poses a threat to the safety and security of the facility;
 - d. The visitor has a past record of disruptive conduct;
 - e. It is determined through psychology, social worker or interdisciplinary team that the visitor shall not have a positive effect on the youth's attitude, behavior, overall adjustment, or reentry efforts;
 - f. Required documentation has been falsified and/or incomplete forms were returned for processing.

9. The case manager/unit staff shall ensure these steps are taken prior to any victim being allowed to enter the facility for a visit.
10. Written notification shall be provided to the youth and visitor within seven (7) business days of the decision. [4-JCF-3A-19]

C. Visitation

1. Facility personnel shall be available during youth visitation times in order to answer questions or provide clarification concerning facility policies and procedures.
2. DYS visitors entering the facility shall conform to regulations in accordance with General Visitation Guidelines (Appendix A). The youth visitation list may include up to fifteen (15) visitors, regardless of the relationship, excluding the committing judge, any listed attorney of record, clergy of record, or children under the age of eighteen (18) years old.
3. Staff who supervise visitation shall ensure the following:
 - a. Youth are supervised during the visit;
 - b. Visitors do not enter unapproved areas of the facility;
 - c. Incidents related to visiting are reported to the operation manager on duty and the staff designated by the superintendent to oversee visitation;
 - d. All youth are searched after each visit in accordance with DYS Policy 184-SEC-01, Facility Entrance;
 - e. No food or beverages are brought onto facility grounds by visitors.
4. Staff supervising the visitation shall monitor all physical contact and direct any inappropriate contact to stop. The physical contact shall be limited to hugging during greeting and departure, holding of hands and/or arms.
5. Failure to stop inappropriate contact shall result in termination of the visit.
 - a. A supervisor shall be present to address any visitation terminations and escort visitors out the facility.
 - b. This shall include turning a visitor away in the entrance building.

D. Visitation Violations and Sanctions

2. Sanctions for violating the visitation procedures/rules shall follow the [DYS Visitation Violation Sanction Grid \(DYS2275\)](#).

- a. Prior to suspension of visits, a written notice shall be given to both the youth and the visitor, listing the reasons and the duration of the suspension.
 - b. Youth opposed to the visiting suspension have the right to file a grievance as outlined in DYS Policy 159-YRI-07, Youth Grievance Process.
3. The facility shall not prohibit a youth who is committed to the department from seeing his parents, guardian, or custodian during standard visitation periods unless the facility superintendent determines that permitting the youth to visit with the youth's parent, guardian, or custodian would create a safety risk to that youth, that youth's parents, guardian, or custodian, facility staff, or other youth held in the facility.

VII. ATTACHMENTS

DYS2274	Visitor Application
DYS2275	DYS Visitation Violation Sanction Grid
DYS2276	Authorization for Minor Child Visitation
DYS2265	Request for Visitation by a Minister of Record

Table of Effective Changes

Number	Effective Date	Superseded/Modified	Significant Changes
508.03	01/01/1996	NA	First Issuance
508.03	05/19/2008	01/01/1996	
508.03	05/18/2009	05/19/2008	
508.03	01/21/2013	05/18/2009	
508.03	05/10/2013	01/21/2013	
508.03	04/15/2014	05/10/2013	
508.03	09/19/2014	04/15/2014	
175-MAL-04	1/15/2018	09/19/2014	Adopted the new policy format. Incorporated the General Visitation Guidelines. Assigned new policy number. Effective date extended by Executive Staff from 12/14/17 to 1/15/2018.

