

YOUTH SERVICES POLICY

Title: Youth Visitation in Secure Facilities Next Annual Review Date: 10/02/2017	Type: C. Field Operations Sub Type: 2. Security Number: C.2.8
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References: La. R.S 14:402, and 40:961; La. Code of Criminal Procedure 215:2; ACA Standards 2-CO-5D-01 (Administration of Correctional Agencies), 4-JCF-1C-08, 4-JCF-3A-01, 4-JCF-3A-18, 4-JCF-3A-19, 4-JCF-3A-20 (Performance-based Standards for Juvenile Correctional Facilities); US DOJ PREA Standard 115.353 (d); YS Policies A.2.15 “Dress Code for Secure Care Facilities and Community Based Services”, A.2.18 “Criminal Record Checks”, A.3.4 “Parental Contributions – Cost of Care and Treatment”, A.5.11 “Video Conferencing”; B.2.2 “Youth Classification System and Treatment Procedures”, B.2.3 “Secure Care Intake”, B.2.8 “Victory Treatment Unit (VTU)”, B.2.20 “Non-Discriminatory Services to Lesbian, Gay, Bisexual, Transgender, Intersex, Questioning (LGBTIQ), and Nonconforming Youth”, B.5.1 “Youth Code of Conduct - Secure-Care”, C.1.4 “Attorney Visits”, C.2.2 “Facility Riot”, Significant Disturbance and Hostage Situation”, C.2.5 “Searches of Visitors”, C.2.22 “Contraband Control - Secure Care Facilities”, and D.10.5 “Receipt, Security and Disbursement of Funds Collected from Youth – Supervision Fees and Restitution”	
STATUS: Approved	
Approved By: <i>Mary L. Livers, Deputy Secretary</i>	Date of Approval: 10/02/2015

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish procedures for youth visitation at YS Secure Care Centers for Youth.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, Deputy Assistant Secretary, General Counsel, Regional Directors, Facility Directors, and Regional Managers.

IV. DEFINITIONS:

Caring and Committed Adults – For the purpose of this policy, this refers to significant adults in a youth’s life who are identified as a youth’s natural network of relationships, and are willing to play some ongoing role in a youth’s life, i.e. birth family members, teachers, coaches, employers, former foster parents, former child care staff or social workers, mentors, ministers, etc. All to be vetted through the Facility Director.

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Contraband - Any item(s) introduced or found on facility grounds, including any improperly possessed drugs (whether illegal or legal) and weapons that are expressly prohibited by applicable statutes and YS policies, identified as contraband items.

Contraband includes, but is not limited to, the following:

- A controlled dangerous substance defined by LSA-R.S. 40:961 et seq. or any controlled dangerous substances or devices as defined in LSA-R.S. 14:402.(D)(1);
- Weapons or other instrumentalities which could be used as a dangerous weapon or plans to manufacture such, or to aid an escape;
- Unauthorized explosives or combustibles;
- Alcoholic or other beverages producing an intoxicating effect;
- Aerosol products producing an intoxicating effect;
- Glass containers;
- Stolen property;
- Medication (no medication shall be brought onto the grounds of a secure care facility; refer to YS Policy No. C.2.4 for YS employee guidelines regarding medication);
- Unauthorized currency or coin (No money shall be allowed beyond the front entrance gate of the facility. Money may be accepted for a youth's by-line account by secure care staff at the front gate with an issued receipt pursuant to YS Policy Nos. C.2.5 and C.2.8; pursuant to YS Policy No. C.2.4, YS employees may have a maximum of \$20 on their person);
- Unauthorized articles of food, clothing or toiletries;
- Unauthorized telecommunications equipment, including, but not limited to, smartwatches, cellular phones or global positioning equipment (refer to Section V. for YS employees);
- Unauthorized tape recorders, cameras and camcorders; sim cards (refer to Section V. for YS employees);
- Unauthorized electronics such as laptop computers, tablets or thumb drives (refer to Section V. for YS employees);
- Unauthorized movies, music videos, CDs, DVDs, cassette tapes, VHS tapes, or other devices containing recorded music, images, or other video; and
- Nude photographs/pornography/pornographic literature.

