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Revised: 5/1/20

SUMMARY OF REVISION/REVIEW:

Major changes. Read carefully!

APPROVED:

Signature on file

4/14/20

STEPHEN SINCLAIR, Secretary
Department of Corrections

Date Signed
POLICY

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 9.94.010; RCW 9.94A.030; RCW 10.99.020; RCW 26.50.010; RCW 72.02.280; RCW 72.09.15; RCW 72.09.470; RCW 72.09.490; WAC 137-28; WAC 137-54; DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities; DOC 200.000 Trust Accounts for Incarcerated Individuals; DOC 200.200 Offender Betterment Fund (OBF); DOC 210.060 Donations; DOC 320.255 Restrictive Housing; DOC 420.150 Counts; DOC 420.310 Searches of Offenders; DOC 420.330 Searches of Vehicles; DOC 420.340 Searching and Detaining Facility Visitors; DOC 420.380 Drug/Alcohol Testing; DOC 450.300 Visits for Incarcerated Individuals; DOC 460.050 Disciplinary Sanctions; DOC 590.200 Offender Marriages and State Registered Domestic Partnerships; DOC 670.020 HIV Infection and AIDS; Americans with Disabilities Act

POLICY:

I. The Department has established an Extended Family Visit (EFV) Program in Prisons for eligible incarcerated individuals to support building sustainable relationships important to reentry and provide an incentive for those serving long-term sentences to engage in positive behavioral choices.

II. This program facilitates visits between an incarcerated individual and the individual's immediate family in a private visit unit. Immediate family consists of the individual's children, stepchildren, grandchildren, great-grandchildren, parents, stepparents, grandparents, great-grandparents, siblings, aunts, uncles, and a person legally married to or in a state registered domestic partnership. This includes an individual who was adopted as a child or an adult, but does not include an individual adopted by another individual.

DIRECTIVE:

I. Extended Family Visit Unit

A. Before opening a new EFV unit, the proposed site and process will be approved by the appropriate Deputy Director.

1. All units must comply with facility security and property policies in an effort to provide as safe and secure an environment as possible.

2. Units will be located in a secure area, reasonably screened from view of the population, and provide an evacuation route in the event of an emergency.

3. Exclusion of the incarcerated population, custody levels of the facility, and security will be considered in selecting a site.
B. An EFV unit consists of a mobile home or similar structure. It will be furnished and contain at least one bedroom, kitchen, bathroom, and living room.

1. The Superintendent/designee will ensure adequate accommodations are available for persons with disabilities per DOC 100.560 Non-Discrimination and Accessibility for Visitors/Guests with Disabilities.

2. Communications will be provided between the EFV units and the facility’s designated control points.

II. General Requirements

A. EFVs are authorized to the extent the facility is equipped and staffed to accommodate the program.

B. Individuals and visitors will be subject to all Department and facility rules and regulations, as well as appropriate verbal instructions from employees and/or contract staff.

C. A Deputy Director will chair an EFV Review Committee to meet at least bimonthly to review EFV applications for individuals with sex/serious violent offenses and EFV decision appeals. The committee will meet in person or by conference call and will include:

1. The Corrections Program Administrator,
2. A Correctional Program Manager or higher authority from the facility where the individual is housed, and
3. A representative from the Sex Offender Treatment Assessment Program (SOTAP), if applicable.

III. Eligibility

A. An individual must meet all of the following criteria to participate in an EFV:

1. An individual serving 5 years or more in Prison on the current sentence is eligible to apply after 12 consecutive months in Prison.

2. An individual serving less than 5 years in Prison on the current sentence is eligible to apply after 6 consecutive months in Prison.

3. An individual who is assigned to maximum/close custody level or housed per DOC 320.255 Restrictive Housing is excluded from participating.
4. Individuals under an Interstate Compact must receive authorization from the sending state to be eligible to participate in EFV privileges.

5. Individuals found guilty of any of the following infractions will not be eligible for EFV privileges. Time limits pertaining to infractions start on the date the infraction occurred.
   b. Within the last 3 years: 553, 603, 607, 744, 752, or 778.
   c. Within the last year: 606, or 707.