Appendix A**GENERAL VISITATION GUIDELINES**

1. Visitors must enter the facility no later than one (1) hour prior to the close of visiting hours.
2. All visitors shall be on an approved visitor's list.
3. All visitors over 18 years of age are required to present a picture identification and register in the Employee and Visitor Log book his/her name, address and relation to youth prior to entering the facility.
4. All visitors 17 years of age or under must be related to the youth being visited and accompanied by an approved visitor who is the child's parent or legal guardian. Documentation must be provided naming them the child's parent.
5. All visitors 17 years of age or under must have an approved [Authorization for Minor Child Visitation \(DYS2276\)](#) completed and on file prior to any visit. This document may be sent in prior to the first visit or presented at the initial visit.
6. All visitors 17 years of age or younger shall present one of the following:
 - a. Passport
 - b. School or work photo identification card
 - c. State identification card
 - d. Birth certificate
7. Any visitor who is seemingly intoxicated or under the influence of an illegal substance may not be permitted to visit. The Ohio State High Patrol may be called.
8. All visitors shall be dressed appropriately regardless of the season.
 - a. No shorts, mini-skirts, stretch/spandex pants, yoga pants, halters or tube tops or otherwise cut-off tops with bare midriffs, or items with holes, tatters, or ripped clothing are permitted.
 - b. Skirts must fall below the knee and the top of slits in the skirt or dress must also fall below the knee. Appropriate undergarments must be worn.
 - c. There are to be no form fitting clothing or muscles shirts. Shirts must also have a closed back on them. Shirts and shoes must be worn at all times.
 - d. No sandals or open-toed shoes can be worn. It is suggested that no steel toe shoes or any items with metal be worn as they may prevent clearance through the metal detector.
9. Any visitor with offensive tattoos or body marking shall not display the tattoo or body marking.
10. All personal items (to include, but not be limited to, coats, hats, bandannas, sunglasses, bags, purses, jackets, packages, cups/drinks, umbrellas, medication) must be stored in the secured visitor's lockers or be returned to the vehicles

11. Visitors are not permitted to deliver packages, correspondence, money, or printed materials directly to youth. All such items shall be processed through the mail. In addition, youth shall not be permitted to give any property to a visitor without the written consent of the facility superintendent/designee.
12. DYS facilities have non-smoking environments. Cigarettes, tobacco products, including smokeless tobacco, lighters or matches are not permitted in the facilities.
13. Visitors cannot bring electronic or digital devices to include, but not be limited to, a cell phones, cameras, video and audio recording devices into the facilities.
14. Visitors are not allowed to bring any food items or drinks into the facility.
15. Cash is not permitted beyond the vending card machine.
16. Vending machines will only accept a vending card for purchases. A vending card may be purchased upon your arrival to the facility in the lobby area. Insert a minimum of \$5 into the ecard machine, the initial cost of the card is \$2, the remaining balance will be available to spend in the vending areas. The card is reloadable by inserting \$1 or \$5 bills.
17. Ohio law prohibits bringing the following items in a juvenile correctional facility under Ohio Revised Code 2921.36:
 - a. Any instruments, tools disguised or other implement that may be used in aiding escape;
 - b. Any deadly weapon or dangerous ordnances; any art of or ammunition for such weapon or ordnance; or
 - c. Any drug abuse.
18. Visitors are required to wear a Visitor Pass. Failure to wear the Visitor Pass may lead to removal from visitation. Visitor Passes must be displayed above the waist area. The Visitor Pass is to be returned to the security officer at the end of the visit.
19. Visitors shall only enter the lobby and the visitation area and shall not enter any areas of the facility except for approved areas, as determined by the superintendent/designee, and approved routes to and from those areas.
20. Visitors must comply with any additional visiting rules that may be posted in the facility. Visitors must follow all directions given by the security staff that is overseeing visitation.
21. Visitors shall pass through the detection device and shall also pass within three (3)feet of the Cellsense@unit, if available.
22. Visitors shall be subject to search when entering and leaving facilities and for probable cause at any time while on state property managed by DYS, according to 184-SEC-01, Facility Entrance policy.
23. Pat down searches shall be conducted without cause and shall be conducted uniformly or by automatic random selection. Any visitor that has a medical condition that would not permit them to pass through the detector or that would trigger the detector must provide official medical documentation and will be subject to a “pat-down” search in accordance to Ohio Administrative Code 5139-2-28. A person

of the same gender shall conduct a pat down search. Cross-gender pat down searches are conducted with the approval of the superintendent or designee. Discriminatory or arbitrary searches are prohibited.

24. During visitation, the only restroom facilities available for visitors will be the restrooms in the visitation room or adjacent to the visitation room. The security staff overseeing visitation will allow access to the restroom for visitors.
25. No children (under the age 17) will be permitted to be left unattended anywhere in the facility at any time. Failure to comply will result in suspension of visitation privileges.
26. Visitors may not leave the visiting area to smoke and return. Once the visitors leave the visiting area, their visitation for that day is over.

Visitor Signature

Date