

VISITATION PROCEDURES, GUIDELINES, CONTACT LIMITATIONS AND HOURS

All detainees are eligible to receive visitors at this facility. The persons allowed to visit are immediate family members, immediate family members in this facility, other relatives, friends or associates, and minor visitors. It is the responsibility of each detainee to ensure his visitors are aware of the facility's Visitation Procedures, Guidelines, Dress Code and Contact Visit Limitations as indicated below:

Visiting Procedures

Transportation to and from this facility is the visitor's responsibility. MTC personnel are not authorized to transport visitors or non-employees of MTC. Officers will not make any attempt to provide transportation to those wishing to visit a detainee, regardless of distance or location.

Upon arrival at this facility, visitors must first check in with the Visitation Officer. All visitors will be required to properly identify themselves with valid government-issued photo identification, examples include but are not limited to: driver's license, passport, work/student visa, resident alien card, etc. Every visitor must present a current photo-identification card to receive a visitor pass. The visitor must leave his/her photo-identification card with the Visitation Officer until the end of the visit. **No adult visitor will be admitted without a valid government-issued photo identification.**

At the discretion of the Shift Supervisor, a minor without positive identification may be admitted if the accompanying adult visitor vouches for his/her identity. The minor must remain under the direct supervision of the adult visitor so as not to disturb other visitors, disruptive conduct by minors may result in the termination of the visit.

Visitors will be registered in the facility Visitor Registration Log. Registration will include the visitor's name and address, the visitor's relationship to the detainee, the purpose of the visit, the date of the visit, and the time visitors enter and leave the facility.

While a visitor is on the facility premises, they are subject to a personal search at any time. This may include the use of a metal detector and x-ray machine, a pat-down search as well as a visual inspection of purses, briefcases, packages, and other containers. Visitors in wheelchairs and those using walkers or canes are subject to search; a thorough search of the wheelchair, walker, or cane will be conducted. Failure to successfully clear a search, metal detector, x-ray machine, or failure to comply with a search will result in the termination of the visit, and may affect future visits.

Visitors should familiarize themselves with the Emergency Exits in the Lobby and Visitation Areas for their safety. In the event of an emergency please remain calm and follow all directions given by the Visitation Officer and responding staff.

When visitation is to begin, the visitor will be directed to the visitation area. Prior to entering the visitation area, all visitors must successfully clear a metal detector and/or search of their person, this may include a pat-down search, a walk through metal detector and/or hand held metal detector. Any **facility approved** items, such as baby supplies and money as described below, that a visitor may carry into the visitation area must successfully clear an x-ray machine and/or search.

Members of the clergy may request special visitation privileges. However, these visits are not to be used to conduct services for one individual.

All visitors and detainees must clean up after themselves, failure to do so may affect future visits.

At no time will a visitor enter an area of this facility that is not an approved route to and from the visiting area. Visitors must be escorted by facility staff and will be required to wear the appropriate visitor identification issued by facility security personnel.

Law enforcement officials requesting interviews with detainees must first notify and seek approval from ICE/ERO.

Visitor Guidelines

The following list of items are strictly prohibited from entry into the facility, the list includes but is not limited to: Cell phones, electronic devices, chewing gum, glass items, prescription and non-prescription medications, alcohol, alcohol based products, narcotics, incendiary devices, tobacco, aerosols, tools, weapons of any kind, firearms, and ammunition.

The facility allows non-contact visitation for general visits.

Personal items, such as, purses, wallets, pens, pencils, writing paper, makeup, photos, toys, books, bags, etc. are prohibited, these items must be left in the visitor's vehicle. If no vehicle is available, a storage/property bin will be provided but OCPC staff will not held responsible for any damages, lost/ stolen property stored there.

While a visitor is on the facility premises, they are subject to a personal search at any time. This may include the use of a metal detector and x-ray machine, a pat-down search as well as a visual inspection of purses, briefcases, packages, and other containers. Visitors in wheelchairs and those using walkers or canes are subject to search; a thorough search of the wheelchair, walker, or cane will be conducted. Failure to

successfully clear a search, metal detector, x-ray machine, or failure to comply with a search will result in the termination of the visit and may affect future visits.

Visitors may not bring any item for any detainee. Any item a visitor attempts to bring in for a detainee will be considered contraband and will have a direct effect on future visitation authorization and may lead to criminal charges. Under no circumstances shall a visitor give property or money directly to a detainee during their visit.

