

	<p style="text-align: center;">OPERATIONAL MEMORANDUM</p> <p style="text-align: center;">Lincoln Correctional Center</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">205.02.01</p>	<p style="text-align: center;">PAGE</p> <p style="text-align: center;">1 of 35</p>
		<p>INMATE VISITING</p>	

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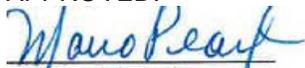
Revision History:

Effective: September 19, 1987
 Revised: March 14, 2007
 Revised: June 1, 2007
 Revised: July 15, 2008
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 Revised: July 28, 2010
 Revised: July 27, 2011
 Revised: August 13, 2012
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 Revised: October 11, 2014
 Revised: July 31, 2015

SUMMARY OF REVISION

Change 'segregation' to 'restrictive housing' where applicable. Revise item V.B.8.j. Add 'designee' to section V.B.17.b.(1) and V.B.17.6.(3). Re-write procedure V.B.18.b.(2).(g) regarding undergarments worn by visitors. Delete item V.B.19.a.(1).(h). Re-letter remaining items accordingly.

APPROVED:



Mario Peart, Warden
 Lincoln Correctional Center

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- I. Purpose. To set forth policy and establish regulatory procedures in order to attain the Department's objective to increase opportunities for inmate self-development and to maintain a safe, secure and humane environment for inmates, staff and the public.
- II. Policy.
- A. Written information regarding procedures governing visitation will be made available to inmates within 24 hours of their arrival at the facility (See Attachment 1). At a minimum, the information will include, but not be limited to, the following: **(4-4499)**
1. Facility address/phone number, directions to the facility and information about local transportation.
 2. Days and hours of visitation.
 3. Approved dress code and identification requirements for visitors.
 4. Items authorized in visiting room.
 5. Special rules for children.
 6. Authorized items that visitors may bring.
 7. Special visits (for example: family emergencies).
- The NDCS Rules and Regulations Rule Book will be made available to each inmate and staff member. A signed acknowledgement of receipt will be maintained in each inmate file. Chapter 4 will be translated into languages spoken by a significant number of inmates. When literacy or language problems prevent an inmate from understanding the rulebook, a translator will be available to assist the inmate.
- B. The following policy statements are the LCC's application of the Department's policy statement:
1. Supervised visits between inmates, families and friends can contribute significantly to the strengthening and maintenance of family ties, foster socially acceptable behavior, and assist in improving facility stability. The LCC therefore encourages visits as a means of facilitating the rehabilitation and socialization process. All inmates shall retain the visiting privileges described herein for the duration of their incarceration as long as they abide by the rules and regulations governing such activities.
 2. The number of visitors an inmate may receive and the length of visits shall be limited only by the facility's schedule, its space limitations, personnel requirements, and security consideration. Inmates shall not be denied access to visitation with persons of their choice except where the Warden believes that a given visitor could jeopardize the safety and security of the facility. **(4-4498)**
 3. The LCC shall provide a visiting room for inmates and their visitors that allows ease and informality of communication in a natural environment as free from custody constraints as possible. It shall be arranged with the comfort and privacy of the visitor in mind and which allows for limited socially acceptable physical contact during visiting. Devices that preclude physical contact are not used except in instances of substantiated security risk. **(4-4499-1)**
 4. Visiting privileges shall be suspended only by orders from the Shift Supervisor, Unit Administrator, Major, Officer of the Day, the Deputy Warden or the Warden except where the suspension is imposed as part of a formal disciplinary decision.

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5. Visitors introducing or attempting to introduce contraband into the facility or refusing to submit to any kind of a search may permanently lose their visitation privileges at the LCC.

Visitors who have been found introducing or attempting to introduce contraband into the LCC may be subject to prosecution under Nebraska Law.

6. The Administration reserves the right to withdraw the visiting privileges of any individual who refuses to comply with Departmental Rules and Regulations. An inmate has the right to voluntarily delete anyone from his visiting list at any time by completing a Visitor Deletion Request form (attachment 2) and submitting it to his Unit Case Manager.

- a. Any visitor, including clergy, who is removed from an inmate's visiting list, whether at the visitor's or the inmate's request, must wait for a period of six months from the date of removal before he/she again can be added to that inmate's visitor list or to another inmate's visitor list.
- b. In addition, he/she must resubmit a completed Visitation Request form (attachment 3). In the event that the individual requesting deletion has not visited for a period of at least one year, the Warden may waive the six month waiting period to be added to another inmate's visiting list.

NOTE: In the case of an inmate's spouse being deleted from an inmate's visiting list, the Warden may waive part of this six month waiting period if doing such would aid in any family reconciliation process. Any spouse desiring such consideration may write to the Warden directly.

7. All sections of these visiting regulations shall be reviewed annually and updated as necessary by the Deputy Warden. ALL VISITORS, STAFF AND INMATES SHOULD MAKE SURE THAT THEY HAVE ACCESS TO OR ARE IN POSSESSION OF COPIES OF THE CURRENT VISITING REGULATIONS.
8. This Operational Memorandum shall be made available to visitors, staff and inmates so that all interested parties may be informed of the details of this program. Copies of the Visiting Operational Memorandum may be requested by writing to the Warden. Copies will cost 10 cents per page.
9. "SPECIAL NOTE TO INMATES, VISITORS, AND ALL READERS OF THIS OPERATIONAL MEMORANDUM: The content of this Memorandum is intended primarily as a procedural guideline for staff to follow in implementing the facility's visiting regulations and for informing visitors and inmates of these procedures. Nothing in these regulations should in any way be interpreted or construed to mean that visiting is an automatic "right" or that regulations governing the visiting process create any rights or benefits for inmates which are not explicitly stated in Section 83-186 of the Nebraska State Statutes.

In compliance with the content of that Statute, the Warden retains full authority to permit or deny visits by members of the general public."

III. Applicability.

- A. Chapter 4 of the Nebraska Department of Correctional Services Rules and Regulations, section 004.01 states:

The provisions of this rule shall apply to all facilities operated by the Nebraska Department of Correctional Services (NDCS).

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B. This Operational Memorandum, which is the LCC’s implementation of this requirement, is applicable to all divisions/departments/offices and will be maintained by the office of the Deputy Warden.

IV. Definitions. As used herein, the following definitions will apply:

- A. Immediate Family. Spouse, parent, step-parent, sibling, grandfather, grandmother, grandchild, step-sibling, half-brother, half-sister, child and step-child or person acting in place of parent (as documented in the facility file).
- B. Visiting Week. A period of time beginning on Wednesday and ending on Sunday.
- C. Contraband. Any article not officially issued, lawfully purchased, or brought into LCC via authorized channels or which is introduced or attempted to be introduced by any person into the facility or its extended limits by a method other than one which is specified or promulgated in official LCC policy and procedures.
- D. Real Suspicion. Objective, articulable fact(s) which would reasonably lead an experienced correctional employee to conclude that a particular visitor or individual is concealing something on his/her body for the purpose of transporting or attempting to transport such material (contraband) into the facility - which is contrary to the rules and regulations of the facility and the NDCS and which also is contrary to State and Federal Law(s).

V. Procedures.

A. Chapter 4 of the Nebraska Department of Correctional Services Rules and Regulations , section 004.05, states in part:

B. To comply with this policy, the LCC has implemented the following procedures:

1. WHO MAY VISIT

- a. An inmate may have visits from anyone he chooses subject to the approval of the Warden/designee. In making the determination, the Warden/designee shall consider the effect that the presence of any given visitor might have on the facility, its staff, and/or the inmate(s) confinement within and probable effect such presence may have upon the rehabilitative progress of the inmate to be visited.
- b. Any person 19 years of age or older may request to visit an inmate at the LCC by submitting a Visitation Request Form (VRF) to the Unit Administrator of the facility. They may visit without a parent or guardian.
- c. Persons 18 and under must:
 - (1) Submit a completed VRF to the Warden/designee.
 - (2) Be accompanied by their parent, legal guardian, court appointed agent, or another authorized adult (19 or older).
 - (3) Must submit a notarized permission from the parent, legal guardian or court appointed agent to accompany said minor while visiting.
 - (4) The authorized adult, parent, legal guardian or court appointed agent must be on the inmate’s approved visiting list.

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(Except those persons who are authorized to accompany minors as a part of their employment will not have to be on the inmate's visiting list). They will submit a VRF to the LCC.

- (5) Minors 18 years of age or younger must present their birth certificate during their first visit at LCC.
- (6) All minors 16 years of age and older must present a picture I.D. every time they visit.
- d. Minors, who are married to the inmate they are visiting, do not need parental or legal guardian consent to visit their spouses, but must be approved visitors via the Visitation Request Form process. They will also be required to present a copy of their marriage license along with the Visitation Request Form.

2. VISITATION APPROVAL PROCESS

- a. It is the responsibility of each inmate to initiate the visiting process. Inmates may obtain Visitation Request Forms (Spanish form available) from their unit staff and mail them to those persons they desire to have placed on their approved visiting list. Each prospective visitor must complete a Visitation Request Form and return it to the following address for processing:

Unit Administrator's Office
Lincoln Correctional Center
P.O. Box 22800
Lincoln, NE 68542-0800

Any Visitation Request Form that is incomplete will not be processed.

