

	<b>JUVENILE JUSTICE SERVICES</b> <b>Client Rights and Services</b>	<b>Effective Date:</b> <b>09/05/02</b>
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<b>Title: Communications</b>		
<b>Procedure P.20.11, 12, 13</b>		

1. **ISSUING AGENCY:** **Children, Youth and Families Department**
2. **SCOPE:** **Juvenile Justice Services**
3. **STATUTORY AUTHORITY:** **8 NMAC 14.5**
4. **FORMS:** **Reserved**
5. **DEFINITIONS:**

- 5.1 **“Contraband”** means objects or items which are unlawful, inappropriate or which threaten the security of the facility. Each facility shall provide to each facility client and the parent/guardian/custodian a copy of a list of what constitutes contraband items. This list shall include but not be limited to: weapons or objects that might be made into weapons, controlled substances including prescription medications that are not prescribed and distributed by facility personnel, escape plans, and plans for or incitement to any activity which is unlawful or which threatens the security of the facility.
- 5.2 **“Emergency situations”** are situations which cause any significant disruption of normal facility or agency procedures, policy, or activity caused by riot, escape, fire, natural disaster, employee or client action, or other serious incident that significantly affects the ability of staff to distribute mail or packages within the timeframes set forth in this policy.
- 5.3 **“Non-privileged mail”** means any and all mail that is not privileged mail as defined herein.
- 5.4 **“Obscene”** means content or material the dominant theme of which, taken as a whole, appeals to the prurient interest or is patently offensive because it affronts contemporary community standards relating to the description or representation of sado-masochistic abuse or sexual conduct; and lacks serious literary, artistic, political or scientific value. The use of “swear words,” foul language, etc., standing alone, does not constitute obscenity.
- 5.5 **“Privileged mail”** means written communication or mail between (to or from): a client and an attorney who represents the client or with whom the client is discussing potential representation; a client and child advocacy group(s); a client and a judicial officer (judge) of a federal, state or tribal court; a client and a state, federal or tribal public official, or a client and the ombudsman. The use of the term “privileged” in these procedures does not establish any legal or evidentiary privilege that does not otherwise exist under the law.
- 5.6 **“Prohibited material”** means any objects or items that a client is prohibited from possessing while in the facility. Each facility shall provide to each facility client a copy of

a list of what constitutes prohibited material. This list shall include but not be limited to: obscene materials, gang signs or symbols or messages written in code, and any material which threatens the security of the facility.

- 5.7 “Reasonable cause”** means knowledge by the Superintendent or any member of the facility staff of articulable facts, together with rational inference based on those facts, that would lead a reasonable person to believe that a client has committed an act or is planning an act that is prohibited by law or by CYFD facility procedures, or that an envelope or package contains contraband or prohibited material as defined by these procedures, or that a communication that appears to be privileged is not in fact a privileged communication.
- 5.8 “Facility classification level one”** is orientation for the client. At the completion of level one, clients will be able to show respectful behavior and be able to receive and give respectful feedback. A minimum of four (4) weeks is required at Level 1. Any client refusing to participate in the level program remains at level 1.
- 5.9 “Facility classification level two”** is a resocialization progression to accountability, which means that clients have completed the expectations of Level I. During Level two, clients work to achieve new skills and knowledge. Clients are expected to show consistent participation and motivation in the entire program. A minimum of twelve (12) weeks is required at Level II.
- 5.10 “Facility classification level three”** through progression from Level I & II, clients consistently show internalization and maturation which is an understanding and putting into practice what they have learned. Clients demonstrate empathy by making choices that are not abusive or self-harming. Clients become more involved in personal programming and commit to working on personal goals of positive change. A minimum of ten (10) weeks is required at Level III.
- 5.11 “Facility classification level four”** is the honors level, the final and highest stage. Clients have achieved honor status, shown a high level of success and competence and use skills learned to solve many problems. Level IV clients have helped prepare their own release, transition or discharge plans. There is no time requirement for Level IV.

