

California Department of Corrections and Rehabilitation Salinas Valley State Prison OPERATIONAL PROCEDURE 5	Title: INMATE VISITING
	Developed: MARCH 1999
	Revised: MAY 2015

5.1 PURPOSE

The purpose of this plan is to establish methods and procedures to administer the inmate visiting program and provide direction to staff, inmates and visitors.

The objective is to maximize visiting opportunities for inmates and visitors while maintaining the safety and security of staff, visitors and inmates participating in visiting.

5.2 APPROVAL AND REVIEW

This plan requires annual review and update by the Correctional Administrator of Central Operations with the Warden giving final approval.

The next review is scheduled for **March 2016**.

5.3 RESPONSIBILITY

Under the direction of the Warden and Chief Deputy Warden, the Correctional Administrator of Central Operations has overall responsibility for the administration of this procedure. Operational responsibility has been delegated to the Custody Captain, Watch Commander, Visiting Sergeant and designated Correctional Officers.

5.4 REFERENCES

California Code of Regulations, Title 15, Sections 3002(a) (2), 3004, 3170-3179, 3314, 3315, 3323 and 3383(a), (b), (3).

California Penal Code, Section 187, 192, 243.4, 261, 261.5, 262, 264.1, 266c, 266j, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.5, 289, 289.5, 311.1, 311.2, 311.3, 311.4, 313.1, 314, 647.6, 1202.05, 2601, 4571 and 5054.2.

Department Operations Manual Sections 54020.1, 54020.13.2.

Welfare and Institutions Code 362.6.

5.5 VISITING APPLICATION PROCESS

An inmate is responsible for obtaining the Visiting Questionnaire (CDCR-106) from his Housing Unit Staff and placing his name and number on the form as well as signing the form prior to sending it to his prospective visitor.

The prospective visitor will complete the form and return it by mail to the Visiting Department, not the inmate. Visiting Questionnaires **will not** be accepted from visitors who hand carry them on to institutional grounds. (Exceptions are updated questionnaires from previously approved visitors). Visiting Questionnaires will not be accepted from inmates who send the CDCR-106 to the Visiting Office.

When the Visiting Questionnaire is received from the visitor via the U.S. Mail, a Department of Motor Vehicle and California Criminal Intelligence and Investigation check will be completed. Upon clearance of this background history, visiting will be granted. The application process is normally completed within thirty days upon receipt.

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When the application process is completed, the inmate will receive a written notice of the visitor's approval/denial and any restrictions.

It is the inmate's responsibility to notify his visitor(s) of their approval to visit and to send the approved visitor a copy of the institutional rules related to visiting. If denied, the visitor and the inmate will receive written notification of the denial and the method of appealing the decision.

Visitor approval will be rescinded, if subsequent arrest history inquiries indicate any omission of arrests or the visitor has been involved in criminal activity of a felonious nature, or by its nature, has the potential of creating a threat to, or breach of institution security.

All first time visitors must have prior approval before being permitted to visit.

Visitors approved to visit at other institutions of the California Department of Corrections and Rehabilitations will be accepted as "Approved" visitors. The Warden may continue to bar "for cause" when "new" information is presented indicating an individual is a threat to the safety and security in the institution as outlined in California Code of Regulations Section 3176.

Salinas Valley State Prison does not allow courtesy visits. All visitors must have prior approval before visiting.

Denial of an initial application to visit shall be documented on a Notice of Visitor, CDCR-887, for inclusion in the inmate's Central File. This documentation shall clearly set forth the reason for the action, the length of time the action will apply and the circumstances under which the action will be reconsidered.

The approvals/denials will be logged in the Automated Visiting Information System.

There is no limitation on the number of persons an inmate may have on his approved visitor list.

If a visitor requires special assistance or special assistive devices in order to facilitate their visit, they should notify the institution when submitting the CDCR-106.

A visitor will be required to update the Visitor Questionnaire every twenty-four months.

Visiting Application Denial

The authority to approve or disapprove Visiting Questionnaires (CDCR-106) shall not be delegated below the level of Correctional Sergeant.

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Reasons for disapproving a prospective visitor include, but are not limited to the following:

- The prospective visitor has outstanding arrests/warrants including a Department of Motor Vehicles Failure to Appear notice with no court disposition.
- The prospective visitor has one felony conviction within the last three years or two felony convictions within the last six years or three or more felony convictions during the last ten years.

The prospective visitor has one conviction of the following offenses:

- Distribution of a controlled substance into or out of a state prison, correctional institution/facility or jail.
- The transportation of contraband (weapons, alcohol, escape and drug paraphernalia, etc.) in or out of a state prison, correctional institution/facility or jail.
- Aiding or attempting to aid in an escape from a state prison, correctional institution/facility or jail.
- Is co-offender of the incarcerated inmate.
- Is a former inmate and has not received prior written approval of the Warden. After one year from the date of the former inmate's discharge from an institution/facility, or discharge from parole or outpatient status, the Warden will only deny visiting former inmate for reasons applying to any other person.
- Is a supervised parolee, probationer, or on civil addict outpatient status and has not received written permission from their case supervisor and/or approval from the Warden.
- Identity of the prospective visitor or any other information on the visiting questionnaire has been omitted or falsified.
- If information is omitted, request to visit shall be reconsidered when information is provided.
- If identity cannot be established or clearing the criminal history of the prospective visitor is not possible due to inadequate or conflicting information, the request will be reconsidered when positive identity is established.
- If the questionnaire has been falsified, no other request to visit shall be considered until six months after the date of disapproval.

Any violation of state law, committed on institution property by a visitor, pending investigation, prosecution and service of any sentence ordered by a court. If the offender is not prosecuted, a time will be determined for reconsideration of reinstatement of approval to visit.

If the person is found "not guilty" by a court, the prior approval to visit will be reinstated. Upon completion of any sentence ordered by a court, a request to visit will be reconsidered

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Regardless of the outcome of any referral to prosecuting authorities, future visits are subject to possible restriction (California Code of Regulations Section 3176.1).

5.6 GENERAL VISITING POLICIES

Visitors may not arrive on institution grounds earlier than 0745 hours on Saturdays, Sundays and designated Holidays.

Visitors must park in the designated Visitors Parking Area. This area is located in the parking lot at Salinas Valley State Prison. Handicap parking is available with a Valid State Disabled Parking Placard (Issued from Department of Motor Vehicles).

The visitor will proceed to the Visitor Processing Area, staying in the designated walk ways. Loitering is prohibited in the parking lot. The Friends Outside, located at the entrance of the Correctional Training Facility, provides the ONLY authorized visitor waiting area. Visitors shall not park in Staff Parking areas.

Visiting with more than one inmate at a time shall require both inmates are approved to visit in the same visiting room, must be immediate family members and must have prior written approval from the Warden.

It is a crime to:

- Assist an inmate to escape.
- Bring onto the grounds any weapon, firearm, ammunition, explosive device, tear gas, pepper spray, alcohol or controlled substance, cameras and/or recording devices.
- Take letters and/or written documents to or from an inmate.
- Falsely identify yourself to gain admission to the institution.
- Enter without the permission of the Warden if you have previously been convicted of a felony.

5.7 VISITING HOURS

General Population Contact Visiting Hours

The schedule of visiting hours for General Population Inmates is Saturday and Sunday 0830 – 1500 hours.

Visitor processing on Saturdays and Sundays begins at 0830 hours and concludes at 1400 hours. Processing of visitors will be continuous.

Visiting is conducted on a scheduling procedure. A visitor may schedule a visit up to 14 days out in advance on the Sunday, two weeks prior to the visit. Setting up visiting is now done on the CDCR internet Website, <http://visitorreservations.cdcr.ca.gov>, through the VPASS.

Visitors, who do not have access to the internet for the VPASS is encouraged to use a family member's access to the internet or to use their local library in their area of residence.

Visiting information can also be found at 1-800-374-8474.

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Open Visiting

The Visitor Processing Staff will begin to process visitors who do not have an appointment at 1000 hours. Visitors will be allowed to line up outside the Visitor Processing Center starting at 0945 hours.

General Population Non-Contact Visiting Hours

The schedule of visiting hours for inmates housed in General Population, but are placed on Non-Contact Visiting Status as a temporary action or as the result of disciplinary action are Saturday & Sunday 0900 – 1300 hours.