- b. The envelopes in which Visitation Request Forms are received by this facility shall be date stamped by the Mailroom staff and then forwarded to the Unit Administrator.
- c. Incoming Visitation Request Forms not addressed to the Unit Administrator will be collected and forwarded to the Unit Administrator by mailroom staff.
- d. Visitation Request Forms will be forwarded to the Diagnostic and Evaluation Center (DEC) Main Control Center for NCIC record checks. After the NCIC reports are completed, it will be stapled to the respective original Visitation Request Form and forwarded to the respective Unit Manager for an approval/disapproval. NCIC checks will be completed on all adults and minors of any age who wish to visit.
- e. The Unit Manager/Unit Case Manager will review the Visitation Request Form, recommend approval or disapproval and forward the Visitation Request Form along with the NCIC report to the Unit Administrator. He/she will make the appropriate notation on the bottom of the form, initial it, and forward it to the Visiting Corporal. The Unit Administrator's "approval notation" and initials are authority for the Visiting Corporal to input the Visitation Request Form information on the computer.
 - (1) The Visiting Corporal will place the visitor's name, address, phone, valid I.D. #, social security number, birth date and relationship to the inmate on the inmate's visiting list.

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- (2) The Visiting Corporal will then separate the lower portion of the Visitation Request Form and forward it to the appropriate inmate - which is the inmate's official notification of the status of a particular visitor's application.

The Visiting Corporal will make copies of and then send the top section of the Visitation Request Form to the Records Office for filing in the inmate's Master Record File.

- f. If the Unit Administrator disapproves the Visitation Request Form, he/she will make the appropriate notation on the Visitation Request Form just below the Unit Manager's/Unit Case Manager's, initial it and state the reason for disapproval. The VRF will then be forwarded to the Visiting Corporal for computer entry. The Visiting Corporal fills out the bottom section and forwards it to the inmate. The top section will be forwarded to the Records Office to be filed in the inmate's Master Record file.
- (1) All Visitation Request forms, where the inmate to be visited is incarcerated for a sexual offense, shall contain the notation, "NOT THE VICTIM" OR "VICTIM OF THE OFFENSE", (whichever applies).
- g. Whenever an inmate receives a Visitation Request Form notification slip from the Visiting Corporal indicating that a particular visitor has been either approved or disapproved to visit him, it shall be the responsibility of the inmate to notify that person of that particular approval or disapproval decision.
- h. Any individual who has been disapproved to visit may appeal that decision directly to the Warden who shall provide a written response to that individual.
- i. Any inmate who is aggrieved by such action may appeal it through the regular grievance procedure.
- j. If a family member or friend on an inmate's visiting list arrives with a newborn (born after the completion of the visitors Visitation Request Form), that visitor with the newborn will be allowed to visit for that first visit ONLY.
- (1) The child is not to be denied. The visitor will be given a Visitation Request Form and instructed to complete the form so the visit list can be updated.
- (2) The visitor will be advised that they will not be allowed to visit the next time if the Visiting form is not received/approved (unless the inmate is allowed their two visits per week and the visiting form has not been approved).
- k. Persons with criminal records are not automatically excluded from visiting. The nature and extent of the individual's criminal record and any recent criminal activity will be weighed carefully against the benefits of visitation to determine the approval or denial of the visiting request. The Warden/designee retains final authority to review, assess and approve/deny applications for visitation.

3. SPECIAL/EXTENDED AND EMERGENCY VISITS

- a. This visiting process is to accommodate immediate family visitors on the inmate's approved visiting list who visit infrequently (less than one visit per month) because of long distance (more than 200 miles from the facility) or due to limitations imposed upon the facility due to space or staffing restrictions. **(4-4500)** Non-family members may be approved at the discretion of the Warden.

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- b. Special/emergency visits may also be granted for reasons of hospitalization or for inmates in restrictive housing when the security or the good order of the facility/community is not jeopardized.
- c. Persons not on an inmate's approved visiting list, but who may be considered for special visiting privileges includes prospective employers, Attorneys, members of the Clergy and Social Service representatives.

These people may be able to offer valuable assistance to inmates and, therefore, shall be allowed to visit with the approval of the Warden/designee.

4. EXTENDED VISITS

These types of visits (i.e., allowing visits on consecutive days which may or may not be on regularly scheduled visiting days, or for extended hours) may be granted to visitors in special circumstances when they have traveled a long distance (over 200 miles) to visit an inmate. These types of visits also may be appropriate for reasons of hospitalization or for inmates in restrictive housing status when the security or good order of the facility or community is not jeopardized. Regular visits will be counted/used first. **(4-4501)**

5. SPECIAL, EMERGENCY, AND EXTENDED VISIT PROCESSING PROCEDURES

- a. Whenever an inmate knows at least one working day (Monday through Friday, excluding Holidays) in advance that he is expecting a visitor who would fall under these "special visit" guidelines (i.e., Special, Emergency, and Extended Visit), he must request visiting consideration by submitting a Special/Extended/Emergency Visit Form (attachment 4) to his Unit Case Manager. The Case Manager will verify the information noted on the form and then forward it to the Unit Administrator who will make the final approval/disapproval decision.

- (1) If approved, the "form" will be forwarded to the Visiting Corporal where it will kept on file until the requested visit day arrives. If the visitor does not arrive on the expected day, the Visiting Corporal will note that fact on the form. The Visiting Corporal then will sign and date the form and forward it to the Records Office to be filed in the inmate's Master Record File. The yellow copy will be sent to the Unit Administrator.

- (2) A special visit may be extended with the permission of the Unit Administrator.

- b. If a visitor arrives at the LCC who was not expected by the inmate but who is otherwise eligible for special visits (as described in paragraphs 3. and 4. of this section), the Unit Administrator or higher authority will make the decision to allow or deny that person to visit.

6. SPECIAL MANAGEMENT INMATE VISITS

- a. Disciplinary Segregation

Inmates assigned to this type of restrictive housing status generally will be permitted to have contact visiting privileges consistent with custody and security considerations. Visits shall be conducted only in prescribed visiting areas and at prescribed times. Inmates in this status may be denied visits for reasons of security or for the good order of the facility. **(4-4267)**

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b. Administrative Segregation

Inmates classified to this type of restrictive housing status generally will be permitted to have contact visiting privileges consistent with custody and security considerations. Visits shall be conducted only in prescribed visiting areas and at prescribed times. Inmates in this status may be denied visits for reasons of security or for the good order of the facility.

c. Protective Custody

Inmates classified to this type of restrictive housing status generally will be permitted to have contact visiting privileges consistent with custody and security considerations. Visits shall be conducted only in prescribed visiting areas and at prescribed times.

7. PROFESSIONAL, CLERGY, AND PUBLIC OFFICIAL VISITS

The LCC will ensure and facilitate inmate access to counsel and assist inmates in making confidential contact with attorneys and their authorized representatives; such contact includes, but is not limited to; uncensored and confidential visits. **(4-4275)**

- a. Attorneys of record and public officials may visit inmates at the LCC without placement on an inmate's visiting list. Public officials specified in State Statute 83-186 (a) (b) (c) and (d) may visit at any time, except during official counts, emergency situations, and after deadlock.

When a religious leader of an inmate's faith is not represented through the chaplaincy staff or volunteers, the chaplain assists the inmate in contacting a person who has the appropriate credentials from the faith judicatory. That person ministers to the inmate under the supervision of the chaplain. **(4-4519)**

- b. Members of the Clergy must be placed on the Special Clergy Visiting List maintained by the Religious Coordinator and must provide proper documentation of clergy status. Proper background checks will be conducted. (See also Operational Memorandum 208.01.01, 'Religious Programming'). The Visiting Corporal will be provided a list of all approved clergy.
- (1) Approved clergy visitors may visit an inmate(s) during reasonable hours. Reasonable hours are defined as between 8:00 a.m. and 8:00 p.m., 7 days a week. This policy does not apply to public officials who by State Statute (Section 83-186) are authorized to enter the facility at any time.
- (a) If a member of the Clergy arrives at the facility other than during these reasonable hours and claims a need for a visit with an inmate due to an emergency situation (e.g., death, injury, or serious illness of an immediate family member), the Clergy will relay complete background information to the Central Control Corporal/Officer by telephone.
- (b) The Shift Supervisor will verify the emergency information as received. Upon verification and approval, reasonable efforts will be made to escort the inmate to the Visiting area for the requested visit.
- (2) The interview rooms adjacent to the main visiting area are available for clergy visits. Members of the clergy may visit more than one inmate at a time (maximum of five people per visiting including clergy).

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- c. Attorneys of record who utilize paralegals to conduct legal research regarding an inmate's case must first forward a letter to the Warden identifying the paralegal, the inmate client and the nature of the business to be conducted.

No person acting in the capacity of the paralegal will be admitted into the facility without a letter of endorsement from his/her attorney of record.