## **6. GENERAL PROVISIONS**

- 6.1 These procedures will be provided to each client upon admission to the facility and prominently posted on bulletin boards in areas of the facility that are commonly used by clients.
- 6.2 Staff will give a copy of these procedures to non-clients upon request.
- 6.3 Clients have the right to communicate or correspond with persons or organizations subject only to these procedures, which are designed to balance the client’s right to correspond with others against the need of the institutional staff to maintain the security of the facility and the health and safety of the clients and staff.
- 6.4 Attorneys who represent the client or with whom the client is discussing potential representation, clergy, Juvenile Probation and Parole Officers, representatives of child advocacy groups, judicial or public officials, parents, siblings, grandparents, legal guardians, and children of the client, shall be permitted to visit and have telephonic communication with clients.
- 6.5 Visitors will be provided with visiting permits unless the Superintendent/designee determines that there is reasonable cause to believe the visit would endanger the safety or welfare of the client or the security of the facility. Clients and other persons denied visits under this circumstance may seek and will be granted review by the JJS Director/designee, who shall render a decision within five (5) working days.
- 6.6 There is no limitation on the volume of mail that a client may send or receive.

- 6.7 The facility will pay postage for up to two (2) personal mail items per week and two (2) privileged mail items per week for each client, as defined below. The facility may pay for more than two (2) privileged items per week for clients who establish a financial need for that assistance.
- 6.8 Clients must be informed of the circumstances under which staff may open, inspect, read or reject mail, or the contents of envelopes or packages sent or received as mail, as provided in these procedures.
- 6.9 Non privileged mail that is addressed to the facility without properly identifying the client recipient, such that it is impossible for staff to determine the proper recipient, can be opened by designated staff in order to identify and send the mail to the intended recipient.
- 6.10 Privileged mail that is addressed to the facility without properly identifying the client recipient, such that it is impossible for staff to determine the proper recipient, shall be returned to the sender.
- 6.11 Mail may, under circumstances described in these procedures, be subject to opening, seizure of enclosed contraband or prohibited materials, or reading to determine if its content is unlawful, contraband or prohibited material.
- 6.12 Items not on a facility's list of contraband or prohibited material will not be seized without a basis to believe they constitute a threat to the security of the facility.
- 6.13 Such determination must be documented in writing in the client's master file and will require review and approval by the JJS Director/designee.
- 6.14 Messages are not presumed to be written in code solely because they are not in English or because they are not written in a traditional manner.
- 6.15 Mail is never to be censored; it is either delivered or it is rejected, and if rejected it is either seized or returned to sender, as described in these procedures.
- 6.16 Under no circumstances is a Superintendent or staff permitted to black out or otherwise alter or remove any part of a written communication to or from a client.
- 6.17 Any communication privilege, as described in this procedure, is never withheld or used as punishment.

## **7. GENERAL PROCEDURES FOR ALL INCOMING MAIL**

- 7.1 A central location will be established within the facility for handling incoming mail.
- 7.2 Staff designated by the Superintendent to handle incoming mail will process all incoming mail at the central location.
- 7.3 Staff will process incoming mail as expeditiously as possible.
- 7.4 Staff will log incoming client mail and packages in the client record.
- 7.5 Staff will distribute mail within twenty-four (24) hours of receipt, excluding days on which the United States Postal Service does not deliver mail to the facility and emergency situations.
- 7.6 Staff will distribute packages within forty-eight (48) hours of receipt, excluding days on which the United States Postal Service does not deliver mail to the facility and emergency situations.
- 7.7 Staff will return to the sender within forty-eight (48) hours of receipt, excluding days on which the United States Postal Services does not deliver mail to the facility, any materials not given to client and not seized as contraband.

## **8. ADDITIONAL PROCEDURES FOR INCOMING PRIVILEGED MAIL**

- 8.1 Staff will inspect the outside of an unopened incoming envelope or package to determine if it appears to be privileged mail.