6. The individual must not have any pending, non-adjudicated infractions that may result in the visit being denied.
   a. All other infractions or related behavior will be handled per WAC 137-28, including interruption of visitation between the individual and a specified individual(s) per DOC 460.050 Disciplinary Sanctions, when there has been an infraction for visit-related behavior or behavior that presents a security or safety threat.

7. A multidisciplinary Facility Risk Management Team (FRMT) review must occur after an individual receives any guilty finding for a serious infraction to determine continued eligibility.

8. The individual must be actively participating in programming requirements (e.g., education, work, actively participating in SOTAP), or establish that a reasonable effort has been made to obtain a school or work assignment.

9. The individual must not have any outstanding or unresolved felony charges or detainers in any jurisdiction, and must not be a suspect in a criminal investigation by any law enforcement agency.
   a. Immigration and Customs Enforcement (ICE) detainers will not be considered when determining eligibility for EFV privileges.

10. An individual with any documented history/indicator of domestic violence will be excluded from EFV privileges with the following:
    a. The victim of the documented domestic violence, and
    b. Persons with a like relationship to the individual as a victim (e.g., individuals who assaulted a spouse/state registered domestic
partner, intimate partner) will be precluded from visits with a spouse or state registered domestic partner.

11. An applicant with any documented history/indicator of domestic violence against any person of a like relationship to the individual may be excluded from participating in an EFV.

12. Individuals with a sex offense listed in Attachment 2 will only be eligible for an EFV if screened through SOTAP and approved by the EFV Review Committee.

   a. SOTAP unit employees/contract staff must determine the individual as amenable to SOTAP and the individual must participate in SOTAP when eligible.

B. All family applicants must meet the following criteria:

1. Each adult applicant will be required to submit original/certified copies of legal documentation to verify relationship to the individual and must provide current, legal picture identification.

2. Unless an exception is authorized by the Superintendent, and the applicant's Community Corrections Officer/Supervisor or Juvenile Parole Officer/Counselor agrees, an applicant cannot be:

   a. On any type of supervision by the Department,
   b. The subject of pending felony criminal or drug-related action, or
   c. A juvenile on probation, community supervision, community placement, in Work/Training Release, in a group or home on authorized leave, or the subject of pending felony criminal or drug-related charges.

3. The applicant must not have testified against the individual in any crime of conviction.

4. The applicant must be on the individual's approved visitor list per 450.300 Visits for Incarcerated Individuals and have previously visited with the individual a minimum of 6 times, to include video visits, within the last 12 months.

   a. If initially denied by the EFV Review Committee based only on lack of visit history, the family member may contact the facility once the minimum amount of visits have been completed.
1) Once approved, the EFV does not have to occur at the same facility if the individual is transferred to another facility, as long as the individual is still eligible to participate.

C. Spouses/state registered domestic partners must meet the following additional requirements:

1. If the marriage/state registered domestic partnership is entered into after the individual is under the jurisdiction of the Department, it must meet the requirements of DOC 590.200 Offender Marriages and State Registered Domestic Partnerships.

   a. Married couples/state registered domestic partners that are both listed on the birth certificate of a biological or adopted child participating in the EFV may be considered after one year of the marriage/state registered domestic partnership. Other married couples/state registered domestic partners may be considered one year after marriage/state registered domestic partnership.

   b. Individuals adopted after the date of the crime of conviction may be considered 3 years after the date of adoption.

D. Minors must meet the following additional requirements:

1. A child or stepchild must be the birth child or adopted child of the individual or the individual’s spouse/state registered domestic partner with legal custody.

2. The minor must be accompanied and supervised by an approved EFV participant and have the written notarized consent of the non-incarcerated custodial parent/legal guardian on DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort.

3. A minor who is a victim of the individual’s sexual offense, physical abuse, or other mistreatment will not be eligible to visit.