- d. Special interview rooms located in the visiting area will be utilized for visits with Attorneys and/or Clergy. If all of these rooms are in use they will ask the visitor if he/she would like to visit in the 'inside' general population visiting room.

If that option is not acceptable, the Attorney or Clergy Person will be asked to wait until one of the interview rooms becomes available.

- e. Whenever any of these interview rooms are in use, the Visiting Room Officer shall perform random security checks. No conversations between inmates and Attorneys shall be overheard, audio recorded or listened to in any manner. All reasonable precautions shall be taken to preserve the confidentiality of the Attorney/client relationship.

8. INMATE TO INMATE VISITS

Inmate to inmate visits may occur when the following criteria are met:

- a. One inmate must be on community custody status.
- b. The visit request will be initiated by the community custody inmate.
- c. The inmates must be immediate family as defined by current departmental guidelines.
- d. The visit must be approved by each facility Warden/designee.
- e. The visit will generally occur during regular visiting hours.
- f. The community custody inmate must produce his/her inmate I.D. prior to being allowed to visit a secure facility.
- g. The community custody inmate will be strip searched upon arrival and upon leaving the secure facility.
- h. Visits may be approved once every three months.
- i. If the facilities are in the same city, the visit may be done on a pass; if the facilities are in different cities, the visit may be done on furlough.
- j. If the visit occurs during a furlough, it will be considered one of the inmate's four hour daily approved itinerary activity.
- k. An approved volunteer sponsor will provide transportation.
- l. The approved volunteer sponsor may also participate in the visit if on the visiting list of the inmate to be visited.
- m. If the approved volunteer sponsor is not on the visiting list, he/she will be required to stay at the facility during the visit.

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9. VISITING DAYS AND HOURS

a. General Population

(1) Visiting Hours

(a) Week Days: Wednesday, Thursday, Friday

Morning Session 0800-10:45 a.m.
Processing ends at 10:20 a.m.

Friday Afternoon Session 12:30-3:30 p.m.
Processing ends at 3:05 p.m.

Wed, Thurs, Fri Evening Session 5:00-7:30 p.m.
Processing ends at 7:05 p.m.

(b) Weekend: Saturday

Evening Session 5:00-7:30 p.m.
Processing ends at 7:05 p.m.

(c) Weekend: Sunday

Morning Session 8:00-10:45 a.m.
Processing ends at 10:20 a.m.

Afternoon Session 12:30-3:30 p.m.
Processing ends at 3:05 p.m.

(d) Exceptions to any of these hours may be made if indicated by special circumstances (See Special and Emergency Visits).

(e) Whenever regularly scheduled visiting days coincide with State or National Holidays (e.g., Independence Day, Veterans Day, etc.), inmates will be allowed to visit on those days just as they are permitted to visit on any other regularly scheduled non-Holiday visiting day.

(f) Inmates generally will not be permitted to visit on non-regularly scheduled visiting days, with exception of Christmas Day, Thanksgiving Day and New Year's Day.

Holiday Visiting Schedule

Date	Protective Custody	Restrictive Housing	General Population
Thanksgiving Day	8:00 a.m. – 10:45 a.m.	12:30 a.m. – 3:30 p.m.	5:00 p.m. – 7:30 p.m.
Christmas Day	8:00 a.m. – 10:45 a.m.	12:30 a.m. – 3:30 p.m.	5:00 p.m. – 7:30 p.m.
New Year's Day	8:00 a.m. – 10:45 a.m.	12:30 a.m. – 3:30 p.m.	5:00 p.m. – 7:30 p.m.

[1] When Christmas and New Year's Day holidays fall on non-regularly scheduled visiting days (i.e., Monday or Tuesday), inmates will be allowed to visit according to the Holiday Visiting Schedule.

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- [2] Each of these three Holidays (when they fall on non-regularly scheduled visiting days) is considered an additional authorized visiting day during the weeks they occur and will not count against an inmate's regular visits during those respective Holiday weeks.
- [3] Exceptions to these hours also may be made for other Holidays or other designated occasions. Whenever these occur, the Warden will issue a Memorandum specifying the changes.

(2) Disciplinary or Administrative Segregation Visits

Wednesdays and Saturdays (12:30-3:30 p.m.) Processing ends at 2:45 p.m. Inmates assigned to the Control Unit or C Unit Segregation shall visit in full restraints (waist chain, cuffs, and leg irons) regardless of their restrictive housing status.

(3) Visiting Options

During any given visiting week (i.e., defined as beginning on a Wednesday and ending on a Sunday), inmates shall be allowed to choose between the following two visiting options:

(a) OPTION 1: Two week day visits with no visit on the weekend. More than one visitor may visit with an inmate during any visiting period subject to the following limitations:

- [1] A maximum of four adults, each of whom may bring along a reasonable number of children and/or minors may visit with an inmate at the same time during the same visiting period. Exceptions to this must be approved by the Unit Administrator or higher authority.
- [2] The same visitor may visit twice in one day during sessions on any Wednesday, Thursday, or Friday, if there is two sessions available for that population status.

Or the visitor(s) may choose to visit during two separate sessions on different days on a Wednesday, Thursday, or Friday.
- [3] An inmate may elect to have different persons visiting during any two visiting periods on a Wednesday, Thursday, or Friday. Inmates may not have more than two (visiting periods on a Wednesday, Thursday, or Friday during any one visiting week.

(b) OPTION 2: One afternoon or evening session on either Saturday or Sunday -- which will nullify weekday visiting privileges.

- [1] An inmate may elect to have his week's visit on a Saturday or Sunday, but not both.
- [2] INMATES MAY NOT HAVE COMBINATION VISITS WHERE THEY HAVE VISITS ON A WEEKDAY AND ON A WEEKEND DURING ANY ONE VISITING WEEK.

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b. Protective Custody

(1) Visiting Hours

Thursday (12:30 to 3:30 p.m.) Processing ends at 3:05 p.m.
Saturday (8:00 to 10:45 a.m.) Processing ends at 10:20 a.m.
Sunday (5:00 to 7:30 p.m.) Processing ends at 7:05 p.m.
(May visit once per week on either a Thursday or Saturday or Sunday).

- (2) Exceptions to these hours may be made if indicated by special circumstances. (See Special and Emergency Visits).
- (3) Whenever regularly scheduled visiting days coincide with State or National Holidays (e.g., Independence Day, Veterans Day, etc.), inmates will be allowed to visit on those days just as they are permitted to visit on any other regularly scheduled non-Holiday visiting day.
- (4) Inmates generally will not be permitted to visit on non-regularly scheduled visiting days, with the exception of Christmas Day, New Year's Day and Thanksgiving Day.
- (a) When these holidays fall on non-regularly scheduled visiting days, inmates will be allowed to visit on those days during the same hours that they normally would be permitted to visit on a regular visiting day - those hours are specified in paragraph V.B.9.a.(1).
- (b) Each of these three Holidays (when they fall on non-regularly scheduled visiting days) is considered an additional authorized visiting day during the weeks they occur and will not count against an inmate's regular visits during those respective Holiday weeks.
- (c) Exceptions to these hours also may be made for other Holidays or other designated occasions. Whenever these occur, the Warden shall issue a Memorandum specifying the changes.

c. Inmates Confined in the Diagnostic and Evaluation Center (DEC) Hospital

(1) Visiting Hours

Inmates in this situation normally will have the same visiting privileges as general population inmates at the DEC (i.e., they may visit during the same hours and on the same days) after being cleared for such visits by the Medical Department.

- (2) Exceptions to these hours may be made if indicated by special circumstances. (See Special and Emergency Visits).
- (3) Whenever regularly scheduled visiting days coincide with State or National Holidays (e.g., Independence Day, Veterans Day, etc.), inmates will be allowed to visit on those days just as they are permitted to visit on any other regularly scheduled non-Holiday visiting day - if the Medical Department clears such visits.
- (4) Inmates generally will not be permitted to visit on non-regularly scheduled visiting days, with the exception of Christmas Day, New Year's Day and Thanksgiving Day.

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- (a) When these three holidays fall on non-regularly scheduled visiting days (i.e., Monday or Tuesday), inmates will be allowed to visit during either an afternoon or evening session (if the Medical Department clears such a visit) - each session shall be defined as is described in paragraphs V.B.9.a.(1).
 - (b) Each of these three Holidays (when they fall on non-regularly scheduled visiting days) is considered an additional authorized visiting day during the weeks they occur and will not count against an inmate's regular visits during those respective Holiday weeks.
- (5) Exceptions to these hours also may be made for other Holidays or other designated occasions. Whenever these occur, the Warden shall issue a Memorandum specifying the changes.
- d. Inmates Confined in an Outside Hospital
- (1) Visiting Hours
 - (a) Inmates in this situation will normally have the same visiting privileges as their current assigned population. They may visit during the same hours and on the same days but only if such a schedule is approved by the Deputy Warden or his/her designee; it does not conflict with hospital policy; and such visits are cleared by Hospital medical staff.

NOTE: When these visits are approved and prior to traveling to the hospital to visit an inmate, visitors must come to the Lincoln Correctional Center to pick up their pass.