- 8.2 If staff determines that incoming mail is apparently privileged mail, staff will do the following:
- 8.2.1 In the absence of reasonable cause, as determined by the Superintendent/designee, to believe that apparently privileged incoming mail contains contraband or objects that constitute prohibited material or is in fact not a privileged communication, staff will give the privileged mail unopened to the addressee client.
- 8.2.2 If staff has reasonable cause to believe that incoming privileged mail is in fact not privileged, they shall make a good faith effort to determine whether it is privileged without opening the mail. Good faith efforts shall include, as appropriate to the circumstances, contacting the office of the sender.
- 8.2.3 If the Superintendent/designee has reasonable cause to believe that an envelope or package marked as privileged mail contains enclosed contraband or objects that constitute prohibited material, or is in fact not a privileged communication, staff will arrange for the client to whom the mail is addressed to come to the central location designated for handling mail, before doing anything else with the mail.
- 8.2.4 If the Superintendent/designee has a reasonable cause to believe that the mail contains enclosed contraband or objects that constitute prohibited material, staff may ask the client to open the envelope or package, and remove the contents for the purpose of determining whether the mail contains contraband or objects that constitute prohibited material. If the staff determines that the mail does not contain any contraband or prohibited material, the client will retain the mail.
- 8.2.5 If otherwise privileged mail is found to contain enclosed contraband, staff will seize the contraband objects or material, and return the communication (letter, note, etc.) to the sender with a note from staff explaining:
- 8.2.5.1 that contraband was found in the mail and that it was seized;
- 8.2.5.2 that the mail itself is being returned to the sender who may re-send it to the client in a proper manner (without contraband); and
- 8.2.5.3 if it appears that a violation of law has occurred and the matter is, or will be, referred to law enforcement that the contraband is being sent to law enforcement with a referral for appropriate action.
- 8.2.5.4 A copy of the note from staff to the sender will be given to the client and a copy filed in the client's master file.
- 8.2.6 If otherwise privileged mail is opened based on reasonable cause as described above, and is found to be from a privileged source but to contain enclosed objects that constitute prohibited material, staff will seize the prohibited material, the client will retain the communication itself and send a note to the sender explaining:
- 8.2.6.1 that prohibited material was found in the mail and seized;
- 8.2.6.2 that the prohibited material is being logged into and stored in a central depository within the facility and not sent on to the client, and that the letter itself was given to the client.
- 8.2.6.3 A copy of the note from staff to the sender will be given to the client and a copy filed in the client's master file and in the Control Center file. NOTE: The prohibited material referred to in this Section means objects enclosed with a privileged communication; it does not refer to the communication itself.
- 8.3 When the Superintendent/designee has reasonable cause to believe that apparently privileged incoming mail is in fact not a privileged communication (such as where there is reasonable cause to believe that the mail is not actually from the privileged sender identified on the face of the envelope) staff asks the client to open the item and provide information sufficient for the staff to determine whether it is or is not a privileged communication. If the mail does in fact appear to be a privileged communication, the client will retain the mail.

- 8.4 If mail is opened based on reasonable cause as provided above, and is found not to be a privileged communication, then staff will inform the client who may request that the mail be returned to the sender, or give permission for the staff to handle the mail in accordance with procedures for non-privileged mail.
- 8.5 Without the express consent of the client, privileged mail should not be scanned or read under any circumstances. At the request of the client, staff may view the letterhead on which the communication is written, to assist in determining the privilege.

## 9 ADDITIONAL PROCEDURES FOR INCOMING NON-PRIVILEGED MAIL

- 9.1 **Opening** non-privileged mail and handling of prohibited contents:
- 9.1.1 Staff will open all incoming non-privileged letters and packages each working day, in the presence of the client addressees, to check for cash or personal checks, enclosed contraband, or other enclosed prohibited material. The mail itself will not be read except as provided below. All package contents are inventoried to the client and documented in the client record.
- 9.1.2 Personal checks and cash are not accepted, and are returned to sender, with notice given to the client that only cashiers checks and money orders may be received by clients. Cashiers checks and money orders are placed in the client's account.
- 9.1.3 Contraband items other than items listed above (money) are seized, and any other communication (letter, note) received with contraband, which is not itself contraband or prohibited material, is returned to the sender with a note from staff explaining:
- 9.1.3.1 that contraband or prohibited material was found in the mail and that it was seized;
- 9.1.3.2 that the communication itself is being returned to the sender who may re-send it to the client in a proper manner (without contraband or prohibited material); and
- 9.1.3.3 if it appears that a violation of law has occurred and the matter is, or will be, referred to law enforcement that the contraband is being sent to law enforcement with a referral for appropriate action.
- 9.1.3.4 A copy of the note from staff to the sender will be given to the client and a copy filed in the client's master file and in the Control Center file.
- 9.2 Contraband seized from an incoming letter or package may result in the revocation or suspension of the sender's correspondence privileges (except for privileged communications, as provided above).
- 9.3 Contraband that is illegal, such as weapons or drugs, will result in referral for prosecution. Violation of postal laws may also result in referral for prosecution.
- 9.3.1.1 A document stating that contraband or prohibited material was seized and the reasons for seizing it will be placed in the client's master file, with copies sent to the client and the sender of the confiscated material
- 9.4 Prohibited materials are seized. Prohibited material which is not prohibited by law or evidence of a crime or delinquent act, but is not authorized to be in the client's possession while at the facility, is returned to the sender. The client is informed of the action taken and the reasons for the action taken.
- 9.5 **Reading** incoming non-privileged mail:
- 9.5.1 Only the Superintendent/designee may read mail, and only when there is reasonable cause to believe that the mail communication itself (as opposed to other contents of an envelope or package) constitutes contraband or prohibited material, or constitutes a crime or delinquent act or evidence of a crime or delinquent act.
- 9.5.2 When such mail is read, with reasonable cause, the Superintendent/designee who has actually read the mail will prepare a memo to the client stating the reasons justifying the reading of the mail, and what action was taken and the reasons for it.