4. Newborns and infants must be approved through the application process prior to participating in the program.

IV. Application Process

A. The family member will submit the following to the Headquarters Visit Unit:

   1. The following completed forms:
a. DOC 16-102 Visitor Medication Questionnaire
b. DOC 20-279 Consent to Medical Treatment and Waiver of Liability (Visitors)

c. DOC 21-415 Extended Family Visit Application/Acknowledgment
d. DOC 21-441 DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort if application is for a minor

1) Both parents listed on the birth certificate must provide written, notarized consent on this form. If a parent has lost parental rights, court documents must be provided instead of the form for that parent’s consent.

e. Other Department forms, as applicable

2. The following original or certified documentation, if applicable. Documentation must not be decorative copies and must be issued by the appropriate regulatory agency (e.g., Department of Health, court issued) and must show direct lineage through birth, marriage/state registered domestic partnership, or adoption. Documents will be copied by the Headquarters Visit Unit, and the original will be returned to the applicant.

a. Birth certificate(s)

1) If “none listed” is on a birth certificate for a minor applicant, documentation must be submitted that shows proof of parentage for that parent (e.g., paternity documentation).

b. Color copy of Government issued photo identification (e.g. passport, driver license)
c. Marriage license/state registered domestic partnership certificate
d. Divorce decree(s)
e. Death certificate(s)
f. Adoption papers
g. Other necessary documentation as identified by the Headquarters Visit Unit

B. The Headquarters Visit Unit will:

1. Conduct and review background criminal history checks for participants upon application.

2. Forward all required documentation and completed forms to the assigned case manager.
C. The case manager will send a request to Health Services to review for any medical/mental health concerns.

D. A multidisciplinary FRMT will meet within 10 days of receiving documentation to make a recommendation on the EFV application and submit it to the Superintendent/designee.

1. Individuals with a history of mental illness and/or current mental health symptoms that cause concern must have a psychological assessment and recommendation by a mental health provider. The evaluation and assessment will be reviewed by the multidisciplinary FRMT and forwarded to the Superintendent/designee with the EFV application for final review.

2. Health Services must provide a recommendation if an individual is being treated for a condition which may be transmitted to the visitor or may be adversely affected if the visit occurs (e.g., is receiving inpatient infirmary care, has a communicable disease or unstable medical condition). The recommendation will be reviewed by the multidisciplinary FRMT and forwarded to the Superintendent/designee with the EFV application for final review.

   a. Health Services will conduct an initial counseling session with the individual if the individual:

      1) Has been diagnosed with a communicable disease, or
      2) Is on medication that can cause birth defects, if the EFV includes a spouse/state registered domestic partner.

   b. If the individual has a communicable disease, a health care provider will conduct a counseling session with the participants to make them aware of the implications and to provide additional information.

      1) Participants will sign DOC 13-437 Family Visit Counseling and the completed form will be filed in the legal section of the individual’s health record.

   c. If the individual is HIV positive and seeking an EFV with the spouse or state registered domestic partner, the individual will complete DOC 13-035 Authorization for Disclosure of Health Information to agree to divulge HIV positive status to the spouse/state registered domestic partner before the EFV will be approved.
E. An EFV application will not be approved if based upon an individual adopting another individual or adult.

V. Authorization

A. All EFV participants require Superintendent/designee approval.
   1. The Superintendent/designee will notify participants in writing of approval or denial of EFV privileges.

B. The Superintendent/designee may approve the following situations on a case-by-case basis:
   1. A family applicant who has previously been under the jurisdiction of the Department.
   2. Two individuals housed at the same facility may participate in the same EFV if all eligible participants are immediate family members. Otherwise, one incarcerated individual will visit at a time.
      a. Individuals will not be transferred to another facility to participate in an EFV with another individual.
   3. One-on-one visit requests between the individual and eligible family members other than spouses/state registered domestic partners or parents (e.g., brother or sister and individual only).
   4. An individual may be denied based on the nature of the crime, criminal history, and current/prior behavior. If there is reason to believe that an eligible individual is a danger to self, the visitor(s), or the orderly operation of the program, the Superintendent/designee may exclude the individual from the program.