 - (b) Whenever such visits are approved, the processing of visitors will end one hour before the close of the scheduled visiting period.
 - (2) Exceptions to these hours may be made if indicated by special circumstances. (See Special and Emergency Visits).
 - (3) Whenever regularly scheduled visiting days coincide with State or National Holidays (e.g., Independence Day, Veterans Day, etc.), inmates will be allowed to visit on those days just as they are permitted to visit on any other regularly scheduled non-Holiday visiting day.
 - (4) Inmates generally will not be permitted to visit on non-regularly scheduled visiting days, with the exception of Christmas Day, New Year's Day and Thanksgiving Day.
 - (a) When these three holidays fall on non-regularly scheduled visiting days (i.e., Monday or Tuesday), inmates will be allowed to visit during either an afternoon session or evening session - each session shall be defined as is described in paragraphs V.B.9.a.(1). **INMATES MAY NOT VISIT DURING BOTH SESSIONS.**
 - (b) Each of these three Holidays (when they fall on non-regularly scheduled visiting days) is considered an additional authorized visiting day during the weeks they occur and will not count against an inmate's regular visits during those respective Holiday weeks.

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- (5) Exceptions to these hours also may be made for other Holidays or other designated occasions. Whenever these occur, the Warden shall issue a Memorandum specifying the changes.

10. VISITING LIMITATIONS

- a. There shall be no limit to the number of visitors an inmate may have on his authorized visiting list. Visitors will not, however, generally be granted permission to visit prior to their submittal of a Visitation Request Form and prior to its subsequent approval through the normal Visitation Request Form process.
- b. Visitors shall not be authorized to be on more than one inmate's visiting list at any one time without the express written permission of the Warden. Two specific exceptions to this policy are the following:
 - (1) An "immediate" family member may be granted permission to be placed on more than one inmate's visiting list if all persons involved are members of the same "immediate" family (e.g., a mother may be placed on her two sons' visiting lists or a sister may be placed on her father's and brother's visiting lists).
 - (2) If a visitor is a member of a single "immediate" family (which includes being the spouse of one of those "immediate" family members) and he/she is listed on the visiting lists of several other members of that same "immediate" family, he/she may be granted permission to be placed on the visiting list of one other inmate who is not a member of this "immediate" family (e.g., a brother may be placed in his three other brothers' visiting lists and on one other non-family member's visiting list).

EXAMPLES: A sister may be placed on her father's and brothers visiting lists and on one other non-family member's visiting list. A spouse may be placed on her husband's and father's and a brother's visiting lists and on one other non-family member's visiting list. A spouse may be placed on her husband's, fathers, and brother's visiting lists and on one other non-family member's visiting list.
- c. An inmate may have up to four adults (i.e., any combination of immediate family members and non-immediate family members) visiting him at any one time during any one visiting period. Each adult may bring along children and/or minors as long as they are able to supervise and control them. Exceptions to this must be approved the Unit Administrator or higher authority.
- d. Visitors who leave the visiting area during a visit shall not be permitted to return and resume their visiting privilege during that same visiting period.
- e. Once an inmate completes a visit by leaving the visiting room, his visits for that session are terminated. The exception to this rule is on an all day visit. An inmate may leave and return to the visiting room more than once in this situation.
- f. Generally, ex-employees will not be granted permission to visit except with immediate family members. Such visits require the Warden's approval. Department employees will also not be approved to visit except with the Warden's approval. To be considered for visiting privileges, employees must make a written request to the Warden of the facility where the inmate is incarcerated as well as the Warden of the facility the employee is assigned.

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- g. Generally, persons with pending misdemeanor or felony charges will not be allowed to visit. Exceptions may be made for immediate family members who may be considered for special visits pending resolution of the charges.
- h. Generally, Parolees, Probationers or persons having pending charges will not be granted permission to visit during service of sentence and ex-felons will not be granted permission to visit for three years after the expiration of sentence, except for immediate family who may be considered at the end of one year. Ex-misdemeanants will not be granted permission to visit for six (months after expiration of sentence. Immediate family may be considered after three months.
 - (1) It is the responsibility of the spouse/immediate family member seeking visiting privileges while on probation/parole to provide, with the VRF, a letter from the supervising probation/parole officer recommending either approval or denial of visiting privileges.
 - (2) In determining whether or not to approve a person with a criminal record, the nature and extent of that person's total criminal record plus his/her history of recent criminal activity will be weighed carefully against the benefits of visitation. The Warden shall retain final authority to review, assess and approve/disapprove such applications to visit whenever they are received.
 - (3) Failure to list previous criminal convictions on the Visitation Request Forms (VRF) can result in denial of visiting privileges.
 - (4) The Warden/designee must approve all Visitation Request Forms (VRF) submitted by the victim of a violent/sexual offense, when that offense is committed by the inmate being visited, if such information is known to facility staff.
- i. Following the release of an inmate on parole, or when an inmate is placed on escape status, or bond the facilities records office will stamp all current visitor application forms in the classification file "Deleted".

The records office will also delete these previously approved visitor names from any computer records of approved visitor for this inmate.
- j. Any person shown by substantial evidence to have had or who quite likely will present/impose a harmful effect on an inmate or who is considered to pose a threat to the good order and security of the facility shall be excluded from any approved visiting list.
- k. Special visiting restrictions may be imposed by the facility because of scheduling, space and/or personal constraints.

11. INMATE REQUESTS FOR A LIST OF VISITORS

- a. Any inmate may request a list of the names of those persons appearing on his approved visiting list by submitting an Inmate Interview Request Form to the Visiting Corporal.
- b. Any inmate may request that one or more persons listed on his approved visiting list be deleted from that list by completing a Visitor Deletion Request Form. A visitor may also request deletion by submitting the request in writing to the Warden.

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- (1) The deleted visitor's name will not be placed on another inmate's approved visiting list for six months.
- (2) The deleted visitor's name will not be reinstated on an inmate's visiting list for six months if the visitor's name was originally removed at that inmate's direction.
- (3) Visitor requested deletions require the visitor to wait six months before he/she may be placed on another inmate's list.
- (4) The six-month waiting period will also apply to clergy status visitors, however, the Warden may waive the six month waiting period at the recommendation of the Religious Coordinator.
- (5) In the event that the individual requesting deletion had not visited the inmate for a period of at least six months, the facility Warden may waive the six-month waiting period to be added to another inmate's visiting list.

12. PROCESSING VISITORS INTO THE FACILITY

- a. During processing, if a visitor becomes verbally or physically abusive, or argumentative, front entrance and/or visiting staff can deny the visitor entrance to the visiting room for that session. Staff will submit an incident report and notify the shift supervisor.
- b. The Warden shall ensure that a record of each visitor that enters the facility be kept, which shall include: a sufficient identification of the visitor, the dates and times of arrival and departure and the names of inmates visited by such person.
- c. Each adult visitor, upon admission to the facility, will be required to verify his/her identity and provide other vital information requested by the Warden. In addition, facility operational procedures shall require that inmate visitors, including infants and children, entering the facility shall be searched along with their belongings prior to entrance. Facility procedures shall also specify what items are allowable and how persons and property will be searched. **(4-4503)**
- d. Primary functions of the Visiting Corporal are to facilitate visitors in and out of the facility, preserve security and maintain records of visitor traffic. To ensure that the visiting process is conducted with these points in mind, the following basic rules and procedures shall be closely followed:
 - (1) All visitors will be required to sign in and out of the facility.
 - (2) Only those visitors who are listed on an inmate's authorized visiting list shall be permitted to visit. Each visitor must bring with him/her at least one valid form of photo identification and must present this document to the Visiting Corporal each time he/she enters the facility.
 - (a) Only the following are acceptable photo identification cards:
 - [1] Valid Drivers license with photo.
 - [2] State identification card including a State of Nebraska employee identification card.
 - [3] City/County/State/Federal identification cards.

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- [4] Military identification.
- [5] Passport.
- (b) Other support documents may include:
 - [1] Marriage certificate.
 - [2] Certified copy of Birth certificate.

NOTE: Any of the documents listed in section (b), [1] and [2] above must be used in conjunction with at least one other form of acceptable photo identification cards listed in section (a), [1] – [5].
- (c) The following identification/documents normally will not be accepted as identification:
 - [1] Social Security cards.
 - [2] Bank cards.
 - [3] Student identification cards.
 - [4] Business cards.
 - [5] Hunting/fishing licenses.
 - [6] Car registrations.
 - [7] Medicare cards.
 - [8] Health club cards.
- (d) Visiting staff shall exercise good judgment in establishing that each visitor has provided sufficient identification. If ever there is a question concerning the adequacy of a visitor's identification, the Visiting Corporal shall consult the Unit Administrator or, in his/her absence, the Shift Supervisor who shall make the decision as to whether to allow or deny a visit.
- (e) The Front Entrance Corporal will ask the visitor to sign in and will notify the appropriate housing unit via telephone to inform them that a particular inmate has a visitor. The Visiting Staff will print out a Visiting Permit Pass, sign it and direct the visitor to the search area. The housing unit will promptly notify the inmate that he has a visit and make the necessary arrangements to send the inmate to the visiting area.
- (f) Only immediate family who appear at the facility and request to visit an inmate on a non-professional basis but who are not listed as an authorized visitor will be requested to wait while the matter is referred to the Unit Administrator for a decision. During weekends and holidays, the Shift Supervisor will handle all such referrals.

