

November 2011

Rules for Visiting Correctional Facilities

Before the day of the visit:

1. If you intend to visit a facility where a relative or friend is incarcerated, you must inform John Howard Association (JHA) staff of this fact and receive their approval for your participation in the visit. Failure to do so may constitute grounds for termination of your association with JHA.

Before you leave home:

1. Make sure you have one (1) piece of current, official identification with a picture (e.g., driver's license, state I.D., passport). A traffic ticket in lieu of a driver's license will generally *not* suffice.
2. There is no specific dress code; however, comfortable, casual clothing and shoes are recommended. For female visitors, slacks are recommended, since some facilities have stairwells made of open grating. High-heel shoes are not recommended. In general, conservative, nonprovocative clothing should be worn. Jackets and caps bearing team logos and/or colors may present a problem, since these frequently suggest gang affiliation. Buttons or pins for political candidates or organizational endorsements should not be worn.

Dress according to weather conditions, but be aware that most adult correctional facilities are not air-conditioned and can be very warm. During cold weather, we will normally be walking between buildings during our visits and may cover considerable distances on foot. Although umbrellas are generally not permitted, waterproof or water-resistant jackets or coats are highly recommended on days when rain threatens.

3. If you are driving your own vehicle to the facility, be aware that all vehicles on the grounds of a correctional institution are subject to search: remove items such as alcoholic beverages or items that could be used as weapons from your car. Firearms, even if duly registered, should **never** be brought onto the grounds of any correctional institution.

4. Make sure you have your identification in your pocket.
5. Do **not** bring *any* of the items listed below into a facility.
 - * any medication (prescribed or over-the-counter) or cosmetics;
 - * sharp objects (e.g., nail files, clippers; notebooks with metal spiral bindings);
 - * food (including chewing gum and beverages) or cosmetics;
 - * cell phones, pagers, tape recorders, walkman radios/cassette players, etc.
6. As a general rule, do not bring *any* unnecessary personal items with you into a jail or prison. Other than identification, the only items required are a pad, pen, JHA business cards, and basic necessities, such as a handkerchief or kleenex. A small amount of money, including change for vending machines, may be carried, unless otherwise instructed. Leave purses, briefcases and/or attache cases, in the car.
7. All visitors are required to sign in and out at the front desk and, sometimes, at other locations within facilities. You must show identification at this point and may be asked to surrender your I.D. in exchange for a visitor's pass, which must be worn in full view at all times during our visit.
8. Visitors are subject to a body search (i.e., pat down) conducted by a Correctional Officer of the same sex in a closed room. This normally entails removal of outer garments (e.g., coats, jackets) and shoes. Contents of pockets, wallets, etc. may be examined, and some items, such as keys, nail clippers, and lighters, must be placed in a locker until the conclusion of the visit. Visitors may refuse to be searched, but this will result in being denied entrance to the facility and possible restriction on future visits. Visitors will also normally pass through metal detectors.

During the visit:

1. Be mindful that we are invading the privacy of inmates when we inspect the places where they eat, sleep, and bathe. Particularly in inmate living units, JHA visitors should be sensitive to privacy concerns, age of inmates, and gender issues.
2. Be mindful of safety and health concerns: although unlikely, you may be subject to verbal or physical intimidation or assault, either deliberate or inadvertent. The risk of such occurrences is somewhat higher in maximum-security facilities, facilities housing inmates with psychiatric conditions, and segregation units. Health care units frequently house inmates with communicable diseases, although signage is almost always posted.
3. Follow all orders from facility staff during the visit. *Never* attempt to interfere in any situation that occurs during the course of a visit, no matter how objectionable. We are there *solely* to observe, report and advocate for change.