Pursuant to YS Policy No. C.2.22, smartwatches are considered contraband (refer to the "Smartwatch" definition). Any individual found in possession of a smartwatch inside of a secure facility will be subject to criminal charges.

Immediate Family Members – Biological parents, legal guardians, step parents, siblings, biological children, and grandparents.

Juvenile Electronic Tracking System (JETS) - The centralized database used to track all youth under OJJ supervision or custody, and to record youth case record activity.

Probation and Parole Officer/Juvenile – Includes CBS probation officers (Probation and Parole Officer 1, 2 and 3/Juvenile).

National Criminal Information Center (NCIC) - A computerized index of criminal justice information (i.e. - criminal record history information, fugitives, stolen properties, missing persons).

Smartwatch – A wearable computing device usually worn on a user’s wrist that offers functionality and capabilities similar to those of a smartphone. Smart watches are designed to, either on their own or when paired with a smartphone, provide features like connecting to the internet, running mobile apps, making calls, messaging via text or video, checking caller ID, accessing stock and weather updates, providing fitness monitoring capabilities, offering GPS coordinates and location directions, etc. Additional information is available on the following website: <http://www.webopedia.com/TERM/S/smartwatch.html>.

Terminal Agency Coordinator (TAC) - Designated staff trained to ensure agency compliance with NCIC and the Louisiana Law Enforcement Telecommunications System (LLETS).

V. POLICY:

It is the Deputy Secretary’s policy to encourage visitation in all secure care facilities. YS understands the importance of visitation in the maintenance of a youth’s family ties.

In addition, YS recognizes that the majority of youth will be released into the community, and that the youth’s eventual reintegration will be more effective if a visitation program permits the maintenance of social relationships. Visiting can improve public safety and encourage youth accountability. Authorized visitation is permitted by YS to facilitate a youth’s secure care adjustment in accordance with YS’ overall goals, objectives and mission.

In this matter, as in all others affecting facility operations, YS primary considerations promote public safety through safe and secure operations. Any restrictions placed on visiting privileges pursuant to this policy are rationally related to legitimate interests of YS.

Facility Directors are responsible for implementing this policy and conveying its contents to all affected employees, youth, and visitors.

Facility staff shall ensure that youth are presented at visitation dressed appropriately.

VI. YOUTH VISITATION:

- A. Written information regarding visitation procedures shall be made available to the youth and the parent/guardian within 24 hours of the direct intake process at a YS secure care facility, pursuant to YS Policy B.2.3. Such information shall include, but is not limited to the following:
1. The facility's address and phone number;
 2. Directions to the facility and information regarding local transportation;
 3. Days and hours of visitation;
 4. Approved dress code and identification requirements for visitors;
 5. Any items that visitors are permitted to bring to youth;
 6. Any specific rules for children who visit; and
 7. How to schedule special visits.

Documentation of the above process shall be noted on a "Weekly Contact Progress Note" in JETS within three (3) working days, with the Contact Type noted as "Family". A hard copy shall be placed in the youth's Master Record under Clip VIII.

- B. There shall be no limit to the number of immediate family members a youth may choose to place on his visitation list. Immediate family members (as defined in Section IV) shall prove their relation to the youth through birth certificates, marriage license, custody orders, adoption papers, etc. The youth's Case Manager, Counselor, teacher or other staff member shall provide assistance compiling/revising the youth's visitation list. It is the youth's responsibility to provide the correct name, address, birth date, race, and sex of each visitor.

At the discretion of the Facility Director or Regional Director, and in conjunction with the youth's Probation and Parole Officer/Juvenile (PPO/J), Regional Manager or Social Services staff, other significant adults in the youth's life may be allowed visitation privileges.