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- (g) The Front Entrance Corporal will then record all information onto the Inmate Notification Log (attachment 5). Such as unit staff contacted and name of visitors. Time notified and name of staff who was called.
- (h) In certain circumstances, the Warden may consider granting one visitor permission to visit two or more inmates simultaneously (e.g., a mother may want to visit her two sons during the same visiting period). The visitor shall only visit verified immediate family members.
- (i) The dates of all visits with inmates shall be recorded on each respective inmate's visiting card and on the computerized visitor database. There shall be no exceptions. This record shall not be revealed to the public without the written consent of the inmate. All business visitors must sign in and out on the Visitors Register which is located on the counter in front of the Visiting Corporal desk or the Front Entrance Corporal's desk.
- (j) A separate visiting list, which contains the names of all individuals who have been approved to visit, shall be kept for each inmate. The Visiting Corporal shall update this list continuously and keep it accurate. Each list is confidential and shall not be revealed in part or in whole to the general public without the express written consent of the inmate. As we transition to a cardless system, all facilities may continue to use the card and list as needed.

13. SEARCHES

- a. All persons visiting inmates, members of the clergy and groups including family members of staff touring the facility, shall be searched prior to being allowed entrance to any facility. Appointed/elected officials of the State of Nebraska on official business are exempt from this policy (see Attachment 6, "Entrance/Exit Screening Procedures", for applicable conditions and persons to be searched.
 - (1) Pat searches of all visitors entering Nebraska Department of Correctional Services (NDCS) facilities shall be conducted by trained personnel.
 - (2) Canine searches of visitors may take place at any time it is considered advisable.
 - (3) After each visitor has been searched, he/she shall be stamped/marked by the Visiting Corporal with invisible skin marking ink. Each marking shall be placed on the underside of the left wrist approximately two to three inches above the area where a wristwatch would be worn.
- b. Persons refusing to be searched will not be admitted.
- c. The visitor's belongings will be searched prior to entering the visiting area. All individuals, including children, shall be searched.

A visitor who brings a diaper-wearing child to visit must change the child's diaper in the presence of staff and place another diaper, which has been searched, on the child. All children's effects shall be searched prior to entering the visiting area.

- d. A sign will be posted and visible in the visitor processing area which states that: "ALL VISITORS AND STAFF AND THEIR BELONGINGS ARE SUBJECT TO BE SEARCHED PRIOR TO BEING ALLOWED ENTRY INTO THE FACILITY."

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- e. Pat searches shall be routine for all visitors entering the facility. This involves patting down the visitor's clothing and body without the physical removal of clothing other than hats, jackets, shoes, wigs and the emptying of pockets.

Visitors will be asked to open their mouth and lift their tongue.

- (1) When searching a visitor's head, visitors may be asked to run a comb through their hair. They also may be asked to remove any hairpiece/wig/toupee, etc. so that it may be examined for possible contraband.
- (2) In addition to being pat searched prior to entering the facility, a pat search may be conducted at any time during the visit at the discretion of visiting room staff or as directed by a supervising staff member. This type of search does not require the Warden's authorization.
- (3) Female staff shall pat search female visitors while male staff shall pat search male visitors. If a male visitor has no objection, a female staff person may conduct the pat search. If/when a question arises as to the conduct of, or surrounding the circumstances of a pat search, the Shift Supervisor shall be consulted.

- f. If, after being pat searched, there still is reasonable suspicion that a person may be carrying contraband, further consensual searches may be requested.

- (1) Only with the approval of the Warden/designee, who shall evaluate the grounds asserted to justify the search, will a visitor be requested to submit to more stringent search(es).
- (2) Two other types of searches that visitors may be asked for permission to conduct are the strip search and body cavity search.

- (a) Strip Search: This type of search requires an individual to remove all articles of clothing and a visual examination is made of the body.

- [1] Non-Medical staff SHALL NOT touch any part of the nude body nor shall they make intrusions into any body orifice; however, they shall be permitted to make a visual examination of hair, mouth, ears and nose. In addition, visitors may be asked to bend over to expose their anal areas. Male visitors may be asked to lift their testicles.

- [2] Strip searches shall occur ONLY when there is probable cause (probable suspicion) that a visitor is concealing contraband and ONLY after receiving a directive from the Warden or his/her designee.

- [3] This type of search shall occur ONLY when less offensive measures have not or would not render the facility secure against the introduction of contraband.

- (b) Body Cavity Search: This type of search is an extension of a strip search and includes penetrating a visitor's body cavities in an effort to discover contraband.

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- [1] ONLY AUTHORIZED MEDICAL PERSONNEL shall be allowed to touch or make intrusions into body orifices.
 - [2] Body cavity searches shall occur ONLY when there is probable cause (probable suspicion) that a visitor is concealing contraband and ONLY after receiving a directive from the Warden or his/her designee.
 - [3] This type of search shall occur ONLY when less offensive measures have not or would not render the facility secure against the introduction of contraband.
- g. UNDER NO CIRCUMSTANCES will a visitor be physically searched unless he/she voluntarily consents.
- (1) Whenever a visitor is requested to submit to a strip or body cavity search and the visitor consents to one of these searches, the Visiting Corporal will request another staff person to witness the visitor's consent.
 - (2) The Visiting Corporal will then complete an Incident Report describing the whole incident which shall include the name of the person authorizing the particular type of search requested.
 - (3) If a visitor refuses to consent to any type of search, the visit shall be denied.
- h. Visitors may be subjected to canine searches of their person and property. These will be utilized to augment searches at entrance/exit points of the facility. Visitors will be asked to sit in a chair in the appropriate search room. The canine unit will be brought into the room. The visitor will sit still with their hands on their knees while the corporal directs the canine during the search.
- (1) An indication by a canine during the screening of persons, property or areas constitutes probable cause to believe illegal drugs are present.

At the discretion of the canine handler with the approval of the Warden, the existence of probable cause may result in a strip search and/or body cavity search of a suspect(s) with their consent, an investigative interview of the suspect(s) or the attainment of a court ordered search warrant to facilitate a non-consensual search of a suspect(s) person, property or vehicle.
 - (2) Any refusal by a visitor or a visitor's minor to a canine search will result in their denial to visit that day and/or suspension of visiting privileges.
- i. If contraband is found on the person or in the clothing of a visitor or if there has been an attempt to pass contraband between an inmate and a visitor, the contraband shall be confiscated and the Shift Supervisor shall be notified to suspend the visit. All contraband is to be confiscated and the Major's office shall contact the NDCS Investigator's office for further direction.
- j. The LCC staff have the authority to order a private citizen to leave facility grounds. If a citizen refuses to leave, the State Patrol will be contacted to request their assistance in escorting the individual from state property.

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- k. Visitor's wrists will be checked with an ultraviolet light just prior to them leaving the visiting room.
- (1) Whenever visitors leave the visiting room and just prior to the Central Control Corporal permitting them to enter into the area between Doors 1 and 2, the Visiting Room Officer will inspect their ultraviolet ink stamps/markings under an ultraviolet light to determine if the original ultraviolet skin markings are still there.
 - (2) If the mark is intact, the Visiting Room Officer will signal the Central Control Corporal to open the visiting room door (Door 3) and allow the visitor to leave.
 - (3) If the marking appears illegible, altered, or "suspiciously different" from what was originally stamped or written or if the mark is not visible at all, the Visiting Room Officer shall telephone Central Control and inform them of the problem and request that they notify the Shift Supervisor. The visitor in question shall not be permitted to enter the area between Doors 1 and 2 until the Shift Supervisor or a higher authority authorizes that person to pass through and leave the facility.
 - (4) Any visitor who refuses to allow him/herself to be marked with invisible skin marking ink will not be permitted to enter the facility.

14. PROCESSING AN INMATE INTO THE VISITING AREA

- a. Each inmate will be given a pass whenever he has a visit. He must take that pass to the visiting area where he will be strip searched prior to entering. All items of clothing and personal items will be inventoried on an Inmate Visitor's Property Form. The form will be signed by the Officer conducting the strip search. The inmate will be permitted to enter the visiting room as soon as he is processed.
- b. At the end of a visit, each inmate shall be strip-searched and a second inventory of his clothing and personal items is made by the supervising Officer. No inmate will be allowed to leave the visiting area with any item(s) not listed on the original inventory slip with the exception of any authorized photographs which were taken while he was in the visiting room. All unauthorized items will be considered contraband and shall be confiscated immediately.

The Shift Supervisor or higher authority shall be consulted at anytime that an exception to this regulation appears necessary.

- c. Inmates refusing any portion of a strip search will be subject to a Misconduct Report and the visit will be denied.

15. VISITOR RESPONSIBILITY; CONDUCT AND BEHAVIOR DURING VISITS

- a. It is the responsibility of the visitor and the inmate to conduct themselves in a manner which will not bring discredit upon themselves or be disruptive to other visitors in the area. Visiting mothers may breast-feed their infant children in the visiting area provided the activity is done discretely.
- b. Visiting areas are equipped to afford a comfortable environment in which to visit. These areas contain chairs and tables in addition to adequate light and ventilation.

