

# Executive Directive



**Stephen T. Moyer**  
Secretary

<b>Title:</b> Visits to Correctional Facilities by Public Officials	<b>Executive Directive Number:</b> <b>OPS.195.0001</b>
<b>Related MD Statute/Regulations:</b> Correctional Services Article, §2-103, Annotated Code of Maryland	<b>Supersedes:</b> <b>Secretary's Department Directive</b> DPSCS.195.0001 (formerly SDD 08-2006), dated 09/28/06
<b>Related ACA Standards:</b> N/A	<b>Responsible:</b>  <b>Executive Director – Field Support Services</b>
<b>Related MCCS Standards:</b> N/A	<b>Effective Date:</b> June 12, 2015 <b>Number of Pages:</b> 5

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Deputy Secretary  
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## **.01 Purpose.**

This Directive establishes policy and assigns responsibilities related to requests made by federal, State, county or municipal public officials to visit a Department of Public Safety and Correctional Services (Department) correctional facility for reasons directly related to the duties and responsibilities of the individual's public office.

## **.02 Scope.**

- A. This directive applies to all Department units responsible for a correctional facility.
- B. This directive does not apply to an individual representing a media organization visiting a Department correctional facility as part of the individual's media-related responsibilities.

## **.03 Policy.**

- A. The Department shall maintain professional relationships with public officials.
- B. The Department shall permit a public official access to a correctional facility consistent with security and safety requirements:
  - (1) To conduct authorized inspections;
  - (2) To meet with an inmate concerning business directly related to the public official's public responsibilities; and
  - (3) For other purposes related to the nature of the public official's public responsibilities.
- C. When a public official visits a correctional facility, the Department shall:
  - (1) Provide for the safety of public official, an individual in a party, an employee and an inmate;

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- (2) Maintain security of a correctional facility; and
- (3) Protect employee and inmate rights to privacy.

### **.04 Definitions.**

A. In this directive, the following terms have the meanings indicated.

B. Terms Defined.

- (1) Approving Authority.
  - (a) “Approving authority” means the Commissioner of Correction for a Division of Correction (DOC) correctional facility.
  - (b) “Approving authority” means the Commissioner of Pretrial Detention and Services for a Division of Pretrial Detention and Services (DPDS) correctional facility.
  - (c) “Approving authority” means the Director of the Patuxent Institution for a Patuxent Institution (PATX) correctional facility.
- (2) “Correctional facility” means a single structure or multiple structures at a single location used to house individuals in the custody of or detained by the Department as is defined in Correctional Services Article, §1-101, Annotated Code of Maryland.
- (3) “Managing official” means a Department employee responsible for the direct administration and operation of a Department correctional facility as is defined in Correctional Services Article, §1-101, Annotated Code of Maryland.
- (4) Party.
  - (a) “Party” means an individual or group of individuals admitted or requesting to visit a Department correctional facility.
  - (b) “Party” does not include an individual representing the media.
- (5) Public Official.
  - (a) “Public official” means an individual elected or appointed to a federal, State, county, or municipal government position.
  - (b) “Public official” includes an individual officially declared as a candidate competing for a federal, State, county, or municipal government position.
  - (c) “Public official” does not include an individual representing the media.
- (6) “Unit” means an organization, institution, agency, or division within the Department established by statute or created by the Secretary of Public Safety and Correctional Services (Secretary) within the Department.

**.05 Responsibility/Procedures.**

- A. A public official intending to visit a Department correctional facility is responsible for:
- (1) Requesting authorization to visit a correctional facility from the:
    - (a) Approving authority responsible for the correctional facility to be visited; or
    - (b) Secretary, if the public official requesting to visit a correctional facility does not know the approving authority for the specific correctional facility;
  - (2) Making a request to visit a correctional facility in writing;
  - (3) Preparing and sending the request so the request is received by the approving authority responsible for the correctional facility to be visited at least 20 days before the date requested for the visit;
  - (4) Including the following information in the written request:
    - (a) The public official's name;
    - (b) The name of a party accompanying the public official during the visit;
    - (c) The purpose of the visit;
    - (d) The areas of the correctional facility to be visited; and
    - (e) The date and time of the visit; and
  - (5) Limiting the number of individuals in a party visiting a correctional facility to five individuals, including the requesting public official.
- B. If the Secretary receives a request from a public official to visit a Department correctional facility, the Secretary, or a designee, shall forward the request to the appropriate approving authority.
- C. An approving authority receiving a request from a public official to visit a correctional facility:
- (1) That is at least 20 days before the date of the requested visit, shall advise the public official of a decision concerning the request within at least 5 work days of the date the request was received by the approving authority; or
  - (2) That is less than 20 work days before the date of the requested visit, shall contact the public official as soon as possible before the date of the requested visit and advise the public official that the request cannot be honored and may advise the public official of alternatives that can best meet the purpose of the visit.
  - (3) If the approving authority approves a public official's request to visit a correctional facility, the approving authority shall ensure notification of the:
    - (a) Managing official of the correctional facility to be visited, in sufficient time to properly prepare for the visit; and

(b) Department Communications and Media Office before the date of the visit.

D. A managing official of a correctional facility that a public official is visiting is responsible for:

- (1) Ensuring the safety of the public official, individuals in the party, employees, and inmates;
- (2) Ensuring correctional facility security is maintained;
- (3) Ensuring that the public official and members of the public official's party are informed of correctional facility rules and procedures for visitors;
- (4) Appointing a representative to officiate the visit, unless the approving authority provides other instructions; and
- (5) Canceling the visit when appropriate, either before the visit begins or at any time during the visit, if issues affecting correctional facility security or the safety of the public official, individuals in the party, employees, or inmates arise.

E. An individual designated to officiate a visit by a public official to a correctional facility is responsible for:

- (1) Being informed of:
  - (a) The purpose of the visit;
  - (b) The name and position of the public official and, if applicable individuals in the party; and
  - (c) Department and correctional facility policy and procedures, and applicable laws, and regulations;
- (2) Before the date of the visit, preparing and obtaining the managing official's approval of a plan for the visit;
- (3) Ensuring that an inmate affected by the visit is advised:
  - (a) Of the purpose of the visit;
  - (b) That one-on-one discussion, except to respond to a direct question, is prohibited;
  - (c) That physical contact, other than returning a handshake, is prohibited;
  - (d) That the exchange of any items, notes, telephone numbers, letters, address information, or other similar action is prohibited; and
  - (e) Of the consequences for inappropriate behavior on the part of the inmate.
- (4) Conducting a pre-tour briefing for the public official and, if applicable the party concerning:
  - (a) Security and safety measures concerning the visit;

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- (b) Emergency procedures; and
- (c) Other information determined appropriate concerning the visit.
- (5) Ensuring that the public official and each individual in the party is processed for entry to and departure from the correctional facility according to procedures for the correctional facility being visited; and
- (6) Conducting a post-visit debriefing with the approving authority concerning the visit.

### **.06 Attachment(s).**

There are no attachments to this directive.

### **.07 History.**

- A. This directive supersedes DPSCS.195.0001 (Formerly SDD 08-2006) dated 09/28/06 by updating style and format and changes as well as changes due to Department re-alignment.
- B. This directive supersedes provisions of any other prior existing Department communication with which it may be in conflict.

### **.08 Correctional Facility Distribution Code.**

A  
L  
S — Visitor Entrance Post.