C. An individual who is eligible to participate in EFVs will be allowed to continue to participate in the program when transferred to another Department Prison without repeating the authorization process.
   1. The receiving facility will schedule EFVs without requiring participants to reapply, but will ensure new charges, violations, or infractions have not occurred that would prohibit participation.

D. Applications for individuals with a sex offense or a serious violent offense listed in Attachment 2 require EFV Review Committee approval.
1. The facility will complete Part 1 of DOC 21-470 Extended Family Visit Review Decision/Recommendation and forward the form and all related EFV documentation to the EFV Review Committee at docefreview@doc.wa.gov.

2. The committee will document its decision on DOC 21-470 Extended Family Visit Review Decision/Recommendation.
   a. Denials will be forwarded to the Assistant Secretary for Prisons for review. The Assistant Secretary for Prisons/designee will send a letter to notify the individual and family member of the decision and will be considered final.
   b. If approved, the Corrections Program Administrator/designee will send a letter to notify the individual and family member of the decision and notify the facility.
   c. Formal decisions will be documented in the individual’s electronic file and documentation scanned into the electronic imaging file.

E. Grandfathering Provision

1. Individuals who applied for or were participating in the EFV Program before January 10, 1995, may be allowed to continue participation based on Superintendent/designee review. Individuals who were grandfathered into the program and demoted in custody must reapply and meet current application criteria.

F. When an applicant is approved, a facility employee will notify the individual and the applicant of the process for:

1. How to schedule orientation and EFVs,
2. Participation in orientation,
   a. Before the first visit, all participants will receive a program orientation that will include an explanation of the rules and procedures and sign DOC 21-665 Extended Family Visit (EFV) Orientation.
3. Check in/out days and times, and
4. Additional facility requirements and/or procedures.

VI. Appeals
A. Denial of participation in the EFV Program may be appealed to the Assistant Secretary for Prisons.

1. Appeals must be in writing and clearly state the facts that support the reason for the appeal.

2. Appeals may not be submitted by multiple individuals for the same denial.

3. The EFV Review Committee will review the appeal and make a recommendation to the Assistant Secretary for Prisons using DOC 21-470 Extended Family Visit Review Decision/Recommendation.

4. The Assistant Secretary for Prisons has final decision making authority for EFV participation.
   a. The Assistant Secretary for Prisons/designee will send a letter to inform the person who submitted the appeal of the final decision.

VII. Payment

A. Per RCW 72.09.470, there will be a charge of $15 per night for each EFV.

1. The fee must be paid before the EFV date is scheduled and may be paid by either the individual or the visitor(s).
   a. If the individual pays, the individual will complete DOC 06-075 Request to Transfer Funds for the correct amount per DOC 200.000 Trust Accounts for Incarcerated Individuals and the fee will be withdrawn from the individual’s account.
   b. If the visitor pays the fee, payment must be sent to the facility in the form of a money order or cashier’s check with “EFV” and the individual’s name and DOC number clearly printed on it.

2. The Business Office will notify the scheduling employee when the payment is received/processed.

3. The payer will be reimbursed if a visit is canceled for any reason other than:
   a. Disciplinary action against the individual, including placement on disciplinary/Administrative Segregation,
   b. Program rule violation(s) by the visitor(s), and/or
c. Late arrivals beyond one hour on the date of the scheduled visit, unless previously arranged. Extenuating circumstances beyond the visitor’s control (e.g., automobile breakdown), if confirmed, will be taken into consideration.

VIII. Scheduling

A. Each EFV unit will be limited to the number of visitors established by the Fire Marshal and the amount of appropriate sleeping space available.

B. After approval and payment, an EFV will be scheduled based on availability and the individual will be notified of the dates that have been scheduled.

1. An individual may not have an EFV more frequently than every 30 days. The 30 days will be calculated from the last day of the most recent/present EFV, if applicable. An individual may apply for a subsequent visit during or after a previously approved visit.

2. The scheduling employee will allow visitors travelling from out of state/country to schedule visits up to 60 days prior to the visit.

C. EFVs will be scheduled for no less than 20 hours and no more than 48 hours.

1. The scheduling employee will ensure affected employees (e.g., visit/processing employees) are provided with the names of all approved persons requesting participation for the EFV being scheduled.

