



FRANKLIN COUNTY JAIL

Chambersburg, PA

Standard Operating Procedure

Chapter:	400	Activities and Support Services	Number:	402	Pages:	9
Title:	402	Visitation - Professional	Effective Date:		11/1/2014	
Approved By:	<i>Michelle Weller</i> Michelle Weller, Acting Warden		Revision Date:		6/10/2024	

POLICY

Inmates will be provided the opportunity to meet privately with attorneys, law enforcement, clergy and other qualified professionals. All visitors and vehicles are subject to search at any time.

PURPOSE

To describe the procedures for the coordination of the Professional Visitation program offered by the Franklin County Jail (FCJ), while satisfying the security requirements of the facility. Accommodations shall be made to ensure confidentiality and privacy of attorney and client. Each inmate will be provided visiting information upon admission. This information must also be made available to the public.

REFERENCES

ACA 4-ALDF-5B-01 through 5B-04

ACA 4-ALDF 6A-01, 6A-02

PA Title 37 § 95.233 Visiting

PA Title 37 § 95.237 Religion

61 Pa. Code § 35.b

PA Title 75 § 15.1515

DEFINITIONS

Attorney

An attorney is any person who is a member in good standing of the bar of the highest court of any state, possession, territory, commonwealth or the District of Columbia and is not under any order of the court suspending, enjoining, restraining, disbaring or otherwise restricting him or her in the practice of law.

Ex-Offender

A person confined to Franklin County Jail within the last six (6) months.

Face to Face Professional Visit in Classroom 2:

This visit will be held in an open classroom with the inmate present. Attorney shall use Professional Discretion when requesting for such visit. Please see Section “e” for Face to Face Procedures.

Inmate: *(For this Policy Only)*

An individual who is unsentenced, sentenced, or convicted of an offense but awaiting sentencing or a trial.

Interpreter

An individual who is able to accompany the attorney, legal representative, or legal assistant in communication with a detainee

Legal Representative

A representative or legal representative is an attorney or other person representing another in a matter of law, including law students or law graduates not yet admitted to the bar under certain conditions. Legal Representatives require administration approval to enter the secure area of the facility.

Legal Assistant

A legal representative that assists with the attorney or legal representative assign to this per person. This person needs a letter of authorization on letterhead allowing the individual to act on behalf of the attorney or legal representative.

Official Visitor

Governor, Lieutenant Governor, members of the Senate and House of Representatives, justices, and judges of the courts of record, General Counsel, Attorney General and Deputies, authorized members of the Pennsylvania Prison Society, Consular, County Employee (with specific business in the facility), and police officer, Federal or State Criminal Justice Agency.

Professional Visiting Room:

This room is located upstairs of FCJ also known as the mezzanine. Each housing unit has a Professional Visiting Room that provides confidentiality during the visit.

Religious Advisor/Clergy

An individual selected by a Returning Citizen from the outside community who has received endorsement from a faith group to provide individual religious counseling.

PROCEDURES

1. General

- 1.1. Any visitors suspected of being under the influence of drugs or alcohol will be denied visitation.
- 1.2. If a visitor is denied access due to the previously stated reasons, the Shift Commander will be notified immediately, and an incident report will be written by the Officer.
- 1.3. Professional visits will be conducted in the appropriate Professional Visiting Room during the posted scheduled times. Official Visitor or Attorney may visit on Saturday with a request and approval by the Warden or in his/her absence then the Designee.

Monday through Friday

7:00 am - 11:00 am

1:00 pm – 9:00 pm

- 1.3.1. Professional visits are ‘first come first served’.
- 1.3.2. Attorneys are expected to utilize the Professional Visiting room located in the mezzanine for the majority of client visits.
 - 1.3.2.1. It is understood that there are visits which require expansive review (noted above in Face to Face Visit), at which the classroom shall be made available on a first-come, first served basis, for Attorneys desiring an accommodation aside from the standard Professional Visiting Room.
 - 1.3.2.2. It is expected that Attorneys utilizing the classroom will use it for its intended purpose only as a professional courtesy to other attorneys. Attorneys desiring to use the classroom will follow the procedures outlined in section 5 in addition to adhering to the application process for final approval.
- 1.4. Professional visits are not counted as an inmate’s weekly visit. There is no limit to the number of other professional visits an inmate may receive, provided space is available.
 - 1.4.1. Inmates may receive one visit per week from a visiting Religious Advisor/Clergy.
- 1.5. All visitors are required to comply with staff requests. All rules that apply to personal visitation apply to professional visits (**FCJ SOP 401- Personal Visitation**).

