

Cochise County	Procedure: DET2420.1	Last Review: April 27, 2010
Juvenile Court Services Administrative Manual	Page: 1 of 12	
	Approved: Signature on file Delcy Scull Director, Juvenile Court Services	
Division: Detention	Issue Date: July 19, 2010	
Subject: Visitation	Next Review: July 19, 2012	

A. Purpose: To ensure that juveniles committed to the CCJCS Detention Center are provided the ability to visit with family, legal and religious entities.

B. Authority:

Arizona Revised Statute 8-305 (A) – Detention Center

Lewis v. Casey, 116 S. Ct. 2174(1996)

Arizona Rules of Court-State, 2002 - Rule 23(B)(6)

Taylor v. Armontrout, 888 F. 2d 555 (8th Cir. 1989)

State of Arizona Juvenile Detention Operations Standards,

Section: II.D.2 – Visitation

C. Responsibility:

The division director of detention services shall ensure written directives outline:

- Number of visits allowed
- Frequency of visitation allowed
- Duration of time visitations are permitted
- A schedule of regular visitation hours and where this information will be available to staff, juveniles and visitors
- Posted warning signs for introduction of contraband
- Acknowledgement form signed by a visitor denoting they understand the rules of visitation

The detention division director or detention manager is responsible for:

- Screening and approval of visitors
- Suspension of visits
- Approval of special circumstance visitation

D. Definitions:

"Access to the courts" means that juveniles shall not be barred from access to their attorney of record and detention staff shall, when written requests are made, actively assist juveniles in making contact with their attorney or agent of the attorney.

"Agent of the attorney" means an individual who is authorized by the attorney of record to act on behalf of, for or in place of the attorney and who are directed to visit a juvenile on behalf of, or in place of an attorney. The person must have a written authorization, signed and dated by the attorney and shall be notarized.

"Attorney" means an attorney-at-law, public defender or legal defender assigned to represent the juvenile as evidenced by a court record, court order or by the juvenile's written authorization.

"CCJCS" means Cochise County Juvenile Court Services.

"Contact visitation" means a visit between a juvenile and his/her visitor that is conducted under staff supervision.

"Contraband" means any item considered a detriment to the safety, security and orderly operation of the detention facility.

"Illegal contraband" means any dangerous drug, narcotic drug, marijuana, alcohol, deadly weapons, dangerous instrument, explosive or any other article whose use or possession would endanger the safety, security or preservation of order in the facility or of any person and the following items:

- Any item of obscenity as defined in A.R.S. 13-3508
- Any item to be used as an escape
- Any written, graphic, audio or pictorial item pertaining to the construction, formulation, utilization or application of any explosive, poison or other substance/material that could cause physical harm, aid in an escape or contribute to a facility disturbance.

"Immediate family member" means a legal parent, or someone who was primarily responsible for the rearing of the juvenile in the absence of a parent, a sibling, or natural child of the juvenile.

“Incarcerated family member” means a family member listed under “immediate family member” and is incarcerated in federal, state or private prisons or the Arizona Department of Juvenile Corrections.

“Non-contact visitation” means a visit between a juvenile and visitor conducted with a barrier between them, thereby preventing any physical contact.

“Religious activity” means any group service, meeting, study group or other group gathering for approved religious purposes.

“Religious visit” means a meeting between an accredited minister or religious leader and a specific juvenile.

E. Procedures:

1. Approval of Visitors:

- a. Juveniles are authorized to visit with immediate family members, spiritual leaders, attorneys and/or individuals approved by the detention services division director or designee.
 - (1) Juveniles may visit with a minor if approved by the detention services division director or designee in accordance with the level system.
 - (2) Spouses of detainees must provide proof of marriage to visit.
 - (3) Visitors who will have contact visitation may have a background check (ACIC) completed.