Visitors with a baby may bring a limited amount of supplies for the baby, enough supplies for a one (2) hour visit. All supplies must be in clear plastic bags or containers; glass containers are not allowed. Supplies may include a bottle, baby food, snacks, pacifier, diapers and wipes. Bottles must be premixed; dry baby formula is prohibited. No strollers, diaper bags, or baby carriers will be allowed.

All visitors and detainees must be respectful at all times, any disruptive or disrespectful behavior by either party will result in the termination of the visit and may affect future visits.

If there are more visitors than can be accommodated in the visiting room, it may be necessary to limit visits to lesser periods of time.

Visitors will be restricted to 2 hour visits per detainee, per visitation block. At the discretion of the Shift Supervisor, family units may be given additional time if circumstances allow.

The number of visitors who may visit a detainee may be limited to prevent overcrowding in the visiting areas.

Persons on active probation, parole, or other forms of conditional release must obtain permission prior to visitation. The permission must be from the individual/agency supervising such conditional release, and from the Facility Administrator or his/her designee.

Persons with criminal records will not be automatically excluded from visiting, to include former detainees, but they must obtain permission prior to visitation. The nature and extent of an individual's criminal record, plus his/her history of recent criminal activity will be weighed against the benefits of visitation. This will be a determining factor in whether or not visitation is allowed. Permission must be from the Facility Administrator or his/her designee.

Persons shown by substantial evidence to be of harmful effect to the detainee, or to constitute a threat to facility security, will be excluded.

OCPC Detention Management, at the direction of the Facility Administrator, may temporarily restrict visiting when necessary to ensure the security and good order of the facility.

In the event a detainee feels that he/she has been sexually abused or assaulted, the visitor may report the abuse/assault in the following ways:

1. Report it to any member of the facility.
2. Request to speak to the facility Sexual Assault and Abuse Prevention and Intervention Program Coordinator.
3. Report by calling the facility at: (575) 824-0440.
4. Write a letter to the facility: 26 McGregor Range Road Chaparral, NM 88081. Attn: Prevention of Sexual Assault Compliance Manager.

The OCPC takes all reported allegations of sexual assault and abuse extremely serious. The OCPC will conduct an administrative investigation on all reported allegations of sexual

assault and abuse. In all incidents, if the OCPC's investigation reveals any finding that potentially supports a criminal prosecution, the case will be referred to the Otero County Sheriff's Office for further investigation.

Visit Limitations

The Visitation Officer will assign visitors and detainees a visitation booth where they will visit. Detainees and visitors are not allowed to roam and walk around the visitation room. Tables and chairs will not be moved by the detainee or the visitors. **Once a detainee enters the visitation room he will be restricted to the assigned table.** Violations of this may be cause for termination of the visit.

The facility provides a children's play area in the visitation room. Children are welcome to use the play area providing they do not become disruptive and remain under adult supervision at all times. At any time during the visit, a visitor may escort the child to and from the play area and assigned table.

Violations of the personal visitation policy will be cause for termination of the visit and may restrict future visits.

At all times, both visitors and detainees must remain seated and keep their hands above tables and in clear sight of staff.

Detainees and visitors must remain fully clothed and keep all footwear on. The loosening, unbuttoning, unzipping and untying of clothing is strictly prohibited. Failure to comply with this will result in the termination of the visit and will affect future visits.

Restrooms are clearly marked, a male and female restroom is provided for visitors. Detainees needing the restroom must notify the Visitation Officer. At no time will a detainee attempt to enter a restroom with a visitor or a visitor attempt to enter the restroom with a detainee. Failure to use the appropriate restroom will result in the termination of the visit and will affect future visits.

Visitors are welcome to use the appropriate visitor's restrooms at any time during the visit. Detainees who need to use the restroom will require an escort from the Visitation Officer.

Vending machines are available for use by the **visitors only**. Visitors may carry into the visitation room paper currency, in denominations of \$5.00 or less and coins for use in the vending machines. The total amount of money brought into the visiting room may not exceed \$20.00. **At no time will a visitor give money to a detainee.**

Visitors will not leave any form of money or any other item with staff or with the detainee. Money for detainees must be deposited into the kiosk provided in the Visitation area. Detainees will not be allowed to leave the visiting room with any monies or any other item provided by the visitor. If a detainee attempts to take money or an item out of the visiting room, it will be confiscated by staff, and sanctions will be imposed.