- 1.6. All visitors are subject to search. Refusal to comply with a search will result in the revocation of visiting privileges indefinitely (**FCJ SOP 212 – Searches**).
- 1.6.1. **Visiting Religious Advisor/ Clergy** are permitted to bring in a Holy or scriptural book for their personal use during a visit. Books may not be in any type of carrying case.
- 1.6.2. Official/Professional Visitors are permitted to bring in briefcases and other like cases holding relevant material for the visit. All items are subject to search.
- 1.6.3. Official/Professional Visitors are permitted to have cell phones they use in official capacity in NON-CONTACT visits
- 1.6.4. Recordings or photographs are not permitted without prior written approval from the Warden, Director of Inmate Management or designee.
- 1.6.5. Professional Visitors, including Religious Advisor/Clergy must directly disclose an immediate family member or close friend relationship prior to visiting that inmate.
 - 1.6.5.1. Religious Advisor/Clergy who have an incarcerated immediate family member or close friend may not visit as both a Religious advisor and a private citizen **within the facility**.
 - 1.6.5.2. Once the relationship is disclosed, per policy, the choice of how they will visit within the facility will be documented in the OMS system and future visits will be in that capacity only.
 - 1.6.5.3. If the Clergy retains the status as a Religious advisor, the Clergy is prohibited from personal correspondence with, having regular visits with or from placing money on the inmates account.
 - ❖ Clergy may continue to correspond in a professional manner using official stationery from the associated church.
 - 1.6.5.4. If the Religious Advisor/Clergy wishes to have a private citizen relationship with the inmate, their status as Religious Advisor/Clergy **within the facility** will be removed.
 - 1.6.5.5. Once the inmate is released, the Religious Advisor/Clergy may then reapply for approved clearance.
 - 1.6.5.6. Attorney's representing an inmate who is an immediate family member or close friend will only be approved for non-contact visits.

2. Visitor Registration

- 2.1. The visitor establishes with the Lobby Officer that they are present for a professional visit with an inmate(s).
- 2.2. The Lobby Officer will ensure the professional visitor is properly dressed. The visit will be denied if the professional visitor is not appropriately dressed.
- 2.3. Skirts or dresses **must** be knee length or longer

2.3.1. Items considered inappropriate are:

- ❖ Cut offs, short shorts, skirts or skorts (above mid-thigh)
- ❖ Skirts or dresses with splits that extend above mid-thigh
- ❖ Tube tops
- ❖ Tank tops / Athletic shirts (regardless of gender)
- ❖ Spaghetti straps
- ❖ Midriff baring shirts
- ❖ Low cut / revealing shirts or blouses
- ❖ See-through or transparent clothing
- ❖ Spandex (skintight) leggings or jeggings; bathing suits or aerobic attire
- ❖ Hooded Garments or any type of head coverings - excluding religious coverings
Coats /Jackets/Vests or other outer garments - excluding suit coats, sport coats, blazers, and cardigan type sweaters
- ❖ Offensive language or images
- ❖ Materials depicting messages or images that contain reference to drugs or alcohol
- ❖ Anything that appears to be gang-relate

2.4. The Lobby Officer will locate the inmate(s) in the Offender Management System (OMS) to verify housing location and availability.

2.5. Professional visitors may visit multiple inmates without re-registering with the Lobby Officer.

2.5.1. Professional visitors shall advise the Lobby Officer upon check-in of each inmate they are requesting to see, and determine the housing location for each.

2.5.2. If visits with additional inmates are requested, professional visitors may use the phones located in the Professional Visiting rooms to call the lobby when they are ready to see the next inmate. These phones are capable of dialing extensions only.

2.5.3. The lobby officer will contact the unit to have the next inmate available, end the visit in OMS and enter the information to begin the new visit.

