



CECIL COUNTY
SHERIFF'S OFFICE
DETENTION CENTER
POLICY & PROCEDURES

Policy Number
D1240.1

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Related Policy Statement:

Chapter:

PROGRAMS

Subject:

Visiting

Reference: MCCS - .01 H, .01 J, .05 C, E, N
Montgomery vs. Coughlin, 605 N 4.S 2nd 569 (A.D. 1993)

I. POLICY

Inmates should have the opportunity to maintain family and community ties including access to legal counsel. This policy will be implemented by establishing procedures for visiting and correspondence (mail).

II. DEFINITIONS

A. Social Visits

A "social visit" is a visit by an inmate's family members and/or friends.

B. Legal Visits

A "legal visit" is a visit by an inmates' attorney of record, such attorney's agents, or an attorney representing the inmate in a civil matter. Restricted to attorneys licensed to practice law, and assistants employed by licensed attorneys.

C. Professional Visits

A "professional visit" is a visit by governmental officials who are conducting an interview defined as official business or by a religious professional conducting religious service or consultation.

D. Volunteer Visits

A "volunteer visit" is a visit by a layperson, acting for a recognized non-profit organization, to provide educational, spiritual, or other charitable benefits to an inmate. All volunteer visits will be pursuant to Policy CF1260 and the applicable General Procedures set forth below.

III. PROCEDURES

A. General

- 1. VISITATION IS AN INMATE PRIVILEGE. VISITING PRIVILEGES MAY BE REVOKED, CANCELLED, OR SUSPENDED IF AN INMATE IS ON DISCIPLINARY ACTION. VISITING SESSIONS WILL BE CANCELLED IN THE EVENT OF AN EMERGENCY SITUATION.**
2. Drugs and alcohol are prohibited on Detention Center property. Persons under the influence of drugs or alcohol will be denied visits and may be subject to arrest.

3. No cameras, video equipment, or recording devices are allowed in the Detention Center. Smoking is prohibited inside the Detention Center. Smoking is permitted only in designated areas outside the building.
4. Visiting may be terminated or disapproved by the Center Director or designee when there is evidence that visits jeopardize the security of the Detention Center or the safety of the inmates or visitors.
5. Former inmates may not visit within twelve (12) months of their release. Persons subject to a court-issued "No Contact" order may not visit the inmate in question.
6. No personal belongings, including handbags, purses, briefcases, or other bags, are allowed in the Detention Center. The Detention Center is not responsible for any article(s) lost, damaged, or stolen from vehicles parked on its property or in Visitation lockers.
7. Visitors shall dress appropriately; no bikinis, halters/tube tops, excessively short shorts/skirts, skintight clothing of any type, e.g., spandex/lycra outfits, latex leggings and body stockings, or transparent or sheer clothing may be worn.
8. Visitors are allowed in the building thirty (30) minutes before the start of visiting hours. Visiting is on a first-come-first-serve basis.
9. No food or beverages are allowed in the visiting area.
10. Unaccompanied visitors must be 18 years of age or older with a government issued ID card with photograph.
11. Anyone under 18 shall be accompanied at all times by a parent or legal guardian with the minor's Birth Certificate or proof of legal guardianship. Parents/Guardians shall directly care for and control children they bring to the facility.
12. Every prospective visitor, including legal visitors, shall be scanned by a metal detector and register in the JMS before entering the secure area of the Detention Center. All visitors are subject to search while in the Detention Center.
13. Visitors shall wear a visitor pass displayed at all times while inside the facility.
14. An inmate may have no more than (30) minutes of visitation per week. One (1) adult may visit an inmate at a time. No more than (2) adults may register to share the allotted 30-minute visit.
15. No disruptive noise or behavior, as determined by staff, is allowed.
16. Loitering is prohibited. Those determined to be on Detention Center property for reasons other than to conduct legitimate business will be asked to leave.
17. Any violation(s) of the rules will be cause for removal from the Cecil County Detention Center and/or potential loss of visiting privileges for up to eighteen (18) months.
18. All inmates will be frisk-searched when visit is completed and may be subject to further search in the discretion of staff.

