



Plymouth County
Sheriff's Department

Joseph D. McDonald, Jr.
Sheriff

Policy

483

Number of Pages

5

Related Standards

MGL: c. 124, §1 (d&q); c. 127, § 1A

103 CMR: 950

ACA : 4-ALDF-2A-27, 61; 5B-01, 02, 03 & 04; 6A-01, 02

VISITING POLICY

<i>Section</i>	<i>Page</i>
I. PURPOSE	2
II. VISITING PLAN	2
III. VISITING RULES AND REGULATIONS	2
IV. IDENTIFICATION AND SIGN-IN	3
V. SEARCHES OF VISITORS	3
VI. EXCLUSION OF VISITORS	4
VII. SPECIAL VISITORS	4
VIII. VISITING RECORDS	4
IX. APPLICABILITY	5
X. RESPONSIBLE STAFF	5

APPROVED:

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DATE:

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I. Purpose

The purpose of this document is to establish Sheriff's Department Policy relative to visits and visitors of the Plymouth County Correctional Facility.

II. Visiting Plan

The Sheriff or designee will establish written procedure designed to facilitate visits between inmates and their family, friends, attorneys, and clergy. The procedures will establish guidelines to maximize the hours during which visits are permitted. Nothing contained in these regulations will be construed to impair the discretion of the Sheriff or designee to control access to the institution under the provisions of MGL c.127, s.36, when in their opinion the / a visit would be injurious to the Department and / or facility.

- A. It is Sheriff's Department Policy that all inmates housed at the Plymouth County Correctional Facility are eligible to receive visits from persons not currently incarcerated by the Commonwealth of Massachusetts and whose presence on the premises would not otherwise cause a security issue, in the sole discretion of the Sheriff. Procedure will describe the inmate's availability to be visited, who may visit, and when visits may take place.
 - 1. Visiting schedules are regulated to maximize the amount of time an inmate may receive visits and are regulated by.
 - a. The inmate's housing assignment at the time a visit takes place
 - b. The inmate's classification status at the time a visit takes place.
- B. The visiting plan will be made available to all staff, inmates and visitors upon request.

III. Visiting Rules and Regulations

The visiting plan will include, but not be limited to:

- A. Limitations as to who may or may not visit an inmate, to include those who need permission (i.e., youths and ex-offenders), or any exclusions of visitors who in the opinion of the Sheriff or designee would be injurious to the best interests of the facility.
- B. Limitations on the number of visits, duration of visits, and number of persons allowed at each visit.
- C. A statement (when applicable) regarding conduct of any visitor, physical contact with an inmate, and a stated dress code.
- D. Procedures for approved parcels, funds, and articles allowed or disallowed in the facility.
- E. A statement warning visitors that: It is a felony for any person to deliver any article to an inmate without the permission of the Sheriff or designee, or to procure an article to be delivered, to possess it with the intent to deliver it or to deposit or conceal it with the intent that an inmate will obtain it.
- F. Written procedure will provide that a visitor disclose any article, other than clothing, that they may be carrying, to include personal effects, medication, any form of weapon, etc., and a means to check or properly secure such items prior to visit.
- G. A posting of 103 CMR 950.02 (a)-(f) in the visiting reception area, available through printed brochures if requested by visitors, and translated into Spanish or other languages understood by a significant number of visitors.

IV. Identification and Sign-In

The written visiting plan procedures will include a means to identify and register all visitors to the facility, and will include but not be limited to:

- A. Visitors will be required to produce a current photographic identification such as a Massachusetts driver's license or a passport.
- B. As a condition of entry all visitors, except those noted, are required by statute to subscribe a statement under penalties of perjury stating true name and residence, whether or not he/she has been convicted of a felony and, if visiting an inmate, his / her relationship to the inmate. The facility will provide either a sign-in sheet or request to visit an inmate form.
 - 1. If a visitor answers that he / she has been convicted of a felony, the visitor will be required, as a condition of entry, to provide a statement of the crime (s) for which s / he was convicted and the sentence served.
 - 2. All visitors on the Plymouth County Correctional Facility property are subject to having a Warrant Check initiated, as a verification of information provided by the visitor.
 - 3. The Governor, a member of the Governor's Council, a member of the General Court, a Justice of the Supreme Judicial, Superior or District Courts, the Attorney General, a District Attorney, the Commissioner of Correction, a Deputy Commissioner of Correction, a member of the Plymouth County Commissioners, a member of the Massachusetts Parole Board, or a Parole or Probation Officer may visit the Plymouth County Correctional Facility without the permission of the Sheriff / Facility Administrator.
 - 4. Any such officer will be required to sign his / her name, business address and office which brings him / her within the exception from the normal sign-in requirements.
 - 5. Before any attorney or any official listed in 3 is excluded, the Sheriff or designee will be consulted. The attorney or official may immediately appeal any exclusion to the Sheriff.
 - 6. Each visitor will be asked by the admitting officer before entrance into the facility if he / she has a weapon. The admitting officer will provide a key and instruction to the visitor as to how the weapon must be secured, prior to entry to the facility.