- C. Visitors 14 years of age and older must have a picture identification. Siblings (under the age of 18) or biological children of the youth must be accompanied by an adult who is on the approved visiting list. A maximum of five (5) visitors shall be allowed at any time. Children under the age of five (5) are not included in the total number; however, children under the age of five (5) shall be kept to a maximum of two.
- D. Exceptions to being accompanied by an adult may be made in the following cases as determined by the Facility Director:
1. Minor spouse; and
 2. Emancipated minors (Judgment of Emancipation required as proof).

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- E. Legal advisors may be allowed to visit without being included in this number pursuant to YS Policy No. C.1.4, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m., with a 24 hour advance notice. Visits with clients outside the aforementioned days/times must be requested at least 24 hours in advance to allow for a review by YS Legal Services.
- F. Upon placement in OJJ custody pending secure care, the appropriate Regional Office staff shall input all family information in the "Relationships" screen in JETS. This information shall cover parent, guardian, siblings, aunt, uncle, pastor and/or any caring and committed adults that played a significant role in the youth's life. The guidelines established in YS Policy Nos. A.3.4 and D.10.5 shall be followed when entering the financially responsible person for collections purposes.

Any modifications of the "Relationships" screen or the approved visitor list in JETS shall be made by the assigned facility staff.

Facility staff shall regularly review visitation lists during family counseling sessions, and consult with the assigned PPO/J if needed.

- G. A record of approved visitors shall be maintained on the youth's "Relationships" screen in JETS through staff designated by the Facility Director. Confirmation of a youth's actual visits shall be documented weekly on the "Visitation-Family Contact Progress Note" in JETS.
- H. When a youth requests an addition to his visitation list, the "Police Questionnaire" [see Attachment C.2.8 (a)], and the "Visiting Questionnaire" [see Attachment C.2.8 (b)], shall be sent to the proposed visitor pursuant to YS Policy No. A.2.18.

By completing and signing both forms the visitor is agreeing to be on the youth's visitation list and to obey the secure care facility "Rules and Guidelines for Visiting Youth" [see Attachment C.2.8 (c)]. The information received from the "Police Questionnaire" and the "Visiting Questionnaire" shall be used to run the criminal record check prior to final approval. Providing false information on the questionnaires may delay or result in the refusal of visitation privileges.

Pursuant to YS Policy No. A.2.18, all proposed visitors shall receive a criminal record check prior to being allowed on the grounds of a YS Secure Care Center for Youth, and annually thereafter. Background checks shall occur within 48 hours of receipt of the applicable completed forms.

- I. Tentative approval during the direct intake process for youth who do not have an established visitation list **shall** be granted for proposed visitors with the Facility Director's approval.

- J. If a youth transfers from one secure care facility to another with an approved visitation list, an additional background check **shall not** be conducted on already approved visitors from the sending facility. A copy of the applicable paperwork shall follow the youth to the receiving facility and shall remain in effect until the annual review is due. The receiving facility shall also confirm the visitation information in JETS.
- K. Immediate family members and other significant adults in the youth's life who have been convicted of a felony shall be reviewed by the Facility Director and the Regional Director to determine if visitation is appropriate, and if approved, whether special arrangements should be implemented. Documented approval or disapproval shall be noted on the youth's "Relationships" screen as well as in a "Weekly Contact Progress Note" in JETS by the youth's Case Manager.
- L. If immediate family members are unable to travel to the facility or they do not have transportation available, a video-conference shall be arranged pursuant to YS Policy No. A.5.11. In addition, transportation should not be a barrier, funding permitting. A bus voucher, ticket, gas card, etc. should be available along with the appropriate PPO/J and Transport Officer.
- M. Restrictions on Visitation:
 - 1. A youth may refuse to see a visitor. If so, the youth shall be asked to sign a statement to that effect (or documentation shall be placed in the youth's master record that the youth refused to do so).