B. Social Visits

Social visits shall occur in the designated areas for such visits only. The officer assigned to visiting shall enter the name of all visitors and the inmate to be visited on the Visitor Log. Visitors shall remain in the waiting area until a visitor's booth is available. The visitor will be directed to the designated area. After the visit has ended, the inmate shall leave the visiting booth and return to their tier or area of confinement. Visitation shall occur according to the established schedule.

C. Legal Visits

In this section, "Attorney" shall include an attorney's agent as authorized by the attorney in writing on the attorney's letterhead.

1. Legal visits shall occur in an official office, conference room, or library. There are no specific visiting hours for legal visits, except such visits may be denied during emergency security situations. Legal visitors shall register in the JMS and enter the facility via the Visitors Control entrance.
2. An attorney of records in the inmate's criminal matter may visit an inmate client without advance approval if licensed to practice law in the State of Maryland as shown by presenting an MSBA courthouse photo identification card or by presenting a photo identification and being listed as a current attorney on the Maryland Court of Appeals Active Attorney Listing. Public defender attorneys need show only a valid work ID to visit an inmate.
3. An attorney of record in the inmate's criminal matter who is not licensed to practice law in the State of Maryland may visit an inmate with advance approval by the Detention Center by providing a Bar Card or other licensing credentials from another jurisdiction and a valid photo identification (State ID, Driver's License). Such an attorney who is not licensed in any of the United States but is licensed in a foreign country must present a letter from his/her country's embassy on embassy letterhead confirming he/she is a licensed attorney in his/her native country and a valid form of identification such as a passport.
4. An attorney who is not the attorney of record in an inmate's criminal case(s) and/or represents an inmate in a matter other than their criminal case(s) shall request attorney visit(s) at least three (3) business days in advance by fax to Cecil County Detention Center, Attention: Director / Designee. A request for an attorney visit shall include the following.
 - a. The attorney letterhead including a current address and phone number.
 - b. The attorney's state of admission, bar license number, and a copy of their bar card or other license credentials.
 - c. The name and inmate number of the inmate whom they seek to visit.
 - d. The jurisdiction, case name, and case number of the matter in which they represent the inmate or a brief description of the nature of the legal matter. For example, if the representation does not involve an open case, the letter should provide a general reference as to what it relates to such as child custody, divorce, bankruptcy, property transfer, etc.
 - e. The general purpose of the attorney visit and the number and duration of attorney

visits being requested.

- f. Proposed dates for the visits.
- g. A statement whether the attorney has a personal relationship with the inmate such as friend, relative, spouse, co-parent, romantic partner, or other relationship.
Attorneys and attorney agents shall not conduct personal visits in legal visitation.

The Detention Center shall advise the attorney in writing whether or not the request is approved. If approved, the attorney shall follow all procedures contained herein. The inmate must consent in advance to the visit(s) approved.

- 5. Attorneys shall not display over-familiarity with inmates, give inmates any item other than printed legal materials to be reviewed during visitation and/or taken back to their cells, or give their clients cds/dvds, tapes, other audio/visual recordings of legal materials, or photographs to keep after visitation. They shall at all times maintain a professional decorum and adhere to protocols consistent with a correctional environment.
- 6. The attorney or record or their agents requesting to meet with more than one inmate during a visit to the facility shall fax their request to the Director/Designee not less than twenty-four (24) hours in advance of the interview date. This will ensure that separations are checked and to the extent possible, that accommodations are made consistent with the safety and security of the facility. With twenty-four (24) hour notice, and agency approval, the attorney of record and their agents may arrange to visit all of his/her clients at one location regardless of their housing unit.
- 7. An attorney who wants to visit a hospitalized inmate shall so advise Detention Center staff who shall provide the attorney with the inmate's hospital and room number and the paperwork necessary to present to the Correctional Officers at the medical outpost and will notify the officers at the hospital that the attorney is coming over directly for a legal visit. Officers on medical outposts cannot terminate sight supervision of the inmate during the attorney visit in the hospital room, but shall allow as much sound privacy as reasonably possible under the circumstances.

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Center Director