- 9.5.3 Evidence that a client's mail from a particular recipient has, within the preceding ninety (90) days, contained contraband or prohibited material or constituted a delinquent act or crime in and of itself may be considered in determining whether reasonable cause exists for reading a client's mail from that recipient.
- 9.5.4 If all the mail of a particular client is read, the Superintendent/designee shall document the specific reasons for this practice.
- 9.6 **Rejection** of incoming non-privileged mail that has been read:
  - 9.6.1 Incoming mail that has been read, pursuant to reasonable cause as described herein, will be rejected by the Superintendent/designee when there is reasonable cause after reading the mail to conclude that it contains or constitutes contraband or prohibited material.
  - 9.6.2 Mail may not be rejected solely because it contains language that is offensive (e.g., foul language, etc.), but which does not meet the definition of "obscene" under these procedures.
  - 9.6.3 When incoming mail is rejected, the client and the person sending the mail to the client will be notified in writing of the reason for the rejection.
  - 9.6.4 Mail that has been rejected based on the criteria set forth in these procedures is returned to the sender with a letter from the Superintendent/designee specifying why the mail was read and why it was rejected, unless the mail in and of itself constitutes a criminal act or evidence of a criminal act, in which case it will be seized and provided to law enforcement, with notice to the addressee client and to the sender that this has occurred.
  - 9.6.5 The client whose incoming mail is rejected may object to and contest the action through the client grievance procedures. Any sender whose mail to a client is rejected must also be given an opportunity to object to such action.
  - 9.6.6 Individuals who send contraband or prohibited material to clients through the mail may have correspondence privileges suspended or revoked, except for privileged communications, and may be referred for criminal prosecution for violations of law, including violations of postal laws.
  - 9.6.7 Staff will prepare a memo or letter documenting the items withheld from a client and place the letter in the client's master file, with a copy sent to the sender and to the client.

## 10

### **PROCEDURES FOR OUTGOING PRIVILEGED MAIL**

- 10.1 Outgoing privileged mail will be handled in the following manner:
  - 10.1.1 Outgoing privileged mail must be clearly marked "privileged communication" on the face of the envelope by the client.
  - 10.1.2 In the absence of reasonable cause to believe that that apparently privileged outgoing mail contains contraband or objects that constitute prohibited material, or is in fact not a privileged communication, the client will seal the mail and staff will accept it for mailing.
  - 10.1.3 When the superintendent/designee has reasonable cause to believe that outgoing privileged mail contains contraband or objects that constitute prohibited material, staff asks the client to remove the contents of the mail for the purpose of determining whether the envelope or package contains contraband or objects that constitute prohibited material.
  - 10.1.4 If contraband or objects that constitute prohibited material are found in the envelope or package, they shall be removed and seized.
    - 10.1.4.1 The privileged communication itself will not be read and will be mailed to the addressee.
    - 10.1.4.2 The Superintendent/designee shall provide the client and the addressee with written notice of the seizure of any items.
    - 10.1.4.3 The notice shall identify the items that have been seized and the reason for the seizure, and provide information about how to contest the seizure of the items.