(When a youth refuses to see a visitor, the assigned Case Manager shall be notified and counsel with the youth to determine the reason for the refusal. The results of this session shall be documented on a "Weekly Contact Progress Note" in JETS within three (3) working days);
 - 2. A person may be removed from the approved visiting list at the person's own request or at the request of the youth;
 - 3. Any person may be denied permission to visit during the time of a disturbance at the facility. All visitation may be suspended during an emergency (refer to YS Policy No. C.2.2); and
 - 4. A visitor can only be on one (1) youth's visitation list unless that visitor is an immediate family member of more than one (1) youth. Proof of relationship shall be the responsibility of the youth and the youth's family. The youth's Case Manager, Counselor, teacher or other staff member shall provide assistance with proving the relationship if requested by the youth.
- N. It is the Facility Director's responsibility to develop and post procedures regarding the notification of visitors of their approval or disapproval to visit.

VII. CHANGING THE VISITATION LIST:

Each youth shall be allowed to request changes (additions, deletions, substitutions) to his approved visitation list quarterly, in conjunction with their Reclassification Staffing or when the youth transfers to another secure care facility.

Changes to the youth's visitation list shall be made in conjunction with the facility and the youth's assigned PPO/J.

VIII. NUMBER, DURATION AND CONDITIONS OF VISITS:

- A. Visitation shall be held weekly on Saturday and Sunday between the hours of 12:00 p.m. and 4:00 p.m. at all YS secure care facilities.
- B. Visitors shall be provided with a copy of the rules governing visitation, and the rules shall also be conspicuously posted in all visitation areas.
- C. Visits may be discontinued if the youth or visitor violates the visitation rules for that visitation day only. Restriction of visitation shall not be used as a consequence for a Code of Conduct Violation (refer to YS Policy No. B.5.1). The Facility Director/designee or the youth's Counselor shall review the circumstances of the Code of Conduct Violation to determine the duration of a visitation denial with or without modification.
- D. Dress Code for Visitors - Visitors must be dressed appropriately. All visitors shall follow the dress code requirements outlined in YS Policy No. A.2.15, Section VIII. The facility Standard Operating Procedure shall include the appropriate information contained therein. The Dress Code for visitors shall be posted at the facility entrance. Individuals improperly dressed shall be refused permission to visit. The Facility Director may make special accommodation as warranted, but shall not allow the visit to occur in the same location as other youth or family visitation, if other youth are present.
- E. Youth in the Behavior Management Unit (BMU) or the Victory Treatment Unit (VTU) shall be allowed visitors unless their placement was a result of a visitation violation. Special conditions may be placed on the youth's visitation privileges, such as restricted time limits, being required to visit at a separate location and under more restrictive conditions. (Additional information is located in YS Policy Nos. B.2.8 and B.5.1)
- F. Quarterly, administrative, educational, mental health, medical professionals and other staff shall utilize visitations with family members to discuss relevant case management issues and/or the youth's progress in all areas. The "Visitation - Family Contact Progress Note" (refer to YS Policy No. B.2.2) shall be utilized to document all contacts with family members during weekend visitation by the Case Manager making the contact.

- G. If a youth does not receive visits, the “Visitation-Family Contact Progress Note” form shall be completed in JETS on a quarterly basis by the youth's Case Manager, denoting the lack of visits. The Case Manager and the youth’s PPO/J shall discuss the youth’s lack of visits, meet with parent/guardian, and work together to determine the reasons in an effort to resolve them. These discussions may take place at any time or during the youth’s quarterly reclassification staffing, and documented on a “Weekly Contact Progress Note” in JETS within three (3) working days of discussion by the youth’s Case Manager.
- H. Visitors are prohibited from bringing in any item(s) to youth that are already being provided to meet their basic needs such as clothing, toiletries, shoes, underwear and food. Appropriate cards for birthdays and holidays are allowed, as well as appropriate photographs.
- I. Visitors are prohibited from bringing any money (coins or cash) beyond the front entrance gate of the facility. Money may be accepted for a youth’s personal account by secure care staff at the front entrance gate with an issued receipt, pursuant to YS Policy Nos. C.2.5 and C.2.8.