Visitor processing for Non-Contact Visiting on Saturdays and Sundays begins at 0900 hours and concludes at 1300 hours. Visitors must arrive one hour prior to their non-contact appointment for processing. Non-contact visits may be extended with approval of the Visiting Sergeant if there are no other scheduled non-contact visiting appointments within that Visiting Room.

General Population inmates placed on Non-Contact Visiting Status may receive visits of at least one hour in duration.

General Population Close Custody

Processing of visitors will be continuous. Processing of Close Custody inmates into visiting will cease from 1115 hours until completion of the 1200 hours Close Custody Count, in order to complete the visiting out-counts and ensure accountability of all inmates during count time.

Administrative Segregation Non-Contact Visiting Hours

The schedule of visiting hours for inmates housed in the Administrative Segregation Units are Saturday & Sunday 0900 - 1500 hours.

Visitor processing on Saturdays and Sundays begins at 0815 hours and concludes at 1200 hours. Processing of visitors will be continuous. Visitors must be at the Visitors Processing Area one hour prior to the appointment.

Administrative Segregation inmates may receive visits of at least one hour in length.

Minimum Visiting Days and Hours

Visitor processing hours during regularly non-scheduled visiting days, shall correspond to the weekend hours of the respective inmate's housing and visiting status.

The institution shall allow visiting on the following designated holidays:

- New Years Day
- Independence Day
- Thanksgiving Day
- Christmas Day

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When a holiday listed above occurs, visiting hours will be from 0815 to 1500 hours.

5.8 **VISITOR** **IDENTIFICATION** **REQUIREMENTS**

Visitor Identification Requirements

In the event a visitor's driver's license or identification card has expired and the visitor has obtained a temporary license or identification card, matching the number on the original driver's license or identification card. This number must also match the visitor's record maintained at the institution.

The visitor will be informed they have sixty days to provide a valid driver's license or Identification Card. The visitor's record will be "flagged" in the memo filed of the Automated Visiting Information System to indicate the date of this notification.

5.9 **VISITOR** **PROCESSING** **REQUIREMENTS**

All visitors entering the institution will provide:

- valid proof of identification at the front Entrance Building
- fill out visitor's pass
- submit personal belongings for inspection
- be processed through the metal detector.

Each visitor will be required to:

- remove their shoes, sweaters and jackets
- empty all contents from their pockets and submit all personal belongings to staff for inspection
- remove anything containing metal before being processed through the metal detector (May include hairclips or barrettes if metal)

All personal belongings will be given back to the visitor after processing through the metal detector.

All visitors entering the institution may be subject to random Electronic Drug Detection Equipment (EDDE) screening prior to admission into the prison. All visitors with the exception of minors shall press the "Randomizer" button for random selection of EDDE testing. If selected an ion scanner operator will wipe the subject's hands, glasses, purse, or other commonly held or touched item with a small cotton patch. The patch is then placed into the ion scanner which scans the patch and provides the results of the scan. Visitors that refuse to participate in the screening or the unclothed body search (*if required*) will be denied contact visiting for that visit and afforded a non-contact visit, if space is available. Adult visitors may also be subject to passive air screening (K-9).

Visitors who have implants or prosthetic devices must bring a notarized statement from their physician (must be on physician letterhead) detailing the implant or device and its specific location in the body. Visitors with implanted or prosthetic devices, wheelchairs, or other assistive devices may contact the Visiting Sergeant for information and/or special instructions. The medical verification shall be

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renewed every two years.

All visitors with medical implants will be searched with the hand-held scanner.

The use of the hand-held scanner will only be used on visitors who have medical implants, are confined to a wheel chair or can not pass the metal detector.

Any visitor that has a disability and requires an assistive device (i.e. wheelchair, prosthesis, hearing aid) will be allowed into the Visiting Area as long as all security procedures are followed.

The only exception to processing through the metal detector or being scanned via a hand-held scanner will be those whose medical condition precludes it (i.e., visitors with pacemakers). The visitor will be required to provide medical verification of their inability to be scanned. In these cases, the visitor will be required to consent to a clothed body search. Prior to being searched, the visitor must sign a "Notice of Request to Search." This form will also be signed by the Visiting Sergeant or Lieutenant prior to any search.

A notation will be placed in the Automated Visiting Information System visitor's memo field to record the medical condition and doctor's verification.

All visitors will be stamped on their right wrists with indelible ink. The visitor's stamp will be checked by an ultraviolet light upon departure.

Visitors may retain only life-sustaining, condition stabilizing medication with the prescribing physician's written statement of its immediate need and only in the physician's prescribed amount immediately required to sustain or stabilize the condition during the visit. The physician's written statement shall include the physician's medical license number, address, and telephone number.

All medication shall be in its original pharmacy container with the patient's name, pharmacy, name of medication, prescribed dosage, and the physician's name indicated on the container's label. **Non-prescription medication is not permitted.**

Visitors wearing religious robes, veils or headgear must remove these items for a security search. Utmost care will be taken by staff to insure no Religious Customs are violated.

Visitor Out-Processing

As the visitor exits the visiting room he/she shall surrender approved personal identification to the Visiting Officer, who will verify the visitor's identity with the collaborating visiting pass. The visitor(s) will then exit the visiting room and proceed to the Visiting Processing Building.

When exiting the Entrance Building, all visitors will present a visitor's pass and

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approved identification, and be checked with the ultraviolet light device.

All visitors will be required to exit the security area in small groups of no more than five adults through the front entrance sally port.

5.10 MINORS

Visitors are responsible for the supervision of accompanied minors. Minors are to remain under the direct supervision of the visitor who was authorized to bring them into the institution at all times.

Violations of laws, regulations or Institutional Visiting Procedures may result in termination, suspension, revocation, or denial of visiting with the person or persons involved.

Minor Documentation Requirements

A minor child will only be admitted under adult supervision and with the following documentation:

If Accompanied By Parent

Original, government issued birth certificate, or a certified copy of such document.

If Accompanied By Legal Guardian

Original, government issued birth certificate, or a certified copy of such document; and the original court documents verifying legal guardianship.

If Accompanied By Other Adults

Original, government issued birth certificate and a notarized letter from the parent/legal guardian which states the adult has permission to bring the child into a California State Prison to visit a specific inmate. In the case of permission being granted by a legal guardian, the original court documents verifying such guardianship will also be required. The notarized letter must be updated each calendar year.

If Accompanied By Court Appointed Social Workers

Original, government issued birth certificate(s), or a certified copy of such document; original court documents verifying court ordered visitation. Each court appointed social worker will provide Valid county identification and Valid, corresponding personal identification. Court appointed social workers will be afforded scheduled appointments for visitation.

Visitors must bring all original documentation for all minors on the minor's first visit. The Visiting Department may copy the documentation and keep it in the inmates visiting file. All documentation will require to be updated annually. The information will be inputted in the Automated Visiting Information System making it unnecessary to bring the documentation for each visit.

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Minor Visiting Restrictions

Visiting with minors shall be prohibited for any inmate convicted for violating Penal Code Section(s) 187 or 192 involving a minor, 243.4, 261, 261.5, 262, 264.1, 266c, 266j, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.5, 289, 289.5, 311.1, 311.2, 311.3, 311.4, 313.1, 314, and 647.6 unless specifically authorized by juvenile court, pursuant to Welfare and Institution Code Section 362.6.

Arrests without a conviction and substantial evidence shows the crime has taken place may be used to prohibit visits.

For inmates who were arrested, but not convicted of offenses contained in California Code of Regulations Sections 3173.1 and 3177(b) (1), Correctional Counselor I's shall order, if applicable the arrest report(s) for review.

The Correctional Counselor I's should only order the report if the offense involved a minor. The inmate shall be temporarily restricted from visiting with all minors pending receipt and review of the report.

Upon receipt of the report the appropriate Classification Committee will review the report in its totality. If it is determined the inmate victimized intentionally or deliberately and/or that the inmate is deemed to be a threat to the safety of minors, then the appropriate Classification Committee has the authority to restrict the inmate to either non contact visits or no visits with minors.

5.11 VISITOR DRESS REQUIREMENTS

Basic Dress Requirements And Restricted Clothing – Visitors

All Visitors shall adhere to the following dress standards which will be strictly enforced by the Visiting staff.