D. The Superintendent/designee will establish procedures for scheduling approved individuals and visitors, including:

1. Verification of continued eligibility by the individual’s case manager,
2. Notification to visitors, individuals, and employees, and
3. Cancellation and fill-in procedures.

E. Reasons that a visit may be canceled/terminated include, but will not be limited to:

1. Late arrivals beyond one hour on the date of the scheduled visit, unless previously arranged. Extenuating circumstances beyond the visitor’s control (e.g., automobile breakdown), if confirmed, will be taken into consideration.

2. Failure to submit requested paperwork.
3. Any behavior that causes security concerns or disruption to orderly facility operation.

4. Any violation of EFV policies or procedures.

IX. Conduct of the Visit

A. The Superintendent/designee will establish search procedures for:

1. Visitors and their property entering and leaving the facility, consistent with DOC 420.340 Searching and Detaining Facility Visitors.
   a. Visitors have the option of refusing to be searched, but refusal will result in denied admittance to the facility and may jeopardize future visiting privileges.

2. Individuals entering and leaving the EFV unit, consistent with DOC 420.310 Searches of Offenders.

3. The visit area before and after the visit.

B. The Superintendent/designee will establish count procedures for the visit area, consistent with DOC 420.150 Counts. Employees must visually and verbally communicate with the individual and visitor(s) at least once every 8 hours.

C. The Superintendent/designee will establish procedures for the control of visitor medications during the visit.

1. Visitors are required to document any newly prescribed medication on DOC 16-102 Visitor Medication Questionnaire and send the form to the facility. The facility must receive the form prior to the visit.
   a. Visitors may bring only the prescribed amount of medication to last the duration of the visit.

   b. Prescription medication will only be allowed if current and in the original container purchased from and labeled by a licensed pharmacy.

   c. Prescription drugs are for visitor use only. Visitors may not bring in prescription drugs for anyone else.

D. Medical care for visitors will be limited to emergency medical treatment provided by facility medical employees/contract staff, if available onsite.
E. Visitors are allowed to bring only items identified in Extended Family Visit Allowable Items (Attachment 1). This list will be available at the facility and at www.doc.wa.gov.

1. Exceptions may be made for visitors with a documented allergen with approval from the Superintendent/designee prior to the visit.

2. An ice chest may be used to transport cold products to the facility/EFV unit as identified by the facility.

3. Employees will inspect all food items and watch as the visitor transfers items, as needed, to plastic bags/containers provided by the visitor.
   a. Items may not be allowed if a plastic bag/container has not been provided by the visitor for the item to be transferred.
   b. Liquid will not be transferred to a plastic bag.

4. All leftover food items must be removed from the EFV unit by the visitor.

F. CDs, DVDs, videotapes, and computer games will only be allowed if donated to the facility for EFV use in advance of the visit. The Superintendent/designee will establish a checkout procedure for these items.

   1. Donations will follow DOC 210.060 Donations, and the donated CDs, DVDs, and videotapes must be rated Early Childhood, Everyone, G, Everyone 10+, Teen, PG, PG-13, or equivalent. Unrated (i.e., “NR”) items will not be allowed.

   2. Donated video and computer games must be rated Early Childhood, Everyone, Everyone 10+ or equivalent. Unrated items will not be allowed.

G. If the individual or visitor leaves the assigned EFV unit area at any time without permission, the visit will be immediately terminated.

H. Other individuals will not be allowed into the EFV visit area unless authorized and accompanied by an employee.

I. Procedures for urinalysis testing of the individual before, during, and after visiting will be conducted per DOC 420.380 Drug/Alcohol Testing.

J. Individuals are encouraged to secure their personal property in their locker or other secured space before attending the EFV. Individuals will sign DOC 21-148 Extended Family Visit Property Waiver if leaving personal property unsecured.
K. The Superintendent/designee has the authority to approve, suspend, interrupt, or cancel visits. The visit may be interrupted as necessary or in an emergency.

L. The Superintendent/designee will ensure that the EFV unit and surrounding areas are kept in a safe and sanitary manner.