- 10.1.5 When a Superintendent/designee has reasonable cause to believe that apparently privileged outgoing mail is in fact not a privileged communication (such as where there is reasonable cause to believe that the mail is not actually to the privileged sender identified on the face of the envelope) staff asks the client to provide information sufficient for the staff to determine whether it is or is not a privileged communication.
- 10.1.5.1 If the mail does in fact appear to be a privileged communication, it will be mailed.
- 10.1.5.2 If not, it will be returned to the client or treated as outgoing non-privileged mail, at the client's option.
- 10.1.5.3 The privileged mail should not be scanned or read under any circumstances.

**11 PROCEDURES FOR OUTGOING NON-PRIVILEGED MAIL**

- 11.1 **Inspection** of outgoing non-privileged mail is as follows:
  - 11.1.1 Clients will bring outgoing mail unsealed to the designated on-duty staff.
  - 11.1.2 The client will permit the staff member to inspect the envelope or package for enclosed contraband or prohibited material. The mail itself will not be read, except as provided below.
  - 11.1.3 If the envelope or package does not contain or constitute contraband or prohibited material, the client will then seal the envelope or package in the presence of staff, and it will be mailed.
  - 11.1.4 If the envelope or package (not the communication therein) does contain or constitute contraband or prohibited material, the contraband or prohibited material will be seized, and the communications contained in the envelope or package will be returned to the client, except as provided below where there is reason to read the mail.
  - 11.1.5 Staff will ensure that the outgoing mail has a complete name and address, including zip code, for both the sender and the recipient.
- 11.2 **Reading** of outgoing non-privileged mail.
  - 11.2.1 Mail may be read only by the Superintendent/designee, only when there is reasonable cause to believe that the mail communication itself (as opposed to other contents of an envelope or package) constitutes contraband or prohibited material, or constitutes a crime or delinquent act or evidence of a crime or delinquent act.
  - 11.2.2 When such mail is read, with reasonable cause, the Superintendent/designee who has actually read the mail will prepare a memo stating the reasons justifying the reading of the mail, and what action was taken and the reasons for it.
  - 11.2.3 Evidence that a client's mail has, within the preceding ninety (90) days, contained contraband or prohibited material or constituted a delinquent act or crime in and of itself may be considered in determining whether there is reasonable cause for reading a client's outgoing non privileged mail.
  - 11.2.4 If all the mail of a particular client is read, the Superintendent/designee documents the specific reasons for this practice.
- 11.3 **Rejection** of outgoing non-privileged mail that has been read:
  - 11.3.1 Outgoing non-privileged mail that has been read pursuant to reasonable cause as described herein will be rejected by the Superintendent/designee when there is reasonable cause after reading the mail to conclude that it contains or constitutes contraband or prohibited material.
  - 11.3.2 Mail may not be rejected solely because it contains language that is offensive (e.g., foul language, etc.), but which does not meet the definition of "obscene" under these procedures.

- 11.3.3 When outgoing non-privileged mail is rejected, the client will be notified in writing of the reason for the rejection. The client whose outgoing mail is rejected may object to and contest the action through the client grievance procedures.

**12 LIMITATIONS ON PERSONS WITH WHOM CLIENTS MAY COMMUNICATE**

- 12.1 Clients may communicate/correspond with any person, except as limited below.
- 12.2 Clients may communicate with incarcerated relatives, who may include grandparents, parents, brothers, sisters, spouses or others as approved by the Superintendent/designee.
- 12.3 Clients are not allowed to communicate with individuals who are incarcerated, on probation or on parole, other than specified in above, unless the Superintendent/designee grants approval. The client's treatment team reviews requests to communicate with incarcerated individuals not listed above, and makes recommendations for approval/disapproval to the Superintendent/designee.
- 12.4 If an objection is received from any person, or from the parent, legal guardian or custodian of a client, to receiving mail from a JJS facility client, all mail addressed by a client to such person shall be returned unopened to the sending client, who will be informed of the objection and that such mail will not be permitted to be sent.
- 12.4.1 Staff shall maintain a secure log of persons who have objected, and minors whose parent, guardian or custodian has objected, to receiving mail from a JJS client.