2. Location of Visits:

- a. Visits with probation or departmental staff or law enforcement may occur in the interview room, visitation or the classroom.
- b. Legal visits will occur in the small or large visitation room. If the rooms are not available, other arrangements will be made.
- c. Family visits shall occur in a visitation room.

- (1) Visits with family members or individuals other than religious members, attorneys, probation officers or other approved entity shall occur in accordance with the level system.

3. **Visitation hours and frequency:**

- a. Juveniles may visit with family members as defined within the **level procedure** in adherence with CCJCS DET3100.
- b. Family members may visit **before or after a court hearing**.
- c. Visits may occur on **Sunday** from 0800-1200, **Tuesday** from 1800 to 2000 and **Thursday** from 1800 to 2000.
- d. Accommodation for **special circumstances** may be made for other time periods but only if prior approval has been obtained from the detention division director or designee.
 - (1) Special visits shall be authorized when ordered by the court or may be authorized if the parent is participating in a scheduled Individual Education Plan (IEP).
- e. All visits are dependent upon facility safety and security variables.
- f. Pursuant to *Arizona Rules of Court-State, 2002* - Rule 23(B)(6), the intake detention officer shall advise the juvenile of the right to visitation, in private, by the parent, guardian or custodian or counsel. After the initial visit, the juvenile may be visited during normal visiting hours.

4. **Visitation:**

- a. Entrance to the detention facility for visitors is through the court lobby where visitors:
 - (1) Shall read and sign the Visitation Acknowledgement rules to include A.R.S. 13-2514 – Promoting Secure Care Facility Contraband (Attachment – 1).
 - (a) A Visitation Acknowledgement form shall be completed for each period a juvenile is detained. It is not necessary to complete a form for each and every

visit. The forms shall be filed in the juvenile's detention file.

- (2) Visitor Identification - Adult visitors shall present acceptable evidence of identification upon entering and exiting the facility as requested.
 - (a) Identification shall include the visitor's name, a photograph, and date of birth.
 - (b) Acceptable photographic identification for adult visitors shall include, but is not limited to:
 - [1] Military Identification Card
 - [2] Passport
 - [3] Valid state driver's license
 - [4] Official photographic identification cards originating from any state or federal agency, including government employee identification cards and Immigration and Naturalization Service documentation cards
- (3) Sign the visitation log denoting their name, relationship to the juvenile
- (4) Pass through a metal detector
- (5) Secure all items in a visitation locker
 - (a) Visitors are encouraged to leave personal items secured in their vehicle or with non-visiting family members.
- (6) Visitors may bring pre-approved items for a juvenile, such as medication or \$10 for haircuts, which will be given directly to a detention officer and a receipt (for the cash) shall be given to the visitor.
 - (a) The detention officer shall place the money in the control room in the appropriate envelope.

- (7) If court security is not available or a detention officer can not be posted in the lobby, only visitors approved to visit may be allowed in the building. In this instance, no one will be authorized to wait in the lobby area.
- (8) Visitors may be denied entry if the visitor:
 - (a) Appears to be under the influence of drugs or intoxicated (alcohol);
 - (b) Fails to provide proper identification;
 - (c) Does not meet the Department's dress code;
 - (d) Possesses contraband or illegal contraband;
 - (e) Uses abusive language and/or engages in actions which disrupt the safety, security, and/or orderly operation of the facility;
 - (f) If a minor/young child not accompanied by an adult; and,
 - (g) If there is a safety or security justification for denying a visit.
- (9) Visitors are prohibited from visiting more than one juvenile during visitation, unless the other juvenile is an immediate family member and the visitor is approved to visit the juvenile. Nor may juveniles visit with another juvenile's visitors, unless the juveniles are immediate family members of the visitor, and the visitors have been approved to visit both juveniles.
- (10) A maximum of two (2) visitors may visit with a juvenile (unless otherwise approved by the division director or designee).
 - (a) If the juvenile has been ordered to a residential treatment facility or the Arizona Department of Juvenile Corrections, the juvenile may have a one-

time contact visit with their immediate family prior to departure.