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In the interests of protecting the health and facilitating the comfort of visitors, inmates and staff during visits, smoking (which is defined as the carrying and/or using of any lighted cigarette, cigar, pipe, or any lighted tobacco smoking equipment) is prohibited anywhere on state property. All tobacco, including electronic cigarette products and lighters must be secured in the visitor's vehicle.

- c. It is the responsibility of all visitors to supervise and maintain control over their accompanying children. **NEITHER VISITORS NOR INMATES ARE PERMITTED TO USE CORPORAL PUNISHMENT ON CHILDREN OR OTHERS WHILE ON DEPARTMENT PROPERTY.**

If a child becomes disruptive during a visit and is not controlled by verbal direction from the supervising visitor or the inmate, the visit shall be terminated.

- d. Visitors and inmates must obey Staff instructions and all posted rules and regulations.
- e. Visitors and inmates must accept joint responsibility to behave in a mature, responsible manner which is respectful of the rights of other inmates and their visitors.
- f. A short embrace and a brief kiss at the beginning and end of each visiting period are the only type of physical contact allowed. No other displays of affection (e.g., caressing, fondling, etc.) are permitted to accompany the beginning and ending short embrace and brief kiss.

(1) During visiting time, the only types of physical contact permitted are:

- (a) Visitors and inmates may hold hands as long as the hands are in full view.
- (b) Visitors and inmates may sit with an arm on the back of the adjacent chair.
- (c) Children three years of age and younger will be the only persons permitted to sit on the lap of an inmate.

(2) No other forms of physical contact are permitted. Examples of prohibited contact include, but are not limited to:

- (a) Either visitors or inmates sitting with an arm or their arms around each other.
- (b) Kissing.
- (c) Caressing.
- (d) Fondling.

(3) If a restrictive housing status inmate (IS, DS, AC) needs to use the restroom while in the Visiting Room, he will first be strip-searched then escorted to the inmate restroom in the Visiting Room. Custody staff will free one hand from the cuff if the inmate has to urinate and will remove belt and hand cuffs if inmate needs to have a bowel movement. Once the inmate has completed using the restroom, he will be properly restrained and then escorted to a search room for a strip search prior to returning to his visit.

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One additional custody staff will be sent to the Visiting Room to assist each time a restrictive housing status inmate needs to use the restroom. The Shift Supervisor will designate one staff on the daily roster to be available to go to the Visiting Room to assist with the strip search of these inmates wishing to use the restroom.

- g. Inmates shall visit only the visitors on their approved visiting list and there shall be no cross-visiting between inmates. Visitors shall visit only the inmate they are approved to visit.
 - h. Signaling or communicating through the compound windows is not permitted. Any visitor or inmate who is observed doing so is subject to having their visit terminated.
 - i. Inmates and visitors shall remain seated during visits except when using the restroom or vending machines.
 - j. Inmates and visitors will not have their feet on the tables.
16. INMATES WHO HAVE COMMITTED CRIMES IN WHICH VICTIM(S) WERE MINOR AGED CHILDREN (UNDER 19 YEARS OF AGE)
- a. The file of each inmate shall be reviewed to determine if any record exists meeting the above criteria. Newly committed inmate files shall be reviewed by each receiving facility staff at the facility in which the inmate is housed. If such a record exists, the person reviewing the record will list the information on the Inmate Summary of Minor Abuse Form.
 - b. Once the inmate has been identified, the NICaMS for "prior contact with minor" will be updated. This entry will automatically update the NICaMS classification study and the visitor's list databases. In addition, the records office will have a red-inked stamp titled "contact with minor" and will stamp the front cover of the inmate file.
 - c. The Warden shall have the authority to impose visiting restrictions on identified inmates on a case-by-case basis.
 - (1) Actions may include restricting these inmates to visiting children/youth at designated times and/or designated authorized areas, excluding visitors under the age of 19 from the inmate's approved visiting list, and /or suspension of all visiting privileges until the inmate has received treatment intervention.
 - (2) Factors considered in making the above determination may include, but are not limited to, the following considerations:
 - (a) Length of time since last child-related offense occurred.
 - (b) Seriousness of prior offense(s).
 - (c) Number of prior offense(s).
 - (d) Mental health status of minor child and/or inmate.
 - (e) Age of requested visitor and relationship to inmate.
 - (f) Inmate history of violence.

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- d. Identified inmates will receive written notice via the "Crimes Against Minor Aged Victims" form (Attachment 7) of their visiting status relating to physical contact with minor children and the guidelines for visits involving minors.
- e. Identified inmates will be allowed no physical contact with minor aged visitors.
 - (1) Inmates on "No Contact" status with a minor will have no contact at any time with a minor, including at the beginning and end of visitation. The visits shall be closely monitored by visiting room staff.
 - (2) Any violation of this policy will result in immediate termination of the visit, removal of the inmate and the visitor from the visiting area, and the issuance of a misconduct report.
 - (3) Penalties imposed against inmates will be consistent with agency disciplinary procedures. Actions imposed on visitors will be handled administratively by the Warden.
- g. The Warden has the authority to modify or eliminate visiting restrictions imposed as provided in this section. Such modification or elimination shall normally be in consultation with appropriate mental health, program and security staff.

17. TERMINATION AND SUSPENSION OF VISITS

It is the policy of the NDCS to encourage visits between members of the community and inmates as a means of promoting the rehabilitation process.

Inmates and visitors share a joint responsibility with NDCS for conducting themselves properly during the visiting process (i.e., in such a manner that their behavior will not bring discredit upon themselves or be disruptive or offensive to other visitors in the area).

- a. Rule 4 of the NDCS Rule Book, titled VISITING, paragraph 004.05 states in part:

Visitors may also be refused admission to the facility for failing to abide by the rules and regulations. Such a failure by the visitor may also result in the visitor being removed from the visiting list. Such action by the facility or Department shall be set forth in a written statement to the visitor or visitors and the inmate to be visited. Such statement shall also indicate the reasons for the action.

Inmates aggrieved by such action may appeal through the grievance procedure.

- b. To comply with this policy directive, the LCC has implemented the following procedures:

- (1) During the course of a visit, the Shift Supervisor, Unit Administrator, Major, Deputy Warden or Warden/designee may terminate a visit whenever an inmate and/or his visitor(s) fail to comply with NDCS rules and regulations or verbal instruction(s).

A visit may be denied or terminated and visiting privileges suspended, either temporarily or permanently, under the following circumstances:

- (a) The drinking of or being under the influence of alcohol.
- (b) The use of or being under the influence of illegal drugs.

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- (c) The introduction of contraband or the attempt to introduce contraband into the facility.

VISITORS WHO HAVE BEEN FOUND INTRODUCING OR ATTEMPTING TO BRING CONTRABAND INTO THE LINCOLN CORRECTIONAL CENTER OR ITS EXTENDED LIMITS MAY BE SUBJECT TO CRIMINAL PROSECUTION UNDER NEBRASKA LAW.

- (d) The taking of unauthorized items or property from the facility (criminal prosecution under Nebraska Law also is possible here).
- (e) Initiating or contributing to disruptive or improper behavior by either inmates or visitors which infringes upon other visits.
- (f) Refusal to submit to search procedures which include:
- [1] Refusal to submit to a pat search.
 - [2] Refusal to submit to a strip search (when applicable).
 - [3] Refusal to submit to a body cavity search (when applicable).
 - [4] Refusal to pass through the metal detector.
 - [5] Refusal to allow oneself to be marked with invisible skin marking ink.
 - [6] Refusal to submit to a canine search (when applicable).
- (g) Insufficient visiting room space is available.
- (h) Refusal or failure to produce sufficient identification or the falsifying of identifying information by a visitor.
- (i) The violation of any posted visiting rule and regulation.
- (j) The failure to control or to prevent children from disturbing other persons in the visiting area.
- (k) The failure to follow an Officer's instructions during the visiting process.
- (l) Leaving the visiting area and proceeding into an unauthorized area.
- (m) Leaving the visiting area, then leaving the facility, and then returning to resume a visit. Visitors will not be permitted to resume visiting their original inmate or any other inmate during the same visiting period.
- (n) Excessive physical contact between visitors and inmates. The only authorized physical contact between inmates and their visitors is detailed in V.B.16.f.(1).(a) – (c).
- (o) Refusal to clean up the area that was used for the visit.

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- (p) The observation by the Visiting Corporal or other facility staff of a medical condition on a visitor's body which the observing employee reasonably believes indicates that the visitor is unfit to visit.

Examples of such observable conditions include, but are not limited to, open or bleeding sores, poor sanitation and hygiene.

- (q) Other reasons for denying, terminating, or suspending a visit as are reasonably necessary to preserve the security of the facility and good order in the visiting room.

- (r) False or incomplete information on the VRF or visiting or attempting to visit under a false identification.

- (s) Leaving minor children unattended anywhere on NDCS property.