- Clothing shall not expose the breast/chest area, genitals or buttocks (necklines are not to be lower than two inches below the collar bone).
- Visitors shall wear shoes or closed toe sandals (no shower shoes). All shoes must have a back strap/closed toe design. Visitors shall be fully clothed at all times.
- All skirts, dresses, and shorts, including slits in the garment, shall not expose more than two inches above the mid-knee at a standing position.
- Buttons and zippers shall remain fastened.
- Undergarments must be worn. No under wire bras permitted.
- **Absolutely no clothing which in any combination of shades, or types of material resembles inmate clothing** [e.g. light blue or chambray shirt, blue denim pants, no lime green, or orange will be allowed.
- **No law enforcement, military-type, or camouflage-patterned articles of clothing**, including rain gear when not legitimately worn by an individual on active duty or in an official capacity will be allowed.
- Only One (1) article of clothing may be red or brown in color.
- No white or gray T-shirts of any kind or style.
- No sheer, transparent, or excessively tight form fitted clothing is allowed.
- No sleeveless shirts or spaghetti/strapless tops.

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- No clothing that by design, manner worn, or due to the absence of, allows the anatomical detail of body parts or midriff to be clearly viewed will be allowed.
- No attire displaying obscene/offensive language or drawings or known gang logos.
- One (1) Handkerchief, No bandanas.
- No wigs, gloves, hairpieces, including extensions, or hats will be allowed, unless for medical reasons and approved by the Visiting Sergeant.
- No bobby pins.

All visitors will be subject to staff inspection during the visit at any time. You must be able to clear the metal detector unless you have medical notification verifying your medical condition.

5.12 AUTHORIZED VISITOR ITEMS

Visitors Authorized Items

Items permitted in the possession of visitors in the visiting rooms/areas are as follows:

- Identification Card, driver's license, passport, etc.
- Maximum amount of fifty dollars per adult visitor and twenty dollars per minor. U.S. currency is permitted for vending machine purchases. No pennies or bill denominations larger than one dollar are allowed.
- One handkerchief, no bandannas.
- One unopened bag of facial tissue.
- One Indian Medicine Bag, upon inspection and approval.
- One comb or hairbrush. (No metallic, no pointed ends, and no detachable parts.)
- Two car keys (to include electronic keys), one ignition, one trunk on a plain key ring, **with no attachments or alarms.**
- One small 6" x 8" maximum transparent coin purse.
- One pair of prescription glasses (reading, driving, or sunglasses).
- One Wedding ring/band (wedding sets are considered one)
- One Pair of Earrings
- One religious medallion/necklace
- Personal jewelry is allowed. Jewelry with compartments, such as locket, is not allowed.
- Watch

Baby care items permitted in the possession of visitors in the visiting rooms/areas are as follows:

- One single-layer burp cloth.
- One tissue pack, unopened.
- One factory-sealed baby wipes.
- One transparent diaper bag (made of a single layer material only, with no attached pouches).

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- Two small (less than 12") solid toys per child.
- Six disposable diapers.
- One change of clothes.
- Two transparent baby bottles (plastic only) pre-filled with milk, formula, juice or water only per baby.
- Three (plastic only) jars of baby food per baby, unopened.
- One plastic baby spoon.
- One transparent pacifier per baby.
- One small baby blanket -- single layer material only (Quilted blankets are not allowed).
- One baby carrier made of plastic (no metal parts) and must be easily searched.

Photographs

Photographs are allowed in Visiting Rooms under the following provisions:

- Ten Photographs per visitor visiting.
- No false backs.
- No instant photographs.(Polaroid Type)
- Maximum allowable size of 8"x10"
- No nude, obscene or offensive photographs.
- No gang related photographs.
- No photos with alcohol or controlled substances in it.

Medications

Only the necessary amount of Prescribed Medications will be left with the Visiting Room Officer during visiting. The Visiting Officer will lock all medication in the Visiting Officer's Podium. Heart patients may retain nitroglycerin in their possession while visiting. Visitors may also retain inhalers while visiting.

All items permitted to be carried into the Visiting Room Area shall be retained by the visitor and carried from the visiting room and the institution at the conclusion of the visit.

ELDERLY OR DISABLED VISITORS

The following items shall be permitted for elderly or disabled visitors:

- Two adult incontinence products (Diapers)
- A container of cleaning wipes
- One to Two articles of clothing (pants)

The one to two articles of clothing (pants) shall be maintained in a secure location (e.g., visitor secure vehicle, visiting area locker/storage as available) readily available to the visitor as needed. When necessary, visiting staff shall provide a disposable jumpsuit and clear plastic bag for soiled diapers and /or articles of clothing. The visitor may use the jumpsuit to walk to the Visiting Processing Center and retrieve clean articles of clothing previously stored there. The disposable

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jumpsuit will be collected and disposed of in accordance with institutional procedures. The visitor will be allowed to return to the Visiting room to resume their visit.

In addition, elderly or disabled visitors will be allowed to bring with them a wheelchair and one additional assistive device (i.e., cane, walker, etc.), to provide a sufficiently stable platform while in a toilet facility to allow a visitor to stand while a diaper and/or clothing is changed.

Elderly or disabled visitors are also allowed one non-inmate caregiver of the Same Sex to assist with personal hygiene needs as well as to assist a person back into or out of a wheelchair or toilet facility. Persons designated as caregivers must meet all visitor requirements set forth in the Department operations Manual Article 42-Visiting.

Attorney Visits

In addition to the items listed above, Attorneys are authorized to bring paperwork necessary for the approved consultation. **Briefcases are not allowed.**

Any additional items not listed must have prior approval from the Watch Commander or Visiting Sergeant before being permitted into the institution.

5.13

RESTRICTED

VISITOR ITEMS

Visitors Restricted Items

All Unauthorized/Personal items will be stored in the inmate visitor's car, except when the inmate visitor was dropped off in the parking lot by a bus service and the visitor has no vehicle. A valid and current bus ticket will verify this. Friends Outside will be notified and they will store the unauthorized items for the visitor.

Items restricted from being in the possession of visitors in the visiting rooms/areas are as follows:

- No carrying cases are allowed.
- **Non-prescription sunglasses are not allowed** unless the visitor provides written documentation from their optometrist stating the reason and scope by which non-prescription glasses must be worn.
- All tobacco and tobacco products.
- All food and refreshments are to be purchased from the approved vendor or vending machines located in the visiting room.
- Chewing gum.
- Purses, Wallets.
- Cameras.
- Pagers.
- Cellular Telephones.
- Writing materials or books, unless approved prior to entering the visiting room.

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5.14
VISITOR
SEARCHES

Definitions

The following definitions will be utilized in this section:

Detention

A peace officer has the right to stop and temporarily detain someone for investigation and or during the implementation of the EDDE procedure, whenever the officer has a "reasonable suspicion" that some criminal activity is afoot and that the person was, is or is about to be involved in criminal activity. (Terry v. Ohio (1968) 392 U.S. 1; In re Tony C. (1978) 21 Cal3d 888).

An officer's decision to detain cannot be predicated upon a mere "hunch" but must be based upon articulable facts describing suspicious behavior which would distinguish defendant from an ordinary, law abiding citizen. (Terry v. Ohio).

Arrest

The "taking a person into custody, in a case and manner authorized by law." (California Penal Code Section 834).

Standard Of Proof

Standard of Proof Requires "Probable Cause "(A) police officer may arrest without (a) warrant (a person).... believed by the officer upon reasonable (or probable) cause to have been guilty of a felony." (United States v. Watson (1976) 423 U.S. 411).

Reasonable Suspicion

Reasonable Suspicion is information which is sufficient to cause a reasonable law enforcement officer, taking into account his or her training and experience, to reasonably believe that the person to be detained is, was, or is about to be involved in criminal activity. The officer must be able to articulate more than an "inchoate and unparticularized suspicion or "hunch" of criminal activity." (Terry v. Ohio).

Probable Cause

More than a "reasonable suspicion" but less than "clear and convincing" evidence.

"Probable Cause exists if under the totality of the circumstances known to the arresting officer, a prudent person would have concluded that there was a fair probability that the individual had committed a crime." (United States v. Hernandez (9thCir.2002) 314 F.3d430).

"Reasonable or probable cause is shown if a man of ordinary care (or caution) and prudence (or reasonable and prudent person) would be led to believe and conscientiously entertain an honest and strong suspicion that the accused is guilty." (People v. Lewis (1980) 109CA3d 599 People v. Campa (1984) 36Cal3d . 870).

Any person coming onto the property of an institution shall be subject to inspection

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as necessary to ensure institution security including prevention of the introduction of contraband. Inspections may include a search of the visitor's person, personal property and vehicle(s) when there is probable cause to believe the visitor is attempting to introduce or remove contraband or unauthorized items or substances into, or out of, the institution.