2.6. Inmates are permitted to leave scheduled programs. If the inmate is out of the building, or is not in custody the visitor will be told the inmate is unavailable or not in custody.

2.7. If the inmate(s) is available for a visit, the Lobby Officer will request to see verification of the visitor's professional status **and** valid and current photo identification (ID). Acceptable forms of valid ID are:

2.7.1. Professional status ID (i.e. Bar Card, Law Enforcement ID etc.)

2.7.2. **In addition to one of the following;**

- ❖ A State Driver's License
- ❖ A State ID card

- ❖ A Federal ID card
 - ❖ A Government Issued Passport
 - ❖ Franklin County Public Defenders identification cards will be sufficed.
- 2.8. The Lobby Officer will instruct visitors to secure all personal items in their vehicle or a locker. A locker key may be provided for Professional Visitors including Visiting Clergy.
 - 2.9. The Lobby Officer will log the visitor into the OMS Automated Visitor Log.
 - 2.10. Each visitor will legibly register on the **Visitor Register Log** with complete name, professional address and name of inmate(s) visiting.
 - 2.10.1. The Lobby Officer will ask the visitor if there is any legal paperwork that is required to be exchanged with the inmate(s) for signature etc. Only legal documents will be accepted for signature and returned.
 - 2.10.2. The visitor will leave the paperwork at the lobby desk for pick up by a float officer. The appropriate float officer will be notified once the visitor has cleared the metal detector and is en route to the associated Professional Visiting Room.
 - 2.10.3. No paperwork will be accepted for drop-off and delivery to an inmate. All legal documentation must be mailed to the inmate.
 - 2.10.4. Visiting Clergy are not permitted to exchange or give an inmate any items.

3. Procedures

- 3.1. The Lobby Officer will call the appropriate Housing Unit Officer via the telephone with the name of the inmate who has a visitor, and relay that it is a professional visit.
- 3.2. Inmates may refuse the visit if they choose. If an inmate refuses the visit the Housing Unit Officer will call the Lobby Officer via telephone or radio and notify the Lobby Officer of the refusal. The Lobby Officer will then inform the visitor.
- 3.3. If the inmate accepts the visit, the Housing Unit Officer will escort the inmate to the Professional Visiting Room and unlock the door for the inmate to enter.
- 3.4. For inmates under a status requiring them to be handcuffed, restraints will need to be placed in the front in order for the visitation hand-set to be used.
- 3.5. An officer may remain posted outside the inmate-side of the visitation room for the duration of the visit for any inmate in restraints or otherwise requiring an escort; however, the officer should use their discretion in deciding if that is necessary or not.
- 3.6. Status inmates requested for Discovery or Trial Preparation (Face to Face) an officer will remain outside of classroom 2 during this time period.
- 3.7. The visitor will successfully clear the metal detector (**FCJ SOP 212 – Searches**).

4. Paperwork

- 4.1. Face-to-face visits are not necessary for inmates to sign paperwork.

- 4.2. The Lobby Officer will call via radio the appropriate officer and inform them that paperwork will need to be exchanged between a visitor and an inmate.
- 4.3. The officer will respond to the lobby to pick up the paperwork.
- 4.4. The officer will check all materials being exchanged for contraband, before they are given to the inmate.
- 4.5. The officer will take the paperwork to the appropriate inmate side of the Professional Visiting Room.
- 4.6. For paperwork requiring a signature, the officer will wait for the inmate to sign (in the Professional Visiting Room where the visitor can observe) then return the paperwork to the Lobby Officer to be picked up by the visitor when the visit is completed.
- 4.7. Requests will not be granted to private citizens to have an inmate sign and return any nature of documentation.
- 4.8. Notary work to be handled by FCJ employees is an exception and will be scheduled in advance.