- (2) Prior to the termination of a visit or suspension of visiting privileges for any of the above reasons, less restrictive alternatives shall be attempted. Such alternatives may include warning the inmate and/or his visitor of their improper behavior.

- (3) The Warden/designee may modify the condition of a visit based on results of any part of the search procedures. For example, a positive indication from a canine search. Additionally, behavior on the part of the inmate or the visitor may require a modification.

- (4) If a Visiting Room Officer observes behavior between an inmate and his visitor which he/she feels is inappropriate or disruptive, that Officer shall contact the Shift Supervisor and inform him/her of the situation. The Shift Supervisor shall make the decision as to whether or not to immediately terminate the visit.

- (5) If visiting room staff determine that an inmate or his visitor pose a threat to other inmates or visitors by becoming verbally or physically abusive, visiting room staff may end the visit immediately. Visiting staff will submit an incident report and notify shift supervisor.

- (6) If the Shift Supervisor determines that the behavior on the part of the visitor was serious enough to merit some type of suspension of visiting privileges, he/she shall document all available information on an Incident Report Form with a recommendation for a suspension of visiting privileges and submit it to the Unit Administrator for a final decision.

- (a) If the Unit Administrator agrees with the report, he/she may suspend the visiting privileges for the visitor by stating that fact in a letter, including the reasons for it and sending it to the visitor. A copy of the report will also be sent to the involved inmate. The statement of reasons may be deleted if it would jeopardize the security of the facility or the safety of any individual.

- (b) In that same letter, the Unit Administrator shall also specify the length of time that the suspension is to last (i.e., whether permanently or for a specified period of time).

In the case of an indefinite suspension, the letter shall include a date when that visitor may resubmit an application for visiting privileges.

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(7) Any inmate aggrieved by the removal from his visiting list of one or more of his authorized visitors may appeal such action through the regular grievance process.

- c. Whenever an inmate receives a Misconduct Report which alleges some type of violation of the visiting regulations, the appropriate Disciplinary Committee, after reviewing the case and determining that a violation(s) did in fact occur, will suspend all of that inmate's visits for a specified period of time.
- (1) The Unit Administrator will immediately inform the inmate, in writing via a "Visiting Suspension Pending Investigation Notice" (Attachment 8) that all of his visits with the exception of Attorneys, public officials, and Clergy persons have been suspended for a specific number of days.
 - (2) The Unit Administrator may suspend an inmate's visiting privileges pending an investigation of an alleged visiting violation until the investigation has been completed.
 - (3) The Unit Administrator shall advise the affected inmate in writing when such visits are suspended and/or resumed.
- d. The inmate involved will be responsible for notifying all persons on his visiting list of the restriction imposed. Visitors involved in the violation, if they were not previously suspended or terminated from visiting, may be permanently or temporarily removed from the inmate's visiting list on the recommendation of the Disciplinary Committee, Unit Administrator or Deputy Warden.
- e. The Visiting Corporal will maintain a list of all visitors who are currently suspended from visiting the LCC. The Unit Administrator will forward a copy of all letters of suspension or reinstatement of visiting privileges to the Visiting Corporal who will use this information to update the list.

18. VISITOR DRESS CODE

- a. Rule 4 of the Department's Rule Book, titled VISITING, paragraph 004.07 states:
- The Warden of the facility may establish a dress code for visitors.
- b. To comply with this policy directive, the LCC has implemented the following dress code:
- (1) When visiting, proper attire is expected. Clothing should not be distracting or offensive to inmates or other visitors. If the Visiting Corporal believes that a particular visitor's attire is inappropriate, he/she will contact the Unit Administrator or in his/her absence the Shift Supervisor to make a final determination. If judged inappropriate, the visitor may return to visit, however, after changing into a more appropriate item of dress.
 - (2) The following modes of dress are INAPPROPRIATE for visiting at the LCC:
 - (a) Shorts worn by persons 11 years old and older. (This is applicable to both male and female visitors.) Children 10 years old and younger may wear shorts.

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- (b) Skirts/dresses/skort/culottes/capris less than knee length (knee), (children 10 years of age or under are excluded.). Dresses with slits cannot have slits above the knee.
- (c) Halter tops, tube tops, backless tops or dresses, tank tops, spaghetti string tie tops, sleeveless shirts/dresses, muscle shirts, half shirts, crop tops. Clothing cannot reveal any bare shoulders, midriff, back, chest or any parts of the breast.
- (d) Clothing through which undergarments can be seen, or clothing with any holes, wear or tear.
- (e) Any clothing that is tight and form fitting as determined by Visiting Room personnel.
- (f) Tights, leggings, spandex/stretch pants, skinny jeans or any combination of tights, leggings or shorts (children 10 years of age or under are excluded).
- (g) All visitors must wear undergarments. Visitors cannot wear multiple layers of undergarments. Females must wear one bra and one pair of underwear. Children 10 years or younger do not have to wear a bra. Males must wear one pair of underwear/undershorts.
- (h) Undershirt must be tucked in. If visitor is not wearing an undershirt, then outer shirt must be tucked in.
- (i) Any clothing with offensive logos or messages or security threat group signs or signals.
- (j) Pants that have been allowed to sag.
- (k) No hooded shirts, sweaters, sweatshirts or other hooded apparel.
- (l) Hats, caps or any other headgear of any kind will not be allowed in the visiting room. Approved clergy may be the only exception.
- (m) Visitors are not allowed to wear a combination of both khaki colored pants and shirt at the same time when they visit. A visitor may wear khaki pants or khaki shirt, but never both at the same time when visiting.
- (n) If a visitor chooses to wear boots, the visitors' pants will be worn on the outside of the boots. Pants cannot be tucked inside the boots.
- (o) No sunglasses unless prescription.
- (p) Individuals wearing wigs or toupees may have them searched. This will be determined on a case-by-case basis.

19. AUTHORIZED VISITING ROOM ARTICLES

- a. Visitors are permitted to take the following items into the visiting room/area:

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- (1) Heart and asthma medication. Other medication may not be taken into the visiting room without prior approval from the Warden, Deputy Warden, Unit Administrator, Major or Shift Supervisor. Medication must be in the original container.
- (2) The following infant necessities will be permitted:
 - (a) Four diapers.
 - (b) One bottle of formula (formula must be in a clear baby bottle).
 - (c) One bottle of water/juice.
 - (d) Sealed baby food (no glass containers).
 - (e) One change of clothes.
 - (f) One pacifier.
 - (g) One small container of paper towels or baby wipes.
 - (h) Simple non-weapon, non-metal type toys, with no removable parts (dolls, stuffed toys, books and balls will not be permitted):
 - [1] Children under 4 years old will be allowed 2-3 small, individual toys.
 - [2] Children 4 years to 10 years old will be allowed 1 toy.
 - [3] Children 11 years and older will not be permitted to bring in a toy.
 - (i) One tippy cup for children 3 years and younger only. The cup must be empty. A beverage in an unopened, store-sealed container may be brought into the search room, to be poured into the cup in front of staff. Any leftover product may be put into the visitor's locker or disposed of.
 - (j) One small receiving blanket for children under one year old.
- (3) All other items including the diaper bag will be left in the visitor's vehicle or a property storage locker. The Visiting Corporal will provide a bag for the visitor to use in carrying the above items to the Visiting Room.
 - (a) Two commercial diaper-changing stations are provided for those visitors with children wearing diapers. These are located in the front entrance search room and the parole board room next to the visiting room.
 - (b) Only the visitor will change the child's diaper and the inmate will remain seated. Visitors will be responsible for assuring that the area is cleaned following each use.
- (4) Inmates shall not be allowed to transport or attempt to transport money out of the visiting room. Any money confiscated in a post-visiting search will be disposed of in accordance with the prescribed facility regulations.

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Inmates leaving or attempting to leave the visiting room with ANY AMOUNT OF MONEY shall receive a Misconduct Report.

- (5) All items of personal property not specifically itemized in the following list must be secured in the visitor's personal vehicle. Articles not listed shall not be permitted into the facility beyond the Visiting Corporal Desk:
- (a) Sufficient identification to verify the visitor's identity, visiting status and/or relationship to a particular inmate.
 - (b) One comb or pic.
 - (c) One watch.
 - (d) One handkerchief.
 - (e) One religious medallion or religious head gear (e.g., Kufee, Native American headband).
 - (f) One pair of prescription glasses.
 - (g) Reasonable amount of jewelry as appropriate.
 - (h) One religious book for a Clergy visit.
 - (i) Medically authorized prosthetic appliances:
 - [1] Wheelchair or crutches.
 - [2] Canes.
 - [3] Hearing aids.
 - [4] Artificial limbs.
 - (j) Medical alert jewelry.
 - (k) One necklace.
 - (l) U.S. coins (up to \$15.00 in change, nickels, dimes, & quarters) are allowed for visitors (only) to access vending machines that dispense food and drink items.
 - [1] Inmates are not allowed in the room with the vending machines.
 - [2] At no time should an inmate be in possession of any money.
 - [3] Only one inmate at a time is allowed to go to the glass in front of the vending machines.
- (6) Visitors choosing to wear a coat, jacket (suit jacket or sport coat are acceptable attire), or other types of outer-wear up to the visiting room must hang them in the lobby area and will not be permitted to carry them into the visiting room.