Visitors shall not be forcibly searched unless institution official's posses a court issued warrant to conduct the search or are detained for unlawful actions or activities.

The arrest and detention of civilians will only occur when their unlawful actions or activities present an immediate and significant threat to the custody and control of inmates, parolees, employees and the public.

The arrest and detention of a civilian will only be affected when there is sufficient cause to believe the individual's unlawful action or activity presents an immediate and significant threat to the custody and control of inmates, parolees, employees and the public.

Suspicion of unlawful actions or activities will not be cause for the arrest and detention of an individual, but may be cause for ordering or escorting the individual off departmental property or institution grounds, and for referral to local authorities.

Visitors shall be required to submit to contraband and/or metal detection device(s), and a thorough search of all personal items, including inspection of a wheelchair, implant, prosthesis or assistive device, prior to being allowed to visit with an inmate.

Visitors with medically implanted or prosthetic devices who cannot clear the metal detection device and/or visitors who require the use of a wheelchair or other assistive devices for mobility impairment shall present a letter of verification signed by their physician, physiatrist, prosthetist, or orthotist.

The letter must confirm the mobility impairment, and/or the nature of the medically implanted prosthetic device and its specific location in/on the body, and the need for assistive device. The authorization letter shall be renewed every two years.

Visitors who require the use of a wheelchair shall temporarily transfer to a designated institution wheelchair, when available, while visiting staff conduct an inspection of the visitor's wheelchair. Visitors will present a letter signed by their physician that confirms the need for using a battery powered or custom designed wheelchair these visitors shall be exempt from the requirement of transferring from their personal wheelchair. In such cases, the visitor shall permit an inspection of the personal wheelchair and allow a hand held metal detection device to be used.

When a search of a visitor's person, property or vehicle exceeds that which is normally required for all visitors, the visitor shall be informed in writing of the

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reason of the search and the name of the official ordering the search. Consent shall be obtained from the visitor prior to the search.

When a search of a visitor is to be conducted the following guidelines will be adhered to:

- Visiting staff of the same sex as the visitor shall conduct authorized clothed body searches. (In emergency situations, custody staff of either sex may conduct a clothed body search.)
- Staff may conduct unclothed body searches of visitors when circumstances dictate and must be documented on a CDCR-888 (Request for Unclothed Body Search.).
- Visiting staff of the same sex as the visitor shall conduct all authorized unclothed body searches of visitors.
- Searches will be conducted in a private setting, in a dignified manner by at least two staff members of the same sex.
- A licensed physician or nurse of the same sex shall be present to observe and assist in searches of visitors who have a medical implant, prosthetic device, wheelchair, or assistive device(s).
- California Department of Corrections and Rehabilitation staff shall not perform any body cavity searches of visitors. If probable cause exists that a visitor has concealed contraband in a body cavity or if staff identifies what appears to be contraband, the visitor shall be detained and referred to the local law enforcement agency.

When a search of a minor is to be conducted the following guidelines will be adhered to:

- The searching of minors must have the consent of the parent or legal guardian and shall be permitted to witness the search.
- A custody supervisor and at least one other staff member of the same sex of the minor shall be present during the search. Care shall be exercised not to traumatize minors being searched.
- If the minor experiences difficulty in understanding instructions, the parent or legal guardian shall be used to relay instructions.
- Simultaneous search of minors of the opposite sex in the same area is prohibited.

During a vehicle search, upon discovery of evidence, narcotics and/or contraband, two photographs shall be taken of each of the following:

- Front and rear license plate numbers.
- Suspect(s).
- Retrieving officer displaying discovered narcotics/evidence or contraband.
- Handler and canine in case of narcotics. (if involved)

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All confiscated contraband shall be retained in the institutional evidence room until the case is adjudicated or clearance is obtained from the prosecuting agency, after which it shall be disposed of per institutional procedure.

Any visitor who refuses to be searched shall be denied visiting for that day. The visitor and inmate who refused to be searched shall be notified in writing of the denial of visitation. Any future visits may be conditioned on the visitor's willingness to submit to a search prior to each visit for as long as institution officials have probable cause to believe that the visitor will attempt to introduce contraband or unauthorized substances into the institution.

Arrest, Citations and/or District Attorney Referral

Visitors who are searched and found to be in possession of contraband will be subject to arrest.

The Investigative Services Unit Lieutenant will be contacted, at which time an Investigative Services Unit Officer will respond to initiate the arrest.

If an arrest is initiated, those arrested along with the contraband discovered will be taken to the designated booking/processing area where the pre-booking process will be initiated (Miranda Warning, interviews, arrest, fingerprint and detention reports).

The Investigative Services Unit will be responsible for processing all arrests, whether the situation requires booking or cite and release.

The decision to issue citations/referrals to visitors found in possession of narcotics or contraband is dictated by prior agreement with the Monterey County District Attorney's Office.

Investigative Services Unit Officers are authorized to issue citations to visitors for misdemeanor Health and Safety violations.

Vehicle Disposition

When a visitor has been arrested, he or she may turn the vehicle over to another licensed driver (provided the arrested person is the registered owner). When this option is elected, a Vehicle Release Form will be completed in duplicate.

The original will be retained by the institution and the second copy retained by the registered owner.

The arrested person may have the vehicle towed from the institutional grounds to a secured storage facility at no expense to the State. In this instance, the Vehicle Release Form will be completed. Any tow company may be used.

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In all cases where a vehicle is towed to a storage facility, a towed vehicle form will be completed in quadruplicate. The original is retained by the institution, copies are given to the registered owner, the towing service and a copy left inside the vehicle.

Processing Of Documentation

A written report clearly articulating the reason for any extraordinary search of a visitor's person or vehicle, the visitor's response and result of the search will be submitted to the Warden by the Visiting Sergeant, no later than the first working day after the incident.

A copy of the report, excluding confidential information, shall be given to the inmate who the person visited or intended to visit and to the visitors as described in the California Code of Regulations Section 3173 (1). A copy of the report will be placed in the inmate's Central File.

An arrest or issuance of a citation will be documented in an Administrative Officer of the Day Report and an Incident Package. This will be completed in accordance with departmental procedure.

Copies of all reports will be turned over to the Monterey County District Attorney via Investigative Services Unit on the next working day.

5.15 **INMATE DRESS** **REQUIREMENTS**

Inmates Basic Dress Requirements

Inmates are required to wear and adhere to the following state issued clothing requirements:

- All clothing items, including shoes and belts, **MUST be state issued**. The only exceptions will require current departmental medical verification and clearance from the Watch Commander or Visiting Sergeant.
- One pair of **CDCR approved** blue denim pants (pockets must be free of holes, tears or rips).
- One **CDCR approved** blue chambray shirt (long or short sleeve) must remain tucked in at all times.
- One white T-shirt.
- One pair boxer shorts.
- One pair socks.
- State issue shoes/boots
- **No Personal Shoes.**
- One **CDCR approved** blue denim jacket (Weather optional) no holes, tears or rips. Jackets are kept in the search room.
- Inmate jackets are not permitted in the main visiting rooms.

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5.16
INMATE
SEARCHES

All inmates will be given an unclothed body search prior to entering and/or exiting the visiting room. **This includes going to the restroom.**

Disabled inmates confined to a wheelchair will be escorted to the Facility Clinic and given an unclothed body search by a Licensed Vocational Nurse or Registered Nurse with the assistance of a Correctional Officer. The inmate will be escorted directly to visiting upon completion of the unclothed body search.

5.17
AUTHORIZED
INMATE ITEMS

Inmates may possess the following personal items in the visiting area:

- One white handkerchief (**No bandannas**).
- One comb.
- One wedding band.
- One religious medallion.
- One pair of prescription glasses (**No sunglasses**).

Inmates are responsible for declaring possession of all items listed above to Visiting Room Staff before entering the visiting room. Failure to declare such items may result in the confiscation of the items as contraband and appropriate disciplinary action taken.

5.18
VISITING
ROOMS

The Visiting Rooms have an established "stadium" style (chairs in rows) seating capacity of two-hundred-fifty. The visiting room's capacity arranged in a "table and chair" seating arrangement has been established by the Salinas Valley State Prison Fire Chief at one hundred twenty (**120**). When all tables have been occupied and the capacity of the visiting room has not been met, visitors and inmates will have the option of using chairs, with no table, placed against the walls of the visiting room. Seating against the wall will be by inmate volunteers, so as to postpone early visiting termination due to overcrowding.

