

MARION COUNTY JUVENILE DEPARTMENT

Policy Statement

Program Unit:

JUVENILE SERVICES - DETENTION

Subject:

Visitation

Chapter-Section-Policy Number:

V-G-2.0

Supersedes:

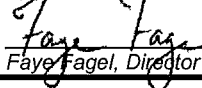
16.3(9/6/2002)

Effective Date:

07/10/2008

10/08/2010

Approved:


Faye Fagel, Director

REFERENCE

ORS 169.740(d) (Standards for juvenile detention facilities)

Department Policy: V-C-1.0 (Facility Security)
V-C-1.5 (Confiscating Contraband)

DEFINITIONS

Personal Visit: All parents, guardians, siblings, extended family members, clergy, or other adults authorized to visit by Marion County Probation Officers (PO), Oregon Youth Authority (OYA) Parole and Probation Officers (OYA), and Department of Human Services (DHS) Workers

Professional Visit: A meeting between the juvenile and Probation/Parole Officer, Caseworker, the juvenile's appointed or retained attorney, mental health professional, or other professionals.

POLICY

The Marion County Juvenile Department recognizes the importance of interaction between juveniles in its care and custody with family and family support members.

The Marion County Detention Facility encourages juveniles and family members to maintain relationships through regular visits. Detained teen parents are encouraged to have regular visitation with their children unless such visits are contraindicated by DHS or by court order.

The Marion County Detention Facility will facilitate access to professional service providers in a manner to assist in legal representation and case planning activities.

I. General Standards

- A. Central Operations will control access in and out of the Detention Facility in order to ensure the safety and security of staff, juveniles, and the public.
- B. Visitors will be notified of prohibited items that constitute contraband through visitation rules and by posting areas used by visitors. Visitors will be notified that supplying contraband into a detention facility is a crime and Marion County Juvenile Department will pursue criminal action. Detention staff will ensure that visitors are screened, and property entering the facility is limited, approved, and screened.
- C. Staff may refuse visitation of anyone who shows up at the detention facility under the influence of alcohol or other drugs; refuses to follow visitation rules; is uncooperative; or otherwise poses a risk to the safety, security or order of juveniles, staff or facility.
- D. Juveniles who are admitted into Detention may have an initial visit with parent or guardian. When the parent or guardian is notified that the juvenile is in detention, they will be offered a visit at the first opportunity that parent/guardian is able to attend between 9am and 9pm.
- E. After the initial visit, Marion County Probation Officers (PO), Oregon Youth Authority (OYA) Parole and Probation Officers, and Department of Human Services (DHS) Workers are responsible to provide an approved list of all personal and professional visitors for each juvenile in Detention. The PO and OYA Parole and Probation Officers are responsible for entering visitation approvals into JJIS. DHS Workers will coordinate with the assigned PO to facilitate approvals for youth under their supervision.
- F. Visitation approval and data entry for juveniles with pending Measure 11 charges will be the responsibility of the Detention Manager or Assistant Manager, or the Officer of the Day (OD) during holidays or weekends.
- G. No media representatives may visit a detained juvenile without specific prior approval by the Director or Deputy Director.
- H. A youth may refuse or terminate a visit at anytime.
- I. Any visit may be terminated at the discretion of facility staff if rules governing the visitation are violated or safety and security of the facility is compromised or may be compromised.
- J. Marion County Juvenile Department staff and on-site professional staff on contract or volunteering with the County may conduct their visits in the appropriate program areas.

- K. All personal and professional visits will be noted so that an accurate accounting may be made of all people who have visited a youth on a given day. This includes noting visits made by Juvenile Department and OYA parole/probation officers.
- L. Every juvenile who has a routine contact visit will be clothed searched in accordance with the detention contraband policy following the visit.

II. Professional Visitation

- A. Attorneys of record will be entered into JJIS as soon as the PO determines this information.
- B. After being appointed in Court, or hired to represent a juvenile attorneys shall receive access to their client(s) pursuant to the provisions of ORS 169.740 ("Provide for unrestricted contact between 8am and 5pm between detained juveniles and their attorneys and unrestricted attorney access to the facility for private attorney-client consultation.) The juvenile's attorney of record will be provided contact visitation unless otherwise requested by the attorney.
- C. Professional visitors will be scheduled for contact visitation upon request. Otherwise it will be scheduled as non-contact. If contact visitation is unavailable, non-contact visitation will be offered to professional visitors.
- D. Safety and security concerns may necessitate use of non-contact visitation on a case-by-case basis.
- E. Professional visitors may bring in necessary items to conduct their business. All items are subject to search. Items that present a safety or security concern will be secured by staff and returned to the professional visitor upon completion of the visit.
- F. An attorney who does not represent a youth and/or their staff are not considered professional visitors, and may not visit a juvenile(s) unless written proof of representation or appointment has been received by the department. If an attorney and/or their staff requests to interview or meet with a youth they do not represent, the Deputy Director or Director must first approve, and then permission must be obtained from the youth's parent or legal guardian, and the youth.
- G. Youth may be pat searched following professional contact visitation.