- b. A juvenile may refuse visitation from anyone, except a Department employee conducting official business or a person(s) acting under a court order.
- c. During a visit, detention staff shall conduct a safety and security check every 15 minutes so as to ensure that the visit is orderly and appropriate. Visits shall be terminated if it appears to the detention officer:
 - (1) The visit is becoming disruptive;
 - (2) The visitor or juvenile is violating visitation rules;
 - (3) Contraband is passed;
 - (4) The juvenile or visitor is becoming visibly angry;
 - (5) There is inappropriate touching; and/or,
 - (6) The visitor or juvenile are destroying county property (e.g., defacing the wall).
- d. **Visitor Dress Code:**
 - (1) Clothing shall be clean, worn in good repair, be non-offensive, non-gang related.
 - (2) Visitors shall not wear any article of clothing fabricated with spandex-like material. Sheer, see-through and/or open-netted clothing is prohibited.
 - (3) A visitor who has been determined, during initial registration, not to be in compliance with the visitor dress code, may be given an opportunity to leave the facility grounds and return dressed appropriately if time and scheduling of visits allows, in compliance with the dress code requirements. No additional opportunities to gain compliance shall be extended for that specific visitation day.
 - (4) The dress code for female visitors (age eight and over) is:

- (a) Shorts shall be knee length, when standing. Jogging shorts, cut-offs, or hip huggers are prohibited.
 - (b) Skirts and dresses shall be knee length, when standing. Slits in skirts and dresses shall not extend above mid-thigh when seated.
 - (c) Sleeveless tops or dresses; tank, tube, and halter tops; tops that are strapless; tops that allow display of bare midriff; mesh clothing; body suits; and swimsuits are prohibited.
 - (d) Tops of clothing shall be no lower than the person's collarbone in the front and back. Plunged necklines are unacceptable (no cleavage).
 - (e) Undergarments shall be worn at all times.
 - (f) Shoes shall be worn at all times.
- (5) The dress code for male visitors (age eight and over) is:
- (a) Shorts shall be knee length, when standing. Jogging shorts, cut-offs, or hip huggers are prohibited.
 - (b) Shirts shall be worn at all times. Muscle shirts; sleeveless shirts; tank-style shirts; mesh shirts; or shirts that display bare midriff are prohibited.
 - (c) Under shorts shall be worn at all times.
 - (d) Shoes shall be worn at all times.

5. Juvenile searches:

- a. Juveniles who have received their visit in a non-contact visitation room shall not be searched unless there is reason to believe the juvenile possesses contraband.
- b. Juveniles who have participated in a contact visit shall undergo an unclothed body search prior to returning to the housing unit.
- c. Detention officers shall search and inspect the visitation room

prior to and at the conclusion of the visit once the visitors and juvenile have left the area.

6. Attorney Visits:

- a. Attorneys or their agents shall advise the supervisor which juvenile they would wish to visit. Attorneys unfamiliar to the detention officer or supervisor may be asked to provide identification and their Bar number.
 - (1) Only the juvenile's attorney of record or agent shall be authorized to visit.
- b. Contact or non-contact visits by attorneys or their agents shall be allowed consistent with the safe, secure and orderly operation of the facility.
- c. Attorneys and agents shall be advised that the juvenile will be asked to determine if they wish to meet with the requesting attorney or agent.
 - (1) If the juvenile does not wish to meet with the attorney or agent, the attorney or agent shall be advised and informed that the juvenile did not wish to visit. The detention officer shall document the refusal in the behavioral contacts log in JOLTS.
- d. Detention staff shall not be present unless requested by the attorney.
- e. At the conclusion of the visit, the juvenile is not required to undergo a search, unless the detention officer believes the juvenile is in possession of contraband.
 - (1) If a detention officer believes the juvenile is in possession of contraband after a legal visit, the juvenile shall be placed in a visitation room while the officer contacts a supervisor.
 - (2) If illegal or otherwise contraband is located, an incident report shall be completed prior to the end of shift and the officer and supervisor adheres to the CCJC PRB 109.1 – Incident Reporting.