Under no circumstances will chairs be placed in locations which would block exits, fire safety equipment or vending machines. This option is dependent on space availability and is still subject to the maximum of one-hundred-twenty people per visiting room.

As a safety precaution, all chairs and tables located in the visiting rooms or foyer area will be inspected on a bimonthly basis.

This inspection and any discrepancies will be logged in an Inspection Logbook maintained in the respective Visiting Officer's Station. Any item deemed to be damaged or in need of repair will be removed and replaced at the earliest possible time.

Designated Visiting Locations

Visiting is permitted in the following designated areas only:

- Salinas Valley State Prison Facility A Visiting Room

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- Salinas Valley State Prison B Visiting Room
- Salinas Valley State Prison C Visiting Room
- Salinas Valley State Prison D Visiting Room
- Salinas Valley State Prison E Visiting Room
- Salinas Valley State Prison Correctional Treatment Center (requires prior approval of the Chief Executive Officer, Health Care and Warden)

5.19 **VISITOR'S** **RESTROOMS**

Maintenance Visitor's Restrooms

The Processing Officer assigned at each visiting room shall check the restrooms for cleanliness on a regular basis.

If a cleanup is needed during visiting, the Watch Office will send a Level I inmate porter assigned to the Visiting Room to complete the cleanup. Restroom supplies will be maintained at a level which will provide adequate services to the needs of the visitors. The Visiting Sergeant shall oversee this process during their rounds.

Restroom Hourly Check/Sign-Off Sheet

The Processing Officer assigned at each visiting room shall complete an hourly Check/Sign-Off Sheet (Attachments A through E) of the visitor's restrooms for cleanliness, supplies and serviceability. The Check/Sign-Off Sheet shall be reviewed during the Visiting Sergeant's rounds. Any discrepancies shall be addressed immediately.

The Check/Sign-Off Sheets will be kept and filed in the Visiting Sergeant's Office. The Second Watch Commander shall review the Check/Sign-Off sheets for accuracy and completeness on a weekly basis.

5.20 **VISITING** **BEHAVIOR** **RULES**

Neither visitors nor inmates may retain, nor take from the visiting area anything which the other party was permitted to bring into the visiting area. This is to include food items purchased from the vending machines.

Inmates cannot receive any items, gifts, money, jewelry, or documents during a visit.

The inmate and visitor may embrace, to include a brief kiss, at the beginning and end of their visit in the area directly adjacent to the Visiting Room Entrance. The ONLY other physical contact authorized during the visit is the holding of hands, on top of the table or in plain view is permitted. No other physical contact is permitted. Visitors and inmates may sit side by side but knees will be directed towards the tables. **Arms and hands will not be intertwined or placed in the groin area.** Arms are not to be placed on the others chair or behind each other.

Excessive contact, (kissing, massaging, stroking, and sitting with legs intertwined or sitting on laps) will result in termination of visiting for that day.

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- Salinas Valley State Prison B Visiting Room
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- Salinas Valley State Prison D Visiting Room
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Sexual misconduct will not be tolerated within the visiting area and visits will be terminated for sexual misconduct.

This may include:

- prolonged kissing
- sexual intercourse
- overt acts of fondling the breasts or groin area (either on top of or under the clothing)
- obvious pelvic motion
- oral sexual relations

Visitors with children are responsible for supervising their child's/minor's behavior and escorting them to and from the restroom. Failure to supervise unruly children/minors will be grounds for termination of a visit.

Cursing or disrespect toward staff or other visitors will not be tolerated and will be grounds for the immediate termination/suspension of visits.

Visitors shall not sit on an inmate's lap. Children under the age of ten years may be allowed to sit on the knee of an inmate.

No food or drinks may be taken from the visiting room.

Inmates are responsible for cleaning their respective visiting area at the end of their visit.

Visitors will utilize the visitor's restroom, to change and dispose of baby diapers.

Inmate's bathroom break will be at 1000, 1100, 1145, 1300 and 1400 hours. The bathroom breaks will be done in a manner not to interfere with the 1200 hours count. **Administrative Segregation and non-contact movement will take priority over bathroom breaks.**

There will be no inmates with their visitors in line for the vending machines, the microwaves and the vendor selling food. Inmates will not use or operate vending machines or microwaves.

Inmates will not wait in line for photographs. Visiting Officers will summon the inmate and their visitors for their photograph.

During photographs the inmate and visitor may place one arm on each other's opposite shoulder while their body is facing the camera with the hands in plain sight or they may hold hands in plain sight, until the photograph is taken. No other physical contact is permitted.

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Inmates will be allowed only two photos per day. Inmates getting married will be allowed five photos on that day only.

The Visiting Sergeant will take measures to ensure fair, impartial and consistent standards within visiting areas. Such measures may commence with verbal warnings, counseling and informal measures.

For serious rule violations and/or felonies, the appropriate unit disciplinary committee may impose penalties as authorized in California Code of Regulations Sections 3314, 3315 and 3323.

Documentation of any corrective measures must be posted on a CDCR-887, and placed in the inmate's Visiting File. When reports are submitted subjecting inmates or visitors to restrictions of any type, appropriate copies must be provided to the inmates and to visitors, including notification of their respective rights to appeal.

Nursing Mothers shall be allowed to breastfeed their infants in the main visiting room area. Nursing mothers shall be discreet and remain covered up at all times. Failure to do so shall result in termination of the visit for the day.

INMATES CAN NOT ASSIST THE NURSING MOTHER IN ANY WAY.

5.21 **VISITING DENIAL/** **TERMINATION**

The official (not to be delegated below the level of Correctional Sergeant), in charge of visiting may deny a single visit or terminate a visit in progress under the following types of circumstances:

- The visitor appears intoxicated or under the influence of stimulants or sedatives to the extent that their presence in the institution would pose undue threat to the safety of themselves or others or a threat to the security of the institution.
- The visitor is not properly attired as may be required in accordance with this procedure.
- The visitor is under eighteen years of age and is not accompanied by an approved adult or guardian. This would not include an emancipated minor or those married to the inmate.
- Each inmate will only be allowed a maximum of five visitors, including children/minors, at any given time, due to space limitations in the visiting room. **Terminations may be needed to enforce this limit.**
- Under special circumstances, this limitation can be increased with prior approval from the Watch Commander. Each inmate on non-contact status will be allowed only three visitors, including children.

The visiting area is in use to maximum capacity (**one hundred twenty persons**). When this occurs, it will be necessary to terminate the visits of those persons who have been visiting the longest time in order to accommodate additional visitors.

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The termination of visits due to overcrowding shall be based on the recorded arrival time of the inmate (First in, First Out).

Exceptions to this termination procedure are as follows:

- Visitors whose residence is in excess of two-hundred-fifty miles straight line distance from the institution, and who have not visited within the last thirty days, will not be subject to early termination.
- Visitors, who were married to an inmate on that particular day, will not be subject to early termination.
- A visitor who is certified as handicapped under California law and must rely on special transportation to travel to the institution will not be subject to early termination.
- Family Emergency occurs to an inmate's immediate family due to death, serious illness or injury.
- When a visitor unexpectedly arrives who has not visited in the last six months, the visitor will not be subject to early termination.

Any visitor terminated early because of overcrowding will not be allowed to re-enter the institution for the purpose of visiting the same or different inmate on the date of termination.

Serious violations of institutional procedures governing visiting, or repetition of less serious violations and disregard for counseling about such violations.

The following reasons for denial will apply:

- Serious violations of institutional procedures governing visiting, or repetition of less serious violations and disregard for counseling about such violations.
- Where there are circumstances, information or facts, which indicate the person, represents a security hazard to the institution.
- Visiting shall be prohibited with minors if any inmate is sentenced to prison for violating Penal Code Section(s) 261, 264.1, 266c, 273d, 285, 286, 288, 288a, 288.5 or 289 unless authorized by a juvenile court, pursuant to Welfare and Institutions Code section 326.6.

The Chief Medical Officer or the Medical Officer of the Day, has the authority to deny visiting, if the inmate is under medical care and in the opinion of the doctor, the inmate is unable to participate in the visit.

The doctor may approve a visit to be conducted in the Correctional Treatment Center. This visitation may be approved if, in the doctor's opinion, the inmate is capable of visiting, but only under medical attention.

This type of visiting will normally be restricted to the immediate family members of the inmate, who have prior approval to visit. The Warden or designee may approve visits in the community hospital, if the attending physician medically approves the visit.