III. Personal Visitation

- A. Visitors approved to visit by Juvenile Department Probation Officers, Oregon Youth Authority Probation and Parole Officers, and Department of Human Services Workers will be scheduled for non contact visits.
- B. Visitors under the age of eighteen may be approved for non-contact visits supervised by their parent/guardian, the parent/guardian of the detained

juvenile, by the PO or OYA or DHS Worker responsible for the detained juvenile.

- C. The Detention Manager or Assistant Manager must approve requests for contact visits.
- D. The assigned PO, or detention staff, will directly supervise approved contact visits. In the instance of an approved contact DHS/OYA visitation, detention staff will supervise. If the approved contact visitation is for a visitor under the age of eighteen, the PO, or OYA, or DHS Worker responsible for the detained juvenile must directly supervise the visit.
- E. When a teen parent is approved by DHS for visitation with their minor child, any contact visit must be approved by the Detention Manager or Assistant Manager and directly supervised by the assigned PO for the juvenile in detention, and the DHS Worker responsible for the minor child.
- F. Every juvenile who is involved in a contact visit will receive a pat search after each visit.
- G. Detention staff will inform visitors of applicable rules, policies, and procedures relating to visitation prior to entry into the facility, including the following:
 - 1. Prohibition of individual contact with juveniles, unless specifically authorized by the Detention Manager or designee.
 - 2. Submission to search of person (using metal detectors or other electronic devices) or personal property.
 - 3. Limitations on the type of property that is allowed within the secure perimeter of the facility.
 - a) No cameras or tape recorders are allowed.
 - b) Cellular phones are prohibited.
 - c) No items identified as contraband are permitted including medication, pepper spray, weapons, knives, etc.
 - d) Visitors must make prior arrangements with the Detention Manager if they wish to bring personal items to the juvenile.
 - 1) Detention will search any papers, letters, cards, or pictures brought into Detention by a visitor for contraband. Once approved, the visitor may show them to the juvenile and then take them with them out of the facility, or give them to the juvenile for placement in the juvenile's property,

- 2) There will be no candy, gum, food, drinks, perfume, or other contraband items allowed during visitation.
- 3) Only for special recognition such as the juvenile's birthday, family members may request to bring a cake or another item to eat with the juvenile. The Detention Manager or Assistant manager must approve the request in advance. Items brought in must be pre-packaged and secured as to not be a source for the introduction of contraband. The family must provide paper plates and plastic spoons. Candles are not allowed.

Detention staff will search the items to be brought in for contraband. Detention staff will facilitate cutting up items as necessary and providing the juvenile with the approved food item in the secure area of non-contact visitation.

Following the visit, the visitors will take all leftovers and refuse with them when they leave.

- H. Visitors will be required to secure all personal property in their vehicles or a locked cabinet prior to entering for a visit.
- I. Visitors will be required to present picture identification prior to entering the visitation area. Each visitor will be logged in JJIS.
- J. Visitors will be notified of the length of the visit and schedule, including the day, time, and length of visit allowed, and check-in at the designated area in accordance with the visitation rules and schedule.
- K. Detention staff will limit the number of visitors when space, supervision, and security require it.
- L. Each juvenile is allowed two visits per week with no more than three approved visitors at a time unless special arrangements have been made in advance and approved by the Detention Manager or Assistant Manager.
- M. Failure to comply with policy or procedures is grounds for refusal of entry or removal if entry has already been gained.
- N. Any person may be denied visitation with a juvenile for the following reasons:
 1. The person does not have prior authorization to visit a juvenile.
 2. The person appears to be intoxicated or otherwise behaving in an unlawful or inappropriate manner.
 3. The person has abused, may abuse, or is alleged to have abused a juvenile.

4. The person has encouraged the juvenile to violate the law or disobey Detention rules, policies, or procedures.
5. The person has violated Detention rules, policies, or procedures.
6. There is reasonable cause to believe the person intends to aid a juvenile in escaping.
7. The person has interfered with the order, security, or operations of the facility and there is reasonable cause to believe he/she will do so again.
8. Any Detention staff may terminate a visit if they determine that the visitor is not abiding by Detention visitation rules. Detention staff will notify the PO, OYA, or DHS Worker.