4. If, at any time during a visit, you become aware that a relative or friend is incarcerated at that facility, you should notify the JHA staff person leading the visiting team at once.
5. We normally eat a complementary lunch at the institution, in part as a means of personally verifying the quality of the food served. Visitors are not required to eat during visits, if they are not so inclined.
6. ***Interaction with Inmates and Staff***
 - 6A. JHA visitors are permitted extraordinary access to conduct confidential conversations with inmates. In these encounters, we may take notes and/or give inmates JHA business cards (or names and addresses of other organizations that may be helpful).
 - 6B. Visitors are generally encouraged to take notes during visits, as a means of gathering accurate and comprehensive information about facility conditions, services, and programs. However, visitors should respect the wishes of inmates and staff whenever they indicate they are speaking off-the-record and when they wish to remain anonymous. We each agree to maintain the confidentiality of inmates and staff whenever requested.
 - 6C. When taking notes, be sure to note inmates names (including aliases) *and* I.D. numbers, unless inmates object. When documenting information provided by staff, note name and title or rank (e.g., Officer) of the person.
 - 6D. Do **not** accept any items from inmates. This includes letters, pictures, legal documents, etc. Do not offer or agree to mail letters for any inmate. Failure to abide by this and other rules may jeopardize the welfare of inmates, your status as a JHA visitor, and the ability of JHA to monitor correctional facilities.
 - 6E. You should give your name and affiliation with JHA to inmates and staff; however, additional personal information (e.g., age, marital status, address, phone number) should **not** be given. All communication with inmates should be by mail via the JHA office; in addition, please inform inmates that we **cannot** accept collect calls.
 - 6F. Many inmates will begin to discuss their criminal cases and/or appeals. You should explain that JHA cannot provide or assist in providing representation in *any* court proceeding, criminal or civil; however, knowledgeable JHA visitors can share information regarding civil litigation options (e.g., Section 1983 suits) and risks (e.g., effects of the Prison Litigation Reform Act [PLRA]). While it is generally inappropriate to refer inmates to private attorneys or law firms, you may refer them to legal assistance agencies when appropriate.

- 6G. A cardinal rule for dealing with inmates: *Don't make promises to do things, unless you are sure you can and will keep them!* Your credibility and the credibility of our monitoring program depend on this.

Following the Visit

1. *Debriefing*

At the conclusion of a visit, JHA visitors share their observations, concerns, and questions with facility administrators, usually the warden or superintendent and members of his/her staff. This is the primary opportunity to provide feedback on both positive and negative aspects of the facility, its operation, programs, and services. Appropriate subjects for debriefing sessions include both general observations and complaints and problems expressed by one or more inmates; however, these individual issues should *not* become the principal focus of a debriefing session. If individual complaints are numerous and/or complex in nature, they can usually be relayed more effectively by follow-up correspondence from JHA.

Each member of the visiting team will be given an opportunity to share his/her observations and concerns; being respectful to staff and administrators. Please bear in mind that, while you are free to express your personal opinions and views, the only person authorized as a spokesperson for JHA is the staff member leading the visit.

2. *Preparation and Submission of Notes and Reports*

A. **All members** of JHA visiting teams are expected to share copies of notes taken during visits and/or reports they prepare following visits. Such documents are critical components in the development of official JHA correspondence and reports to facility administrators, department heads, inmates, and the public.

B. Most visits will be followed by correspondence with the facility administrator and other appropriate staff of the corrections department. The correspondence may be in either letter or report form. Reports on individual facilities and cumulative reports (e.g., quarterly) on multiple visits will be issued as needed. These reports will be furnished to corrections administrators, all members of JHA visiting teams, the JHA Board of Directors and Advisory Council, and the public. Reports on correctional facilities being monitored by JHA pursuant to court appointment are prepared and submitted in accordance with special rules.

3. *Use and Disclosure of Information*

A. All JHA visitors agree not to disclose information gathered during the course of visits to any third parties without prior notice to JHA staff; in addition, any reports, papers, articles, or other documents or presentations that contain such information shall be submitted to JHA staff for review prior to use. Inappropriate disclosure of information regarding some inmates (e.g., pretrial detainees) may prejudice their ability to receive a fair trial.

B. All JHA visitors agree not to use information gathered during the course of visits in preparation for or furtherance of litigation of any kind against any correctional agency or its employees.