F. **Cross Reference:**

CCJC PRB 109.1 – Incident Reporting

A.R.S. §13-2514 – Promoting Secure Care Facility Contraband

CCJCS DET3100 – Level System

**State of Arizona Juvenile Detention Facilities Operational
Guideline** – Section: II.D.2, Juvenile Rights-Visitation

Arizona Rules of Court-State, 2002 - Rule 23(B)(6)

A.R.S. §8-305(A) – Detention Center

Attachments:

Attachment – 1: Visitor Guidelines

Attachment - 1

VISITOR GUIDELINES

GENERAL INFORMATION

All persons, their personal belongings, and vehicles are subject to search while on Cochise County property. Persons refusing to submit to any search will be denied visitation and required to leave county property immediately and are subject to subsequent suspension. Contraband is not allowed on county property, including but not limited to: weapons or ammunition of any type, illegal drugs or drug paraphernalia, alcoholic beverages (empty or full), ladders, rope, cable, power tools, wire cutters, rakes, etc. Visitors must present photo identification (ID) upon entering the visitation checkpoint. Acceptable forms of ID are: a valid driver's license, a military identification card, a passport, an official photo identification card of any state or federal agency, or Immigration and Naturalization documentation.

A.R.S. 13-2514 – Promoting Secure Care Facility Contraband by attempting to carry a weapon into a secure facility is a class 2 felony. Promoting secure care facility contraband by attempting to bring a dangerous drug, narcotic drug or marijuana is a class 2 felony. Promoting secure care facility contraband by attempting to bring any other item of contraband into the facility is a class 5 felony

DRESS CODE

- All clothing shall be clean, worn in good repair, be non-offensive, and within the bounds of common decency.
- Visitors are prohibited from wearing any brown-colored clothing that resembles the clothing worn by Department security staff, including khaki-colored clothing, solid light tan or light brown-colored shirts or dark brown-colored pants or slacks.
- Skirts and dresses shall be knee-length, when standing. Slits in skirts and dresses shall not extend above mid-thigh when seated.
- Shorts shall be knee-length, when standing. Jogging shorts, cut-offs or hip huggers are prohibited.
- Visitors shall not wear any article of clothing fabricated with spandex-like material, blue denim material, or clothing that is orange or blue denim in-color.
- Sheer, see-through and/or open-netted clothing is prohibited.
- Sleeveless tops/shirts or dresses; tank, tube, and halter tops; tops that are strapless; tops that allow display of bare midriff; mesh clothing; body suits; "muscle" shirts; and swimsuits are prohibited.
- Tops of clothing shall be no lower than the person's collarbone in the front and back. Plunged necklines are unacceptable (no cleavage).
- Undergarments and shoes shall be worn at all times.

ALLOWABLE PROPERTY IN THE VISITATION ROOM

- Prescription medication, in the original container, and only in a limited amount needed during the visitation period.
- One engagement/wedding ring, one religious medallion, one wristwatch and one pair of earrings or two observable body piercing adornments.

VISITATION CONDUCT

- Conduct by visitors and juveniles shall be quiet, orderly and respectful of others; unruly behavior and the use of profanity are prohibited.
- Visitors are prohibited from visiting more than one juvenile at a time, unless the other juvenile is **an immediate family member**.

The Department recognizes the importance of and encourages maintaining relationships while a juvenile is detained. We ask for and expect your full cooperation in following the above-established visitation rules in order that visitation is a positive and pleasant experience for all concerned.

If you need assistance or clarification pertaining to the Visitation program during your visit, please contact a staff member for assistance.

By signing this document, I am acknowledging that I understand the rules of visitation as well as A.R.S. 13-2514 – Promoting Secure Care Facility Contraband.

Signature

Date