5. Face-to-Face Procedures

- 5.1. Professional Visitors may utilize the Classroom for a face to face visit on a first come, first served basis once a FCJ Professional Visitor Application for Entrance Form has been submitted and approved by the Warden, Director of Inmate Management or designee.
 - 5.1.1. The purpose of the FCJ Professional Visitor Application for Entrance Form is to ensure that the requestor meets the criteria of a professional visitor, as defined in this policy, to ensure the requestor has certified his or her need for the Classroom and that they have signed the PREA Understanding Verification form.
 - 5.1.2. All individuals, who have face-to-face contact with inmates, shall receive the PREA (**Prison Rape Elimination Act**) policy and are required to sign to verify that they received and understand the information prior to being authorized to enter FCJ secured perimeter.
 - 5.1.2.1. Attorneys are exempt from the requirement to sign the PREA verification form.
 - 5.1.2.2. PREA signed acknowledgments are valid for one year and maintained by the Director of Inmate Management.
 - 5.1.3. Professional Visitors may utilize the Classroom or Housing for a face to face visit.
 - 5.1.4. The FCJ Professional Visitor Application for Entrance form must be completed in its entirety and submitted to the Warden, Director of Inmate Management or designee. Failure to complete the form entirely will result in the application being returned unapproved.
 - 5.1.5. The form must be submitted at least twenty four (24) hours in advance, but can be submitted up to 30 days prior to the visit.
 - 5.1.5.1. The completed form may be submitted by email to the Director of Inmate Management, by mail or in person.

- 5.1.5.2. If approved, this application form will be forwarded to the Lobby Officer.
- 5.1.5.3. If the application is not approved, it will be returned to the attorney explaining the reasons why the request was not approved.
- 5.1.5.4. Under unforeseen circumstances, a special request may be approved less than 24 hours. This will occur with a direct call from the Attorney to the Warden or Director of Inmate Management. If this visit is approved, the Attorney will complete the required application in the Lobby which will be forwarded to the Warden or designee.
- 5.1.5.5. Once approved, the face-to-face visiting times within the secured perimeter will be on a first come, first served basis as follows;

Monday through Friday

7:00 am - 11:00 am

1:00 pm – 9:00 pm

- 5.1.6. Segregation Status inmates who require an officer to stand watch will be available only until 10 am. Then resume at 1:00 pm until 9:00 PM
- 5.1.7. FCJ staff will not hold time slots for attorneys.
- 5.1.8. There are times that we may face extraordinary occurrences, such as power outages, inmate disturbances, and delay in the inmate population count, assistance calls or any other emergency situation. Generally, all movement is halted. We do our best to return to normal operations as quickly as possible, but there may be extended wait times or even a lock down of the facility which may require the cancellation of all visits.

6. Completion of a visit(s)

- 6.1. When the visit(s) has been completed, professional visitors will proceed directly to the lobby. The visitor will also enter the time they are leaving the facility on the Visitor Register.
- 6.2. The Lobby Officer will enter the end time of the visit in to the automated Visitor Log in OMS.
- 6.3. The use of obscene language or other conduct of a disorderly nature is prohibited. If the conduct of an inmate or visitor becomes disorderly during a visit, or any disrespectful comments made to FCJ staff by an attorney or inmate, the visit will be terminated, the shift supervisor will be notified and an **Incident Report** submitted.
- 6.4. The Warden and Director of Inmate Management reserves the discretionary authority to restrict, deny or suspend the professional visiting privileges of a professional visitor whenever necessary to ensure the security, safety, and order of the facility.
 - 6.4.1. Attorneys will follow all directives given by FCJ staff to ensure the safety of all staff and FCJ visitors. If at any time an attorney deviates from these directives, the visit will be automatically denied, and any future face to face visits will be suspended until further notice.

- 6.5. Except as noted above, pursuant to status inmates, professional visits that occur in Classroom 2 shall not be monitored by stationing an officer outside of the classroom. This classroom is also equipped with video monitoring, which is viewed periodically by the Officer in Central Control.
- 6.6. Although there are measures in place for the safety of the requestor, it does not prevent an immediate reaction/attack from an inmate. Therefore, requestors, assume these risks and indemnifies the county (Public Defenders are exempt) from any harm or injury occurred, unless there is negligence/neglect from the county.

7. Interpreter

- 7.1. Must be accompanied by a Professional or Official Visitor.

I. ATTACHMENTS

FCJ Visitor Register Form
FCJ Professional Visitor Application for Entrance