



Division of Correction

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<b>Title:</b> Family Day	<b>Directive Number:</b> DOC.195.0004
<b>Related MD Statute/Regulations:</b> A. Title 1, Correctional Services Article, ACM B. <i>White v. Keller</i> , 438 F. Supp. 110 (D.Md.1977)	<b>Supersedes:</b> DOC.195.0004 dated September 1, 2007
<b>Related ACA Standards:</b> ACA Standards 4-4501	<b>Authorized By:</b> Assistant Commissioner Security Operations
<b>Related MCCS Standards:</b> MCCS Standards .05L	<b>Issue Date:</b> December 31, 2010
<b>Related DOC &amp; DPSCS Directives and Manuals:</b> DOC.020.0003; DOC.105.0005; DOC.110.0017; DOC.110.0026; DOC.110.0041; DOC.195.0001 DPSCS.110.0005 DCM.110.0007 (K-9 Unit Operations Manual) <u>DPSCS Use of Force Manual</u>	<b>Effective Date:</b> December 31, 2010
<b>Related DOC Code of Maryland Regulations:</b> COMAR 12.02.16	<b>Number of Pages:</b> 5

### Division of Correction Directive

#### .01 Purpose.

This directive establishes policy and procedure for the family day program.

#### .02 Scope.

With the exception of the Maryland Correctional Adjustment Center, this directive is applicable to each Division of Correction (DOC) facility.

#### .03 Policy.

- A. The DOC shall provide an inmate the opportunity for family day visitation while ensuring effective security and control.
- B. Family day visitation is a privilege, and not a right, which shall be afforded, with minimum cost to a general population inmate at a facility.

#### .04 Definitions.

- A. In this directive, the following terms have the meanings indicated.
- B. Terms Defined.

(1) "Contact visit" means a visit that limits physical contact between the inmate and the visitor.

- (2) “Family day” means a special function at a DOC facility where an eligible inmate’s family members visit the inmate at the facility.
- (3) “Immediate Family Member” means a person who is a parent, a spouse, sibling, grandparent, child, or grandchild, or a person who has any of these relationships through marriage (e.g., in-laws, step-children, etc.), and/or adoption. These persons are placed on the visiting list, absent strong circumstances that preclude visiting.
- (4) “IONSCAN” means an electronic device used to detect CDS residue or odor.
- (5) “K-9 Search” means a scan conducted by an officer of the DOC K-9 Unit with a trained and certified canine to detect odors of controlled dangerous substances as described in the K-9 Unit Operations Manual, §III.D.1.
- (6) “Other Relatives” means uncles, aunts, and cousins, whose names may be placed on the approved list if the inmate wishes to have visits with them regularly and if there is no reason to exclude them.
- (7) “Visitor” means a person entering the facility whose name is on an inmate’s visiting list or who has obtained approval as a special visitor.

**.05 Responsibility.**

- A. The managing official or a designee shall provide one family day per calendar year with visits by any combination of four family members per inmate.
- B. The managing official or a designee shall establish an area that provides:
  - (1) Contact visits in a family setting environment; and
  - (2) Adequate observation for staff to safely monitor the activities of an inmate and family members.
- C. The managing official or a designee shall:
  - (1) Ensure adequate staffing for the function; and
  - (2) Establish security measures to prevent an escape and prevent the introduction of contraband.
- D. Except at a pre-release and minimum security facility, the following escape prevention measures shall be implemented:
  - (1) Use of wristbands that are numbered or color-coded or both shall be utilized for each visitor who could reasonably be mistaken by appearance or age to be an inmate at that facility.
  - (2) Staff shall stamp the hand of each visitor with ultraviolet ink as an additional security measure in case of removal and replacement of the wristband, or both.
  - (3) An inmate may not wear any jewelry other than a wedding ring or a religious necklace or both.
  - (4) An inmate may not attend more than one visiting session during the family day period.

(5) A guest of the same sex as the inmate population shall be held until security count is completed and cleared.

E. Unless an exception is made by the managing official, to be eligible for participation in a family day program:

(1) An inmate shall:

(a) Have been at the facility for at least six months (excluding an inmate at a pre-release facility);

(b) Be eligible for contact visits;

(c) Have no guilty findings of rule(s) 100, 101, 102, 103, 106, 107, or 110 for at least two years;

(d) Have no guilty findings of rule(s) 105, 111, 112, 113, 114, or 115 for at least one year; and

(e) Have no guilty findings of any other category violation for six months prior to the family day event.

(2) An inmate may not have:

(a) Committed any type of incident during a previous family day; and

(b) Been convicted of sexual abuse of a child.

F. An inmate required to participate in an education program shall, as an additional requirement for family day eligibility:

(1) Have successfully completed the program; or

(2) Be currently enrolled with satisfactory attendance; or

(3) Be on the waiting list for the program.

G. Unless an exception is made by the managing official, to be eligible for participation in a family day program:

(1) A visitor shall:

(a) Have been on the inmate's visiting list for at least 60 days and have previously visited at the facility;

(b) Be allowed to visit at the facility (cannot be on visiting suspension at any state correctional facility);

(c) Present a government-issued photograph identification, such as a driver's license or age of majority card. The name and address on the identification shall exactly match the information on the inmate's visiting list;

- (d) Be allowed to attend no more than one visiting session during the family day program period;
  - (e) Be an immediate family member, as defined in this directive; or after an appropriate investigation is completed, another relative;
  - (f) Comply with the facility dress code;
  - (g) Comply with facility search procedures for visitors as established in EmD.DOC.110.0026; and
  - (h) Clear a K-9 search or IONSCAN.
- (2) A visitor, may not:
- (a) Be a former inmate;
  - (b) Be a:
    - (i) Current or former employee of any state correctional facility, regardless of the past position held; or
    - (ii) Permanent, part-time, contractual or temporary volunteer; and
  - (c) Have committed any type of incident during a previous family day.
- H. There shall be no visits other than the scheduled family day sessions on the day(s) of the facility's family day program.
- I. Once the family day schedule has been determined, the managing official shall notify the Director of Security Operations to arrange to have available detection dogs to provide K-9 searches of family day participants.
- J. Staff may not schedule any inmate (that is, a food service or sanitation worker, or entertainers) with a conviction for either child abuse or a sexual offense to participate in any way at a family day function.
- K. A managing official may request a second family day in any calendar year by submitting a written request to the Commissioner or designee that:
- (1) Includes the budget for the program; and
  - (2) Specifies the funding source.
- L. The managing official may authorize the purchase of the following items, having a value of less than \$15.00 each, for distribution to children at family day sessions:
- (1) Candy; and
  - (2) Gifts.
- M. Each managing official shall establish a facility directive to implement and comply with this directive.

- (1) The facility directive may not be more restrictive than this directive.
- (2) The managing official may submit a written request to the Commissioner or designee, for an exception to this directive based on unique circumstances at the facility.
- (3) Upon the Commissioner or a designee's approval, an exception shall be documented in the facility directive.
- (4) The facility directive shall contain procedures to ensure that family day guidelines are strictly enforced.

**.06 Attachment(s).**

None.

**.07 History.**

- A. This directive rescinds and supersedes DOC.195.0004, dated September 1, 2007.
- B. This directive supersedes DOC.195.0004, dated June 15, 2005.

**.08 Distribution.**

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