1. Written information on emergency and evacuation procedures will be maintained in a conspicuous, easy to locate place in the units.

2. Individuals and visitors will ensure that the EFV visit area is left in clean and undamaged condition per established checkout instructions.

3. Procedures will be established to verify the condition of the EFV unit before and after a visit.

4. A schedule will be established to maintain cleanliness. Units will be periodically closed for extermination, painting, major repairs, and deep cleaning.

5. Arrangements will be made to provide maintenance, cleaning, towels, and bedding. Cleaners, detergents, household goods, utensils, furnishings, and similar items as required and approved will be funded through the Incarcerated Individual Betterment Fund.

6. An ongoing inventory will be maintained of EFV unit contents.

X. Family Planning and Prevention of Sexually Transmitted Infections

A. All individuals are encouraged to participate in a family planning program. Family planning information is available through community agencies or upon request from facility Health Services.

B. Spouses/state registered domestic partners will be responsible for providing any additional condoms/barrier protection and/or alternative birth control (e.g., birth control pills) at their own expense.

XI. Service Dogs

A. Service dogs that meet the requirements of the Americans with Disabilities Act may be allowed to attend the visit with their designated escort.

B. Service dogs will not be allowed when a participating individual has a documented history of animal abuse or mistreatment.
C. The designated escort must accompany and supervise the service dog during the entire visit, including:

1. Maintaining control of the dog at all times,
2. Ensuring the dog does not cause damage to any property,
   a. Owners will be responsible for any damages caused by the animal.
3. Ensuring the dog is leashed when outside the EFV unit, and
4. Cleaning up waste. If needed, visitors may request waste management bags from an employee.

XII. Suspension/Termination

A. Any violation of visit rules and procedures is cause for termination of the visit per DOC 450.300 Visits for Incarcerated Individuals. The individual will be subject to disciplinary action for rule violations and/or the visitor may be suspended or terminated from visiting for a designated period of time.

B. If an individual receives an infraction that disqualifies the individual from visiting, the Hearings Officer/case manager will notify the EFV scheduling employee of the ineligibility and the date the individual could become eligible.

   1. Once the individual is eligible for consideration of reinstatement of EFV privileges, the visitor may start the EFV process by submitting a new application.

C. Employees recommending suspension or termination will notify the multidisciplinary FRMT through the individual's case manager. The multidisciplinary FRMT will meet with the individual and make a recommendation to the Superintendent/designee on DOC 21-417 Extended Family Visit Facility Action.

   1. If the Superintendent/designee approves suspension or termination:
      a. Visit employees and the EFV scheduling employee, if applicable, will be notified and the suspension/termination will be documented in the statewide visit system.
      b. Written notification will be given to the individual and visitor(s) within 30 days or at the conclusion of a pending investigation. The letter will be scanned into the individual's electronic imaging file.

XIII. Documentation
A. EFV-related documents and updated information will be scanned/entered into the individual’s electronic imaging file upon completion/receiving by the Headquarters Visit Unit.

B. If supporting documentation (e.g., birth/marriage certificate) has already been provided by an applicant and scanned into the individual’s electronic imaging file, it will not have to be provided again.

DEFINITIONS:

The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Domestic Violence, Spouse. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Extended Family Visit Allowable Items (Attachment 1)
Sex Offenses and Serious Violent Offenses (Attachment 2)

DOC FORMS:

DOC 06-075 Request to Transfer Funds
DOC 13-035 Authorization for Disclosure of Health Information
DOC 13-437 Family Visit Counseling
DOC 16-102 Visitor Medication Questionnaire
DOC 20-279 Consent to Medical Treatment and Waiver of Liability (Visitors)
DOC 20-441 Parent/Guardian Consent for Minor Visit and/or Escort
DOC 21-148 Extended Family Visit Property Waiver
DOC 21-415 Extended Family Visit Application/Acknowledgment
DOC 21-417 Extended Family Visit Facility Action
DOC 21-470 Extended Family Visit Review Decision/Recommendation
DOC 21-665 Extended Family Visit (EFV) Orientation