V. Searches of Visitors

The visiting plan procedures will provide for searches conducted on visitors, and will include but not be limited to:

- A. All vehicles on or entering Facility property inside or outside the secured Facility are subject to search in accordance with PCCF 506.
- B. A sign in the lobby or entrance warning that "ALL VISITORS ARE SUBJECT TO BEING SEARCHED." and containing the same wording in Spanish, "TODAS LAS VISITAS RESTAN SUJETAS A REVISION".
- C. A search procedure designed to prevent the smuggling of articles into the facility visiting area. The search procedure will include that all visitors clear a metal detector, scanner, or a pat down search, and that any articles they are carrying will be thoroughly searched.
- D. No strip or body cavity searches of a visitor will be conducted by correctional staff. If a search less intrusive is insufficient to eliminate suspicions that the visitor is smuggling, the visitor will be denied admission.
- E. Any person refusing to submit to any aspect of the search procedures, will be denied access to the facility. Where the refusal occurs under circumstances indicating that the most likely motive for refusal is to prevent discovery of concealed articles, where a suspicious pattern of refusals is apparent, or where a visitor engages in offensive or assaulting behavior during the search process, visiting privileges may be suspended or terminated.

- F. Pat searches that involve the removal of more than just external clothing and accessories will be conducted by a correctional employee of the same sex as the visitor, conducted in private, and documented with a written report. Searches are to be conducted in a professional and courteous manner.
- G. Papers and documents carried in or out by any judge, attorney, law student, paralegal, the governor, any legislator, volunteer, or member of the parole board may be inspected for concealed articles but not read.

VI. Exclusion of Visitors

- A. Any visitor, even one who has obtained prior permission to visit, may be denied entrance to the facility or be told to terminate a visit and leave the premises.
- B. A visitor who is denied entrance or is asked to leave will be told the reason for such action, except when it is deemed that to specify the reason might jeopardize the safety of any individual or the facility.
- C. The staff member responsible for denying entrance or terminating a visit will file a written report to the Sheriff or designee. The report will include the name of the visitor, inmate being visited, time the visit was denied or terminated and the reasons for the action(s) taken.
- D. When the Sheriff or designee denies, suspends, or places restrictions on visiting privileges, the visitor will be notified in writing of the reason for such action, unless such reason would jeopardize the safety of any individual or the facility. The visitor may request a review of such action by writing the Sheriff or designee. The Sheriff or designee will respond in writing to such requests, and inform the visitor the reasons for continuing, eliminating or modifying the original action.
- E. Procedures will include a statement that visiting privileges will be suspended for a specified amount of time and include a manner in which the visitor may reapply for visiting privileges.
- F. Nothing in 103 CMR 950 shall in any way impair the Sheriff's or designee's authority pursuant to MGL c. 127 § 36 to exclude a visitor whenever, in the administration's opinion admitting that person to visit would be injurious to the best interest of the facility or the administration of the facility.
- G. Before any attorney or any of the officials listed in 103 CMR 950.03 (2)(b) is excluded, the Sheriff / Facility Administrator or other officer in charge shall be consulted. The attorney or official may immediately appeal any exclusion to the Sheriff.

VII. Special Visits

- A. Provisions are flexible enough to permit the Sheriff or designee to make exceptions to the rules in unusual circumstances, i.e., as when a visitor has traveled a long distance to see an inmate, or when an inmate is ill, hospitalized, or receives attorney, clergy or other specialized visits.
- B. Provisions for special visits with attorneys and members of the clergy.

VIII. Visiting Records

All visits will be recorded and include the following:

- A. A record for each inmate with the name of every person that has visited the inmate and the dates the visit occurred. This document will be transferred with the inmate's facility file whenever the inmate is transferred, if applicable.
- B. A chronological file of all visitor sign-in sheets and / or request to visit forms.
- C. A log of all other visitors to the facility stating name, agency and the reason for the visit. Notations may be maintained in this log.

IX. Applicability

This policy applies to all employees, visitors, and inmates of the Plymouth County Correctional Facility.

X. Responsible Staff

The Superintendent will establish written procedures guided by the stated Related Standards.