**13 PUBLICATIONS**

- 13.1 Clients may access publications, at their cost, as long as they do not:
- 13.1.1 contain obscene material;
- 13.1.2 depict or describe procedures for construction of or use of ammunition, bombs, incendiary devices, or weapons;
- 13.1.3 depict, encourage or describe escape plans or contain blueprints, maps, drawings of similar facilities;
- 13.1.4 depict or describe procedures for producing alcoholic beverages or manufacturing drugs; or
- 13.1.5 advocate or espouse materials that promote racial or ethnic hatred, prejudice, gang activities or violence.
- 13.2 Used publications are not accepted. Materials must come directly from the publisher.
- 13.3 Pages may not be removed from publications. Removed pages are subject to confiscation.
- 13.4 Pages may not be posted in any area.

**14 FORWARDING OF MAIL**

- 14.1 When clients are released from or transferred from a facility, their first class mail is forwarded within twenty-four (24) hours of receipt.

**15 PHONE CALLS**

- 15.1 All calls are documented in the client master file.
- 15.2 Clients do not place or receive calls directly.
- 15.3 Staff verifies the reason for all calls and the contact relationship to the client.
- 15.4 Clients contact parent/guardian/custodian by phone within twenty-four (24) hours of arrival at a facility.
- 15.5 Clients are encouraged and are given the opportunity to call their parent/guardian/custodian. At least twice a week two (2) calls are paid for by CYFD/JJS.
- 15.5.1 Additional calls may be made but are placed as collect to the party being called.



- 15.5.2 Clients shall be given the opportunity to have calls, which are ten (10) minutes in length after the connection is established.
- 15.5.3 Supervisory staff is responsible for developing and implementing a plan that allows for incoming and outgoing calls from the living unit.
- 15.6 Based on the treatment team recommendations and the client program level, a parent/guardian/custodian may provide a client with a pre-paid calling card.
- 15.6.1 The client does not retain possession of the card.
- 15.7 Staff may impose reasonable restrictions on lengths of calls in order to accommodate all clients wishing to make calls.
- 15.8 Calls are not recorded or monitored by staff unless the Superintendent/designee determines there is reasonable cause to believe that the client is planning an escape, trying to obtain contraband, or planning to commit a crime or delinquent act or that the phone call constitutes a crime or delinquent act in and of itself. Every such determination shall be made in writing and recorded in a log maintained for this purpose.
- 15.9 Emergency phone calls are placed for or received for clients at any time.
- 15.9.1 Any time a client is to be informed of a call regarding a death or other serious emergency situation, staff immediately notifies a member of behavioral health. Behavioral health staff is present when the client is told the news.
- 15.10 **OUTGOING CALLS:** Clients may contact attorneys, advocacy groups, and judicial or public officials at any reasonable time between 9 am and 5 pm. Such calls are privileged and shall not be monitored.
- 15.10.1 Clients shall be permitted to make such calls in a location that preserves confidentiality. Permission to make such calls is documented in client's master file.
- 15.10.2 Staff verifies that the client is calling the designated individual, but may not otherwise listen to, monitor, or record the conversation except as follows:
  - 15.10.2.1 For calls made to public officials or advocacy groups other than attorneys and judicial officers, calls may be monitored only if the Superintendent/designee determines that there is reasonable cause to believe that the client is planning an escape, trying to obtain contraband, or planning to commit a crime or delinquent act or that the phone call constitutes a crime or delinquent act in and of itself.
  - 15.10.2.2 Calls to attorneys or judicial officers are not listened to, monitored, or recorded.
  - 15.10.2.3 Based on clients' individual program needs/progress, clients may make other phone calls as permitted by the Superintendent/designee.

## 16 VISITING

- 16.1 The Superintendent determines visiting days, hours and duration within the following parameters:
  - 16.1.1 Visiting may occur on several designated days of the week, at designated times;
  - 16.1.2 Families may schedule visits at other times with the permission of the superintendent or designee, after consultation with education and behavioral health staff;
  - 16.1.3 Clients are given the opportunity to have visits that are at least one (1) hour in length;
  - 16.1.4 Visits with attorneys who represent the client or with whom the client is discussing potential representation may occur at any reasonable time between 8 am and 8 pm, and are not limited to family visiting hours.
- 16.2 Facilities provide designated visiting areas for clients to receive visitors. Facilities provide an indoor visiting area for attorney client visits that preserves confidentiality.
- 16.3 Other visitors will be given special visiting permits when it is in the best interest of the client. The Superintendent/designee issues special visiting permits on a case-by-case basis. The client's treatment team reviews special visit requests and makes recommendations for approval/disapproval to the Superintendent/designee.