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- (a) Recognized religious headgear may include, but not be limited to, a Kufee, a Native American headband, etc.
- (b) Visitors who have written documentation from a Physician which states that, for medical reasons, they (the visitor) must wear some type of headgear or bandage or article which covers the head, may be permitted to wear such items into the visiting room while visiting.
- (c) NOTE: THE LINCOLN CORRECTIONAL CENTER WILL NOT, HOWEVER, ASSUME THE RESPONSIBILITY FOR GARMENTS OR HEADGEAR LEFT IN THE VISITING ROOM LOBBY AREA.
- (7) If ever the Visiting Corporal or Visiting Room Officer has a question relative to whether or not a particular type of headgear should be considered "recognized religious headgear" or that is required for medical reasons, that Officer shall request assistance from the Shift Supervisor.

20. INMATE DRESS CODE DURING VISITING

- a. The following items of clothing will be authorized for inmates on pass to visit (Soiled, torn, or otherwise inappropriate clothing shall not be worn in the visiting rooms/areas):
 - (1) Pants. (state-issue or personal)
 - (a) All pants will be kept neat and properly buttoned/zippered at all times.
 - (b) Pants will not be altered in any way (including the removal of pockets, etc.).
 - (c) Pants will be worn with a state-issued or personal belt.
 - (d) Undershorts must be worn while visiting.
 - (2) Shirts. (state-issue or personal)
 - (a) All shirts will be clean and properly buttoned with the exception of the top collar button.
 - (b) Either authorized long sleeve or short sleeve shirts may be worn at the discretion of the inmate. No sleeveless shirts will be permitted.
 - (c) Colored t-shirts or t-shirts with slogans, pictures, etc. No obscene printing or gang related logos or symbols will be permitted. No white t-shirts worn as an outer garment will be permitted. White polo shirts will be permitted as an outer garment.
 - (d) Thermal underwear shirts may be worn under approved shirts. Thermal underwear shirts will not be permitted as an outer garment.
 - (3) Shoes and Socks.

Shoes and socks will be worn at all times during a visit. The only exception to this would be medical authorization exempting the inmate from wearing normal footgear.

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(4) Headgear (hats, caps, etc.).

Recognized religious headgear (Kufee or Native American headband) may be worn by inmates in the visiting area. Other hats/caps will not be authorized except by special permission of the Deputy Warden or the Chief Medical Officer.

(5) Handkerchief, Comb/Pic, Glasses and Jewelry:

Inmates will be allowed to have one handkerchief and either a comb or pick and wear one wedding band, one watch, two earrings, and one necklace while on a visit.

Only prescription glasses will be authorized. (No sunglasses, etc., except as may be authorized by the facility Physician). Inmates in general population must be in possession of their inmate I.D. card.

(6) Medication and Medical/Prosthetic Appliances:

(a) No inmate will be allowed to have medication of any kind on his person unless he presents a written authorization for such medication signed by the facility's Chief Medical Officer.

(b) Only authorized medical/prosthetic appliances (artificial limbs, canes, hearing aids, crutches, etc.) will be permitted in the visiting area.

(7) Other Garments:

(a) Cold weather headgear, jackets, vests, etc. will not be worn in the visiting area but must be left in the search area.

(b) No other clothing other than that described above.

(c) Inmates and their respective visitors will not be allowed to wear or exchange each other's clothing or jewelry while visiting.

(d) No inmate will be allowed to return from a visit with any item(s) which he did not have in his possession at the time he commenced the visit. All unauthorized items are subject to immediate confiscation and will be considered contraband with the exception of photographs.

(8) Inmates will not wear any clothing in such a way as to denote group identity or status. This includes, but is not limited to, flagging, wearing belt buckle to one side, turning collar in and hemming pants in any unusual manner.

(9) Other Items

(a) Legal work if the inmate is attending a legal visit.

(b) One religious book if the inmate is attending a religious visit.

(10) The Shift Supervisor or higher authority must be consulted at any time that an exception to the preceding guidelines appears necessary.

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21. NOTIFICATION OF VISITORS

- a. Each inmate will be asked to designate an "immediate" family member or visitor to be contacted in the event of an emergency or major change of status and to coordinate the weekly desired visiting days. If an inmate is unable or not allowed to personally notify someone, the Unit Administrator or his/her designee will notify a visitor of the change of status.
 - (1) A major change of status shall be considered a transfer from one major facility to another (e.g., from the Nebraska State Penitentiary (NSP) to the LCC or from a Community Corrections facility back to a secure facility).
 - (2) It is the responsibility of the inmate to notify any visitors of all intra-facility program changes such as a change in housing unit or from a housing unit to restricted housing.
 - (3) If, after a reasonable effort, the Unit Administrator or his/her designee is unable to contact a visitor to relay a major change of status, then the inmate will be so notified.
- b. Visitors generally will not be permitted to visit prior to submitting a Visitation Request Form and having it approved by the Deputy Warden or his/her designee.
- c. Reasons for denying visiting privileges may include submitting an incomplete visiting form or falsifying any of the information on such a form.

22. TRANSPORTATION OF VISITORS

The institution provides information to visitors about transportation to the facility and accommodates, where possible, transportation between the facility and nearby public transit terminals. **(4-4504)**

23. WHO TO CONTACT FOR QUESTIONS REGARDING VISITS

- a. The Unit Administrator and Deputy Warden are the persons to contact for problems or questions concerning visits.
- b. Pertinent telephone numbers/addresses are as follows:
 - (1) Lincoln Correctional Center (LCC)
P.O. Box 22800
Lincoln, NE 68542-2800
(402) 471-2861
 - (2) Diagnostic and Evaluation Center (DEC)
P.O. Box 22800
Lincoln, NE 68542-2800
(402) 471-3330
 - (3) Nebraska State Penitentiary (NSP)
P.O. Box 2500
Lincoln, NE 68502
(402) 471-3161

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- (4) Omaha Correctional Center (OCC)
P.O. Box 11099
Omaha, NE 68111-0099
(402) 595-3963
- (5) Nebraska Correctional Center for Women (NCCW)
Rt. 1, Box 33
York, NE 68467
(402) 362-3317
- (6) Community Corrections Center – Lincoln (CCC-L)
2720 W. Van Dorn
Lincoln, NE 68542
(402) 471-0740
- (7) Community Corrections Center – Omaha (CCC-O)
2320 E. Avenue J
Omaha, NE 68102
(402) 595-2010
- (8) Nebraska Correctional Youth Facility (NCYF)
2610 N. 20th
Omaha, NE 68110
(402) 595-2000
- (9) Tecumseh State Correctional Institution (TSCI)
P.O. Box 900
Tecumseh, NE 68450
(402) 335-5998

24. POSTING AND AVAILABILITY OF VISITING REGULATIONS

- a. Rule 4 of the Department's Rule Book, titled VISITING, paragraph 004.03 states:

The Warden shall ensure that copies of this rule and other regulations of the facility concerning visiting are posted at and about the entrance of the facility and Warden shall provide copies to any persons upon request.
- b. In compliance with this policy directive, this has been placed in the inmate Law Library and is posted in the lobby area and the visiting room. Visitors may request copies of this document by writing to the Warden.

25. VISITORS USE OF LOCKERS IN THE LOBBY

- a. Any visitor may use a property locker to store their personal effects (i.e., purses).
 - (1) Visitors shall provide the same identification used to access the visit area to obtain a locker key.
 - (2) Visiting staff shall place the identification card inside a portable key box in a corresponding drawer to match the locker number.

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(3) Without the appropriate picture identification, (Drivers License with photo, State Identification Card including a State of Nebraska Employee Identification Card and City/County/State/Federal Identification Cards), a locker key will not be issued.

b. Visitors shall provide Visiting staff the locker key to have their identification returned. If a locker key is lost by a visitor, visiting staff will attempt to locate the key. The Shift Supervisor will be notified of any lost key. If the key cannot be found, the Shift Supervisor will return the visitor's identification and obtain the master key to return the visitors affects. An Incident Report shall be made on the loss of any key. Visitor name and circumstances must be documented.

VI. References:

- A. State Statute Section: 83-186 RRS 1943.
- B. DCS Rule 4.
- C. Administrative Regulations: 208.01 and 205.02.
- D. American Correctional Association (ACA) Standards: 4-4267, 4-4275, 4-4498, 4-4499, 4-4499-1, 4-4500, 4-4501, 4-4503 4-4504 and 4-4519.

Attachments:

- 1. Visitation Orientation and Information Check List.
- 2. Visitor Deletion Request (DCS-A-adm-048).
- 3. Visitor Request Form (DCS-A-adm-012).
- 4. Special/Extended/Emergency Visit Request (DCS-A-adm-034).
- 5. Inmate Notification Log.
- 6. Entrance/Exit Screening Procedures.
- 7. NDCS – Crimes Against Minor-Aged Victims.
- 8. Visiting Suspension Pending Investigation Form.