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Visitors will adhere to both institutional and hospital visiting regulations. **Visits of this type will be thirty minutes in length.**

Upon the denial or termination of a visit, the official taking the action will prepare the report noting reasons for the denial or termination (Notice to Visitor, CDCR-887).

The report will then be placed in the Institution Files and the inmate's Central File with a copy forwarded to the inmate. The report will be available to the involved parties.

5.22 INMATE VISITING REFUSAL

Visiting Refusal

An inmate may refuse to visit with any of his approved visitors.

This refusal should be in writing and signed by the inmate. If the inmate will not write or sign a refusal to visit, the staff member who received the direct denial information will document the matter. Staff will document his refusal utilizing a CDCR-128B Informative Chrono and forward it to the Visiting Sergeant.

The inmate's written refusal or staff documentation of the matter will be placed in the inmate's Visiting File and Central File.

The refusal will also be documented on a Notice to Visitor (CDCR-887), to which both the inmate and visitor shall receive a copy.

Removing Visitors From Visiting List

An inmate wishing to remove an approved visitor from his card must forward a letter to the Visiting Sergeant requesting the visitor be removed.

It is the inmate's responsibility to notify the visitor they are being removed and will not be allowed to enter the institution for visiting.

A visitor removed from an inmate's visiting card will remain in that capacity for a minimum of six months. After this period, the visitor may resubmit a Visitor Questionnaire (CDCR-106), for approval. However, the inmate must request in writing to the Visiting Sergeant requesting the visitor be replaced prior to the visitor being added to his approved visitor list.

5.23 ATTORNEY VISITS

Attorney Visits

Inmates have a constitutional right of access to an attorney. It is the policy of the department and this institution to facilitate both correspondence and personal consultation for this purpose.

Parking for attorneys or private investigators (or their representatives) is available in the Visitors' Parking Area adjacent to the Administration Building. Upon entering

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the Visiting Entrance Building, these individuals may proceed directly to the Entrance Officer for priority processing.

Attorneys visiting inmates who are placed on non-contact visiting status shall conduct such visits in the non-contact booths.

Attorney visits and consultations will adhere to the following procedures:

- Attorney visitation, for the purpose of a private consultation with an inmate, will be permitted during the institution's regularly scheduled visiting hours.
- When an attorney, or a person authorized to act for an attorney, does not desire or require private consultation accommodations the attorney or representative may visit an inmate on any scheduled visiting day without a prior appointment or notice to the institution. Such unannounced visits will be subject to the same requirements, accommodations and services as non-attorney visits.
- It is expected attorneys or their representatives restrict business in the main visiting room to only inmates with whom they are authorized to visit.
- Attorneys will be allowed to take their legal material into the main Visiting Room in order to conduct business.
- When private consultations are desired, the attorney or the attorney's representative should contact the institution via a letter or telephone call sufficiently in advance of the desired date and time to permit scheduling of available staff and facilities for that purpose.
- When a prior appointment is made, the inmate will receive a priority ducat to enable the inmate to be available for the interview at the scheduled time.
- The inmate will receive "S" time during this authorized absence.
- **One-week advance notice is desired, with twenty-four hours advance notice as the minimum required for such service.** In an emergency, appointment requests may be cleared through the Warden.
- In order for an attorney to visit an inmate for the purpose of a private consultation, the attorney need only provide proof of identity, currently active registry with a state bar association, and the written consent of the inmate, in addition to the requested appointment or notice spoken of above.
- The Warden is authorized to require proof an inmate has designated the attorney as his "attorney of record" or a court has made such appointment when there is reason to believe the attorney is not acting in that capacity or is otherwise abusing the privilege of private consultation with the inmate.
- More than one attorney or representative may share a private interview with an inmate, but said visitors may be limited to not more than two.

An attorney may designate, by name and in writing, not more than two representatives to interview an inmate or witnesses on behalf of the attorney. Such designated representatives will be afforded the same accommodation and services as an attorney, providing all other requirements are met.

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This letter will be addressed to the Warden. Representatives acting on behalf of an inmate's attorney must be one of the following:

- An investigator licensed by the State of California.
- A law student certified under State Bar Rules for practical training of law students and sponsored by the attorney.
- A full-time employee of the licensed investigator who has been properly authorized to act on behalf of the attorney.
- A full-time employee of the attorney.
- A legal paraprofessional certified by the California State Bar or other equivalent California legal professional body, sponsored by the attorney.

Authorization for one or more representatives shall be given in a letter signed by the attorney to the Warden. The letter must identify the representatives by name and by one of the five designations listed above. The letter must include the name(s) of the inmate(s) to be interviewed. Interviews shall be limited to only the inmate(s) identified. The letter of authorization shall be presented or be on file at the institution at the time of the visit. The representative shall show proof of identity. All persons described as visiting in this capacity are to be treated in the same manner as attorneys. Staff supervision of private consultation will be visual only.

A licensed investigator, whose authorization to act for an attorney has been presented to the Warden, may designate one or more of his or her own full-time employees to act for the investigator for the purpose of interviewing an inmate(s).

A letter of authorization, signed by the investigator is required. The letter must identify the investigator's representative by name, certify the person is a full-time employee of the investigator, and name the inmate or inmates to be interviewed. The representative must present proof of identify to confirm he or she is the person named in the letter. When properly authorized to act for an attorney, through a licensed investigator, the representative will be afforded the same accommodations and services as provided for attorneys or attorney's representative.

Staff will not listen to or monitor conversations between an inmate and attorney or a person authorized to act for an attorney or licensed investigator. Any and all items including written and printed material an inmate and attorney wish to exchange during the visit must be presented to the official in charge of visiting for inspection before it is brought into the visiting area.

The purpose of this inspection is to ensure contraband items are not enclosed.

The inspecting official will not read any part of written or printed material without the expressed consent of the inmate or attorney/attorney's representative.

After proper inspection by the Rear Search Officer written or printed material may be exchanged. The attorney or attorney's representative may retain and take from the visiting area and the institution any written or printed material given to him/her

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by the inmate.

The inmate may retain and take from the visiting area any written or printed material given to him by the attorney (or the representative) providing the inmate consents to the examination of the material by the official in charge of visiting.

The purpose of this examination is to ensure against the transmission of material, which poses a serious threat to the institutional security if retained in the inmate's possession. With the consent of the inmate, reading by the examining official will be limited to the extent necessary to make a proper determination. The examining official will keep any knowledge of the content in strict confidence. When consent for examination of the contents of a document is not given, the document shall be returned to the attorney/attorney representative.

Video recording of authorized interviews with inmates is permitted with prior approval of the Warden. Equipment must be provided by the interviewer and subject to inspection by institutional staff. If the equipment cannot be thoroughly inspected without an undue risk of damage, the interviewer must agree to pay for the cost of escort and control of the equipment by institution staff while it is inside the institution. Charges for the escort and control services shall be at the state established hourly wage, including rates for overtime when necessary.

Clearance and Approval For Attorney Visits For Inmate/Patients Housed In A Mental Health Building

An attorney wishing to visit an inmate/patient shall request an appointment by calling, faxing, or writing the Litigation Coordinator. A twenty-four hour notice is considered minimum for this purpose.

Inmate/patients may be housed in a Mental Health Crisis Bed, or other medical setting such as a Correctional Treatment Center or Outpatient Housing Unit, for the purpose of mental health treatment. Attorneys shall have access to visit these individuals in order to provide adequate due process related to parole proceedings.

When the Litigation Coordinator determines an attorney has requested to visit an individual housed in a medical setting for the purpose of mental health treatment, the Litigation Coordinator shall notify the Chief of Mental Health Executive or designee of the visit request and the attorney of the inmate/parolee/patient's housing status. The Chief of Mental Health Executive or designee shall notify the assigned primary clinician, in the medical setting, the attorney visit was requested.

Every effort shall be made to ensure that attorney visits occur, when requested, in a confidential setting. This may require careful scheduling of the attorney visit to avoid impacting services to other inmate/patients treated in the facility. When an individual refuses escort to a confidential setting, or there has been documentation he has been assaultive in the last twenty-four hours, the attorney shall be allowed

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contact at the cell-front. When an individual is in clinical restraint, the attorney shall be allowed contact from outside the open cell door.

The June 12, 2007 Valdivia Stipulated Protective Order states the California Department of Corrections and Rehabilitation recognizes the obligation "to provide a parolee's attorney access to sensitive medical and mental health information."