- 16.4 All visitors provide identification and sign in at the facility prior to visitation.
- 16.5 Visitors whom staff believes to be under the influence of drugs or alcohol are not allowed to visit and are instructed to leave the facility.
- 16.6 Visitors must lock phones, pagers, purses, and brief cases in their vehicles prior to visiting with clients.
- 16.7 Visitors may be required to pass through a metal detector and/or be scanned with a hand held metal detector prior to being allowed into visiting area. Items being brought into the facility by visitors, such as baby seats, are subject to being searched for contraband or prohibited materials.
- 16.8 Visitors may purchase food items to consume during the visit, using on-site vending machines. The Superintendent/designee may permit visitors to bring in snack food and beverage items, such as soda, candy bars, chips, fruit or nuts. Any unconsumed food is returned to the visitors at the end of the visit.
- 16.9 Clients allowed contact visits by the Superintendent may hold hands with and hug their visitors. The Superintendent may require non-contact visits, if a prior visit resulted in a disturbance, disruptive behavior or a violation of these visitation procedures.
- 16.10 Visitors who introduce contraband into the facility are not allowed to return for visits and are referred for prosecution if they have engaged in a criminal act.
- 16.11 Visitation procedures are provided to clients and mailed to client's parent/guardian/custodian within twenty-four (24) hours of the client's arrival at the facility.
- 16.12 Facilities provide client's parent/guardian/custodian with directions to the facility and information regarding transportation to and from the facility.
- 16.13 Visiting rules are posted in the designated visiting room.

**17 PACKAGES**

- 17.1 All clients may receive one (1) package during December and two (2) weeks prior to their birthdays.
- 17.2 All packages must be sealed in the original manufacturer's packaging and/or manufacturer's safety seals.
- 17.3 All foodstuffs are subject to review by medical and dietary personnel as it pertains to the individual client.
- 17.4 Packages are delivered to clients within forty-eight (48) hours of receipt.
- 17.5 Packages are subject to the same inspection guidelines as mail.
- 17.6 Packages that include food items are limited to the following and will only be distributed two (2) times per year.
- 17.7 Food items include:
  - 17.7.1 One (1) bag, not to exceed thirteen (13) oz. of candy. Candy items may not include items that have sticks or accompanied by any other non-food items and may not include chewing gum or chewing gum products.
  - 17.7.2 One (1) package of cookies, not to exceed eighteen (18) oz.
  - 17.7.3 Two (2) packages of jerky, not to exceed a total of 20 oz. combined.
  - 17.7.4 Two (2) bags of chips, not to exceed thirty (30) oz. combined.
- 17.8 Clients attaining Level III may receive an additional package every six (6) months.
- 17.9 Clients attaining Level IV may receive an additional package every three (3) months.
- 17.10 Clients who maintain Level III or IV may receive tennis shoes, socks and hygiene items as follows:
  - 17.10.1 Tennis shoes must be all white.
  - 17.10.2 Socks must be all white.
  - 17.10.3 Hygiene items which must be translucent and not include pumps, pumping devices, aerosol or alcohol listed in the ingredients include:
    - 17.10.3.1 Deodorant, not to exceed 6 oz.

- 17.10.3.2 Shampoo, not to exceed twenty-five (25) oz.
- 17.10.3.3 Bodywash, not to exceed twenty (20) oz.
- 17.10.3.4 Hair and scalp conditioner, strictly for medical purposes to prevent brittle hair, not to exceed fifteen (15) oz.
- 17.11 Any packages containing items not meeting these guidelines will be returned to sender with a letter explaining why.

**18 Notice and Opportunity to Object**

- 18.1 When any action is taken to limit a client's communication (including limitations on sending or receiving mail; denials on sending or receiving packages; denials of, or restrictions on, access to the phone; and denials of, or restrictions on, visits) the client and any other party affected by the action will be notified in writing as to the reason for action. The client may contest the action through the client grievance procedure.

**19. AUTHORIZED SIGNATURE:**



**APPROVED:** \_\_\_\_\_  
**Dorian Dodson, Cabinet Secretary - Designate**  
**Children Youth and Families Department**