IX. SUPERVISION OF VISITING AREAS:

- A. YS secure care facilities shall provide direct visual supervision of the entire visitation area at all times. While mirrors and cameras can augment direct supervision and compensate for blind spots, staff shall position themselves with a direct line of sight on interactions between youth and visitors.
- B. Staff shall immediately intervene on inappropriate behavior, which may include behavior outside the bounds of permitted intimacy or involve any violation of visiting rules that may prove uncomfortable, disruptive, or offensive to other youth and visitors.
- C. Notices shall be posted informing visitors of the potential for monitoring anywhere in the visiting area. Staff of the same gender as the visitor shall monitor the restrooms during visits if there is reasonable suspicion that a visitor or youth may engage or be engaging in some form of prohibited behavior.

X. SUSPENSION OF VISITATION PRIVILEGES:

- A. Refusal to visit and removal from a youth's approved visitation list may occur when a visitor does not comply with facility rules. Removal may be temporary or permanent depending upon the severity of the violation, pursuant to Section VIII.C.
- B. A Facility Director may notify a visitor in writing of his/her suspension from a youth's approved visitation list for no longer than two (2) visitation weekends, and the reason for the removal.

- C. Refusal to visit shall occur when a visitor's conduct at the facility results in a violation of state and/or federal law, such as assault, battery, disturbing the peace, introduction or attempted introduction of contraband, lewd behavior, etc.

- D. Procedures to Remove a Visitor from the Visitation List:
 - 1. The authority to permanently suspend a youth's visitation shall be approved by the Deputy Secretary/designee.
 - 2. If the Facility Director has reason to believe that visitation should be suspended permanently due to specific circumstances, a request shall be forwarded to the Regional Director for review and discussion. If the Regional Director agrees with the Facility Director, the request shall be forwarded to the Assistant Secretary and Legal Services for review and a final decision on the matter.
 - 3. If the decision to suspend visitation permanently is rendered, a notification in writing shall be made to the visitor, and include the visitor's right to appeal the Assistant Secretary's decision to the Deputy Secretary/designee, by forwarding a letter within 15 days of the date of the notice.
 - 4. If the visitor exercises this appeal right, the Deputy Secretary/designee shall review the appeal and investigate as appropriate within 30 days of receipt of the appeal request. A hearing may be scheduled and the visitor shall be notified of the time, date and location of the hearing, which may be accomplished through video conference.
 - 5. The Regional Director/designee shall submit a report to the Deputy Secretary/designee providing any information that may assist in making the decision. If a hearing is held, the Deputy Secretary/designee may require the Regional Director's presence. Otherwise, the hearing shall consist of a meeting between the visitor and the Deputy Secretary/designee and shall be recorded.
 - 6. The Deputy Secretary/designee shall render a written decision with reasons granting or denying the appeal, and shall notify the visitor, the Regional Director and the Facility Director of the decision without undue delay.
 - 7. The Deputy Secretary/designee's decision shall be final.

XI. TREATMENT OF VISITORS:

- A. All visitors and youth shall be provided equal opportunities in visitation. There shall be no discrimination.
- B. Visitors shall be treated with courtesy at all times and shall not be subject to unnecessary delay or inconvenience in accomplishing a visit.
- C. The guidelines set forth in YS Policy No. B.2.20 shall be adhered to for those youth and/or their family members who identify as Lesbian, Gay, Bisexual, Transgender, Intersex, Questioning (LGBTIQ) or gender nonconforming. (Refer to YS Policy No. B.2.20)
- D. Searches of visitors shall be conducted pursuant to YS Policy No. C.2.5.
- E. Visitors with disabilities shall have accessible facilities and reasonable accommodations as appropriate, while preserving the safety of the public, staff and youth.

XII. SPECIAL VISITS:

Special visits may be granted in some circumstances and may occur outside of the established visitation hours. Persons requesting a special visit shall contact the youth's Case Manager to make arrangements. All special visits shall require the approval of the Facility Director. Facility staff shall contact the youth's PPO/J for transportation if needed.

Previous Regulation/Policy Number: C.2.8
Previous Effective Date: 06/20/2014

Attachments/References:

June-2011.docx

2012.docx
June2014.doc



C.2.8 (a) Police Questionnaire -

C.2.8 (b) Visiting Questionnaire - December

C.2.8 (c) Rules and Guidelines for Visitation