It indicates "Should any such files contain information covered by the Health Insurance Portability and Accountability Act of 1996, this order shall be deemed a qualified protective order." Attorneys may review the Unit Health Record of a inmate/parolee/patient, or may request to discuss the mental health condition with the assigned clinician. Mental health clinicians shall provide, to visiting attorneys, any information necessary for understanding the mental state, and mental health history of the inmate/parolee/patient.

In rare occurrences, the clinician may determine a visit from the attorney could compromise the health and safety of the inmate/patient. For example, if an individual holds delusional beliefs about the attorney, or threatens self harm if an attorney visit is allowed, the clinician shall carefully document the reason for concern in the Unit Health Record. The clinician shall document, using a CDCR-128B, that a visit from the attorney could be detrimental to the health and safety of the inmate/patient. The CDCR-128B shall be completed the same working day that the clinician is notified of the requested attorney visit and shall indicate the reason why the visit may be detrimental, and the time frame recommended for a rescheduled visit. Copies of the CDCR-128B shall be placed in the Unit Health Record and the Central File. The original CDCR-128B shall be given to the Litigation Coordinator. The Litigation Coordinator shall provide a copy of the CDCR-128B to the attorney by sending it via facsimile to CalPAP Headquarters at (916) 452-7491 and the attorney shall be requested to postpone the visit. When a clinician determines that an attorney visit could be detrimental to the inmate/patient, a mental health clinician who is a supervisor or manager shall be notified to review the documentation of the concern. Progress toward resolving the concern shall be documented in the Unit Health Record at least every twenty-four hours.

When an attorney declines to postpone the visit, the visit shall be allowed and clinical contact shall be scheduled immediately following the attorney visit to determine whether modification of the treatment plan is necessary to ensure the safety of the inmate/patient.

5.24 **CONSORTIUM** **FOR CHILDREN** **MEDIATORS VISITS**

Consortium for Children is contracted to provide specialized mediation services in cases, to birth parents, before any court action to terminate parental rights begins. In some cases, a child's birth parent(s) are incarcerated with in the Department of Corrections and Rehabilitations. In these cases, the Consortium for Children's mediators would be required to meet face to face with the incarcerated parent(s).

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Request from mediators to conduct interviews will be forwarded to and processed by the Institutional Litigation Coordinator.

All mediators will be required to complete and clear a background check prior to entrance into the institution. Priority processing of the background checks will be afforded to the mediators.

Litigation Coordinators should attempt to schedule the mediators' visits on regular visiting days. Visits that cannot be accommodated on regularly scheduled visiting days will be processed as attorney visits.

Mediators will be subject to and adhere to all institutional visiting rules and regulations as well as requirements of the California Code of Regulations, Title 15, Section 3415 and Employees of Other Agencies.

Mediators will be allowed to carry into the institution one pad of line paper, a pen, and any related Consortium for Children documents.

Due to the sensitive nature of the subject, staff will attempt to place the mediator and the inmate/parent in a semi-private area while still being able to observe the interview. If staff is not available to one-on-one with the visit, it will be conducted as a non-contact visit.

Mediators will follow and be processed by in accordance with Salinas Valley State Prison Operational Procedure Number 33 - Institutional Ingress and Egress.

5.25
CORRECTIONAL
TREATMENT
CENTER INMATE
VISITING

For an inmate/patient housed at the Correctional Treatment Center to receive a visit the following procedures will be adhered to:

- The attending physician will submit a recommendation to the Correctional Administrator of Health Care.
- Upon review if the Correctional Administrator of Health Care approves the recommendation he/she will forward the recommendation to the Warden.
- Upon review by the Warden he/she will either approve or deny the recommendation

Visits for Correctional Treatment Center inmate/patients shall be limited to sixty minutes, if deemed necessary by the Medical Department, but not to exceed normal visiting hours. **These visits are limited to immediate family with no children under eighteen years of age.**

If the inmate/patient is ambulatory and is able to walk to the visiting room, under normal circumstances, the inmate/patient will be escorted to the Facility B, C or D Visiting Room by staff assigned to the respective Department of Mental Health Building. If the inmate/patient has enemy concerns on Facility B, C or D, he will be escorted to an alternative visiting room. Upon completion of the visit a Watch Security and Escort Officer shall escort the inmate back to the Correctional

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Treatment Center.

5.26
DEPARTMENT
OF MENTAL
HEALTH VISITING

For an inmate/patient housed in a Department of Mental Health Housing Unit to receive a visit the following procedures will be adhered to:

- The Department of Mental Health Program Director will submit a recommendation to the Correctional Administrator of Health Care.
- Upon review if the Correctional Administrator of Health Care approves the recommendation he/she will forward the recommendation to the Warden.
- Upon review by the Warden he/she will either approve or deny the recommendation

Visits for Department of Mental Health inmate/patients shall be:

- non-contact
- limited to three visitors at one time
- limited to immediate family with no children under the age of eighteen years of age
- limited to sixty minutes, if deemed necessary by the Department of Mental Health staff, but not to exceed normal visiting hours

If the inmate/patient is ambulatory and is able to walk to the visiting room, under normal circumstances, the inmate/patients will be escorted to the Facility B, C or D Visiting Room by staff assigned to the respective Department of Mental Health Building.

5.27
NON
CONTACT
VISITING

A classification committee shall impose non-contact visiting for General Population inmates where there is substantial reason(s) to believe that physical contact with a visitor(s) or with other inmates may seriously endanger the safety of persons or jeopardize the security of the institution.

Non-contact visiting may be imposed as a temporary measure for willful failure or refusal to abide by visiting regulations. This status may be invoked pending the outcome of a disciplinary or classification committee hearing.

The reason(s) for the non-contact visiting status shall be documented on a CDCR-128B, and the affected inmate shall receive no more than three visitors (minors included) at one time.

Disciplinary and classification committee may place inmates on "Non-Contact" Visiting Status for specific periods of time as authorized by the California Code of Regulations.

The Institutional or Unit Classification Committees will review each "Non-Contact Visiting Status beyond the original time frame intended, a periodic review will be set up to reevaluate the case, which will normally be every ninety days.

When the visitors are not present and not involved in the reason or cause for the

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action affecting the inmates visits, such as the actions of a disciplinary or classification committee, it shall be the inmate's responsibility to promptly notify his visitors of the action taken (California Code of Regulations Sections 3173(1)(3).)

Inmates involved in serious assaults and/or racial conflicts and inmate's who have been the victim of serious assaults may be placed on Non-Contact Visiting Status by committee action or by the supervisor in charge of visiting. The supervisor's action will be initiated as a temporary security measure.

When an inmate is assigned to Non-Contact Visiting Status beyond an imposed time frame, a periodic classification committee review, at least every ninety days, shall be scheduled to reevaluate the case.

This list is not totally inclusive of all instances, which may require Non-Contact Visiting, but is intended as a guide for the application of this restriction.

Inmates who fall within one or more of the following categories may be designated for Non-Contact Visiting Status:

- Serious or repeated violations of visiting regulations.
- Recent or repeated possession of contraband such as money, narcotics, and/or paraphernalia, escape tools or devices, etc., which evidence or circumstance would indicate were obtained through the visiting process or were smuggled into the institution.
- Assaultive, irrational or bizarre behavior or a high potential for such behavior.
- Severe escape risk or a recent or repeated escape history.
- Protective custody cases with special needs.

Inmates may be placed on temporary Non-Contact Visiting Status for pending disciplinary charges for offenses, which are directly related to visiting, offenses which involve drugs, narcotics, and/or money or for contraband items, which have been smuggled into the institution.

5.28 **OUTSIDE** **DEPARTMENTS** **AND AGENCIES** **VISITING**

Visitors shall be required to produce official identification, sign-in the official visitors log book, receive a "Visitors Pass" and submit to a standard search (visual search of briefcase or other paperwork and passage through a metal detector).

If visiting processing staff has any questions regarding the validity of the identification by the departments or agencies, they are to contact the Litigation Coordinator or Warden's Office prior to denying access to the official.

Currently **Department Operations Manual Section 13020.9.1** states in part, "In the case where a facility requests the services of other departments or agencies, or those departments or agencies request an official visit as part of their official duties, to interview staff or inmates, or to do follow-up work to ensure

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compliance with legal requirements, that facility shall make every effort to assist those individuals in completing their assignment."