Detainees will be pat searched upon entering the visiting room and again upon completion of the visit. The only items a detainee may bring to a visit is legal paperwork, and only when visited by legal counsel or their support staff.

Staff may require a visitor and/or detainee to submit to a personal search, including a search of any items of personal property. Failure to comply will result in the termination of the visit and will affect future visits.

ANY VIOLATION OF A VISITATION PROCEDURE, GUIDELINE, DRESS CODE OR CONTACT VISIT LIMITATIONS MAY RESULT IN LOSS OF VISITATION PRIVILEGES. CASES OF CONTRABAND INTRODUCTION OR CRIMINAL VIOLATIONS MAY LEAD TO CRIMINAL PROSECUTION OF THE VISITOR, DETAINEE, OR BOTH.

VISITING HOURS

General Visitation: 7 days a week (Sunday – Saturday) from 12:00 p.m. – 10:00 p.m.

Legal Visitation: 7 days per week (Sunday – Saturday) from 8:00 a.m. – 10:00 p.m.

Special visits will be permitted outside these requirements if approved by the Facility Administrator/Duty Facility Administrator (completed/approved Detainee Request Form required).

If a visitor wishes to give money to you, there is a kiosk in the visitation lobby for this purpose. If an individual wishes to mail money to a detainee he/she may do so by sending the money in the form of a money order, not to exceed \$75.00 in value. They may send as many as they wish, but each money order should not exceed \$75.00. Money orders in excess of this value will be held until cleared by the bank which may result in a delay before you are able to spend it.

Legal representation is a right of all detainees. Legal representatives or paralegals may be allowed to visit during visiting hours 7 days per week. Detainees that desire to access personal funds for legal representation may do so by contacting the Finance Department via the Detainee Request Form.

Detainees who conduct legal visits that run through the scheduled meal time will be fed a sack lunch or other nutritious meal.

A list of pro bono legal organizations will be posted in all detainee housing areas. If you wish to see a representative on the list, it is your responsibility to contact him/her for an appointment.

Should a detainee have their visitation privileges revoked, he/she may appeal the revocation using the facility's Grievance System.

Virtual Attorney Visitation

As an alternative to in-person legal visitations, and to improve detainee access to their legal representatives; the OCPC offers detainees and their legal representatives with the option to conduct Virtual Attorney Visitations (VAV). The VAV will allow detainees confidential contact with attorneys and their authorized representatives.

The OCPC has designated a room within the Visitation Area for VAV. The VAV room will:

- a. Be equipped with video and audio communication equipment that provides the capability for video visitation
- b. Afford detainees and their legal representatives privacy during their legal video visitations
- c. Allow for visual monitoring, without violating the detainees' privacy, e.g. camera, windowed doors, etc.
- d. Allow for a minimum of four (4) hours per day of detainee accessibility to VAV
- e. Allow for separated parent/child video visitations, contingent upon availability

Legal representatives wishing to conduct a VAV with their clients will be required to schedule the visitation at least 24 hours in advance with the facility's point of contact (POC). All VAV's shall be scheduled in increments of 30 to 60 minutes. The facility shall allow detainees access to no less than four hours of VAVs daily. Legal representatives may contact the facility's VAV's POC by email:

Email: OTERO-LegalAccess@ice.dhs.gov

Daily the facility's POC will inspect and verify all email and telephone communications regarding VAVs. As legal representatives schedule their virtual visits with their clients, the POC will notify the Classification Department through email.

As required above, prior to each VAV, all legal representatives and assistants will provide appropriate identification, such as a bar card from any state, a document demonstrating partial or full accreditation from the U.S. Department of Justice (DOJ) Executive Office for Immigration Review (EOIR), or a letter of authorization from the legal representative or attorney under whose supervision the individual is working as detailed above.

Legal representatives and legal assistants will not be asked to state the legal subject matter of the meeting.

Visits between legal representatives or legal assistants and an individual detainee are confidential and will not be subject to auditory supervision. During all VAV's, the Visitation Officer (VO) will provide direct visual observation of the VAV to ensure safety and security. If available, the use of cameras may be used to provide direct visual observation of the VAVs.

The OCPC staff may terminate VAV at the end of the allotted time or to maintain security, but not for routine official counts.

The VO is responsible for ensuring all detainees who are scheduled for a VAV is brought to visitation in a timely manner. The VO must fully document any delays or incidents with the VAV process within the Visitor Officer's Logbook.

As with all visitors, and as illustrated above, prior to each VAV the VO must properly identify the legal representative conducting the VAV.