Examples of visitors of other departments or agencies include, but are not limited to, employees of:

- The Department of Justice, Law Enforcement Division (Investigators, Forensic Scientists, Fingerprint Specialists).
- The Department of Health Services (Environmental Health Specialists, Vector and Sanitation Experts).
- The Board of Prison Term (Commissioners 'and Deputy Commissioners) if hearing cases in a special housing unit.
- The Legislative Analyst
- The Department of Finance
- Auditors
- District Attorney Investigators
- Federal Bureau of Investigation Agents
- Court Monitors

5.29
EXCUSED TIME
OFF AUTHORITY

The authority to approve an inmate's absence from a work assignment for the purpose of participation in an "Excused Time Off" visit is delegated to the inmate's work supervisor.

The Visiting Sergeant will advise the respective work supervisor of a visit when it can be substantiated that:

- The visitor currently resides out-of-state and is in California for a temporary stay of thirty days or less and has not visited with this particular inmate within the last four months.
- The visitor must travel a distance of two-hundred-fifty miles or more, and has not visited the inmate within the last thirty days.
- The inmate is scheduled to be married and has requested approval of the work supervisor five working days in advance.
- When the visitor is handicapped as defined by California law and must rely on special transportation to the institution. Approval from the work supervisor is required five working days in advance.
- When a visitor unexpectedly arrives and has not visited in the last six months this visit will be considered an infrequent visit.
- An inmate has not received a visit in the last thirty days and would otherwise be prohibited from visiting because of a conflict in work, training, or education assignment.

Visiting staff will access the Automated Visiting Information System to assure proper adherence, of the Inmate Work Incentive Program, is being maintained.

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5.30
VISITING
RECORDS
TRANSFER

A "hard" copy of all visiting data will be printed and forwarded to Case Records for inclusion in the Central File prior to the inmate transferring to a Re-Entry, Work Furlough, or Correctional Center Facility or prior to an inmate's parole or discharge. Records staff will provide visiting staff with a list of inmates scheduled to leave the institution.

Staff should be aware that information in Automated Visiting Information System contained in the Memo Field" will not print to a "hard" copy. Examples of information in the "Memo Field" include information on sex offenses, drug trafficking, etc.

Therefore, persons seeking information on 'inmates who have transferred paroled or discharged, should also call the visiting staff at the sending institution to ensure they have access to all information concerning the specific inmate contained in the Automated Visiting Information System data archives.

5.31
VISITING
APPEALS CITIZEN
COMPLAINT
PROCESS

Visitors who wish to discuss visiting related issues are encouraged to contact the Visiting Sergeant for resolution. Interviews shall be conducted or scheduled at the earliest opportunity.

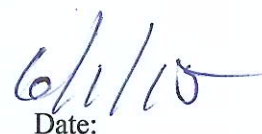
Visitors, inmates and visiting applicants may appeal departmental policies and regulations as well as this procedure as they relate to visiting.

All formal appeals from citizens are to be submitted in accordance with California Code of Regulations Title 15 Section 3179. The appeals shall be in writing and submitted to the Warden. A written response shall be provided within fifteen (15) working days. Appeals that are not satisfactorily resolved may be referred to the Director with a copy of the written response from the institution. The Director shall have Twenty (20) working days from the date of receipt to provide a written response.

Inmates shall use the established CDCR-602-appeal procedure.


W. L. MUNIZ

Warden (A)
Salinas Valley State Prison


Date:

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Attachment A

VISITOR'S RESTROOMS CHECK/SIGN-OFF SHEET

Institution	Salinas Valley State Prison	Location	Facility A Visiting Room		
Visiting Officer		Date Completed			
Visiting Sergeant		Date Reviewed			
Discrepancies:		Action Taken To Correct Discrepancy			
1.					
2.					
3.					
4.					
5.					
Serviceability: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Description					Serviceable
1. Sinks					
2. Lights					
3. Toilets					
4. Urinals					
5. Doors & Locks					
6. Trash Receptacles					
Description	Items	Time Checked	Time Checked	Items Restocked	
1. Hand Soap		/	/		
2. Toilet Paper		/	/		
3. Paper Towels		/	/		
4. Feminine Products		/	/		
5. Miscellaneous Items		/	/		
Cleanliness: <input checked="" type="checkbox"/> Clean <input type="checkbox"/> Not Clean					
<input type="checkbox"/> Floors		<input type="checkbox"/> Toilets			
<input type="checkbox"/> Sinks		<input type="checkbox"/> Urinals			
Comments					

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Attachment B

VISITOR'S RESTROOMS CHECK/SIGN-OFF SHEET

Institution	Salinas Valley State Prison	Location	Facility B Visiting Room		
Visiting Officer		Date Completed			
Visiting Sergeant		Date Reviewed			
Discrepancies:		Action Taken To Correct Discrepancy			
1.					
2.					
3.					
4.					
5.					
Serviceability: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Description					Serviceable
1. Sinks					
2. Lights					
3. Toilets					
4. Urinals					
5. Doors & Locks					
6. Trash Receptacles					
Description	Items	Time Checked	Time Checked	Items Restocked	
1. Hand Soap		/	/		
2. Toilet Paper		/	/		
3. Paper Towels		/	/		
4. Feminine Products		/	/		
5. Miscellaneous Items		/	/		
Cleanliness: <input checked="" type="checkbox"/> Clean <input type="checkbox"/> Not Clean					
<input type="checkbox"/> Floors		<input type="checkbox"/> Toilets			
<input type="checkbox"/> Sinks		<input type="checkbox"/> Urinals			
Comments					

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Attachment C

VISITOR'S RESTROOMS CHECK/SIGN-OFF SHEET

Institution	Salinas Valley State Prison	Location	Facility C Visiting Room		
Visiting Officer		Date Completed			
Visiting Sergeant		Date Reviewed			
Discrepancies:		Action Taken To Correct Discrepancy			
1.					
2.					
3.					
4.					
5.					
Serviceability: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Description					Serviceable
1. Sinks					
2. Lights					
3. Toilets					
4. Urinals					
5. Doors & Locks					
6. Trash Receptacles					
Description	Items	Time Checked	Time Checked	Items Restocked	
1. Hand Soap		/	/		
2. Toilet Paper		/	/		
3. Paper Towels		/	/		
4. Feminine Products		/	/		
5. Miscellaneous Items		/	/		
Cleanliness: <input checked="" type="checkbox"/> Clean <input type="checkbox"/> Not Clean					
<input type="checkbox"/> Floors		<input type="checkbox"/> Toilets			
<input type="checkbox"/> Sinks		<input type="checkbox"/> Urinals			
Comments					

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Attachment D

VISITOR'S RESTROOMS CHECK/SIGN-OFF SHEET

Institution	Salinas Valley State Prison	Location	Facility D Visiting Room		
Visiting Officer		Date Completed			
Visiting Sergeant		Date Reviewed			
Discrepancies:		Action Taken To Correct Discrepancy			
1.					
2.					
3.					
4.					
5.					
Serviceability: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Description					Serviceable
1. Sinks					
2. Lights					
3. Toilets					
4. Urinals					
5. Doors & Locks					
6. Trash Receptacles					
Description	Items	Time Checked	Time Checked	Items Restocked	
1. Hand Soap		/	/		
2. Toilet Paper		/	/		
3. Paper Towels		/	/		
4. Feminine Products		/	/		
5. Miscellaneous Items		/	/		
Cleanliness: <input checked="" type="checkbox"/> Clean <input type="checkbox"/> Not Clean					
<input type="checkbox"/> Floors		<input type="checkbox"/> Toilets			
<input type="checkbox"/> Sinks		<input type="checkbox"/> Urinals			
Comments					

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Attachment E

VISITOR'S RESTROOMS CHECK/SIGN-OFF SHEET

Institution	Salinas Valley State Prison	Location	Facility E Visiting Room		
Visiting Officer		Date Completed			
Visiting Sergeant		Date Reviewed			
Discrepancies:		Action Taken To Correct Discrepancy			
1.					
2.					
3.					
4.					
5.					
Serviceability: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Description					Serviceable
1. Sinks					
2. Lights					
3. Toilets					
4. Urinals					
5. Doors & Locks					
6. Trash Receptacles					
Description	Items	Time Checked	Time Checked	Items Restocked	
1. Hand Soap		/	/		
2. Toilet Paper		/	/		
3. Paper Towels		/	/		
4. Feminine Products		/	/		
5. Miscellaneous Items		/	/		
Cleanliness: <input checked="" type="checkbox"/> Clean <input type="checkbox"/> Not Clean					
<input type="checkbox"/> Floors		<input type="checkbox"/> Toilets			
<input type="checkbox"/> Sinks		<input type="checkbox"/> Urinals			
Comments					