

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

Visitation and Its Impact on Texas Holding Facilities

**An Administrative Research Paper
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ABSTRACT

Visitation and its impact on holding facilities is relevant to contemporary law enforcement because the Texas Commission on Jail Standards does not govern holding facilities. Holding facilities have an array of visitation times from no visitation to having visitation seven days a week.

The purpose of this research is to determine if visitation is related to early release from jail at holding facilities. Upon entry into a holding facility inmates are given access to free phone calls. These phone calls provide notification of arrest to family, friends or legal council. The researcher will determine if visitation results in an inmate being released by visitors posting bail or paying a fine. The research will determine if holding facilities should have visitation, reduce or eliminate the procedure.

The method of inquiry used by the researcher included review of data from a holding facility with liberal visitation times, conduct a phone survey with holding facilities in the North Texas region, survey visitors, personal communication interviews, reviewed internet sites and literature.

The researcher discovered that holding facilities offer more days and times for visitation than do State regulated housing facilities. Of the total population of inmates who received visitation 11% were released by bail or a fine being paid within the first twelve hours of visitation. This 11% that was able to get out of jail within the first twelve hours is only 0.8% of the total population of inmates booked into the reviewed jail in 2006. The researcher concluded that only 1.8% of the total population in 2006 was able to get bailed out of jail or had their fine paid by a visitor sometime after visitation occurred. The researcher concluded from the findings that holding facilities should do away with or have very limited visitation times for inmates.

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INTRODUCTION

The issue to be examined considers whether or not holding facilities should allow visitation for inmates. Texas Commission on Jail Standards does not regulate holding facilities. The State regulates county and private housing facilities mandating visitation. Police department holding facilities have varying visitation policies. These holding facilities have an array of visitation times from no visitation to having visitation seven days a week.

The relevance of visitation at holding facilities to law enforcement is that the Texas Commission on Jail Standards does not govern holding facilities. The Commission does not provide any guidance on visitation at holding facilities. The Commission on Accreditation for Law Enforcement Agencies, (CALEA) provides guidance for accredited agencies. CALEA does not recommend holding facilities have prisoner visitation. If an accredited agency has visitation CALEA requires that the department maintain a policy for visitation. Many law enforcement agencies have visitation policies that require their holding facilities have visitation for inmates.

The purpose of this research is to determine if visitation is related to early release from jail at holding facilities. Upon entry into a holding facility inmates are given access to free phone calls. These phone calls provide notification of arrest to family, friends or legal council. If release is not imminent the inmate may be held for housing purposes. In housing, inmates are usually given access to collect phones. Various holding facilities have visitation at different times during the day and the number of visitation days per week differ from agency to agency. The researcher will determine if visitation results in an inmate being released by visitors posting bail or paying a fine. If visitation results in inmates being released the cost to holding facilities would be lessened. Inmates would spend less time in jail, a lower number of inmates would be transferred to another facility, liability for housing would be lessened, there could be less

medical transfers, and there would be lower housing costs related to essential inmate care. Departments may choose to add or increase visitation at holding facilities.

If the researcher finds that there is little or no correlation to inmate visitation and early release, reducing or eliminating visitation could result in less one-on-one contact with inmates, reduce or eliminate staffing costs to support visitation, and allow resources to be used elsewhere for other jail functions. Future building costs could be impacted by departments choosing not to build visitation centers within their holding facilities.

Arrestees are given free phone access after being booked into jail. Inmates also have access to collect phones when placed in housing. Arrestee family and friends routinely request to visit with the incarcerated. One-on-one contact is not permitted. Most holding facilities do not record or listen to the personal conversations during visitation. The research question to be examined focuses on whether or not visitation is related to early release by bail or fines being paid by visitors resulting in release of the inmate. Visitation by council is regulated by departmental policies and is not part of this research.

The intended method of inquiry includes review of data from a holding facility with a liberal visitation policy. The researcher will obtain data to include the date and time of arrest, date and time of visitation, date and time of release and type of release. The researcher will conduct a phone survey with holding facilities in the North Texas region to determine if visitation is held, number of days a week visitation is held and the amount of time visitation is given. A review of the data will be conducted with the holding facilities survey. The researcher will survey visitors to determine why they came to visit an inmate. Personal communication interviews will be conducted with a representative from the Texas Commission on Jail Standards and several holding facility administrators about their policies on jail visitation. The researcher

will review literature related to visitation policies at housing and holding facilities including CALEA standards.

The anticipated findings of the research is that visitation at holding facilities does not assist with the release of the inmate by visitors securing bail or paying a fine. The researcher hypothesizes that the use of a phone to notify family or friends provides for sufficient notification to assist with release. The researcher will not evaluate who can visit or duration times of visitation.

The field of law enforcement will be influenced by the conclusions because most holding facilities allow some sort of visitation. Dependant upon the researcher's findings holding facilities may choose to add or increase visitation to help increase the number of releases or reduce or eliminate visitation to reduce costs and lessen inmate contact with staff. The research conclusion may also influence new construction for holding facilities either by adding adequate visitation rooms to allow visitation or not include visitation rooms in construction plans. Providing a separate visitation area for legal council may be more cost effective and appropriate.

REVIEW OF LITERATURE

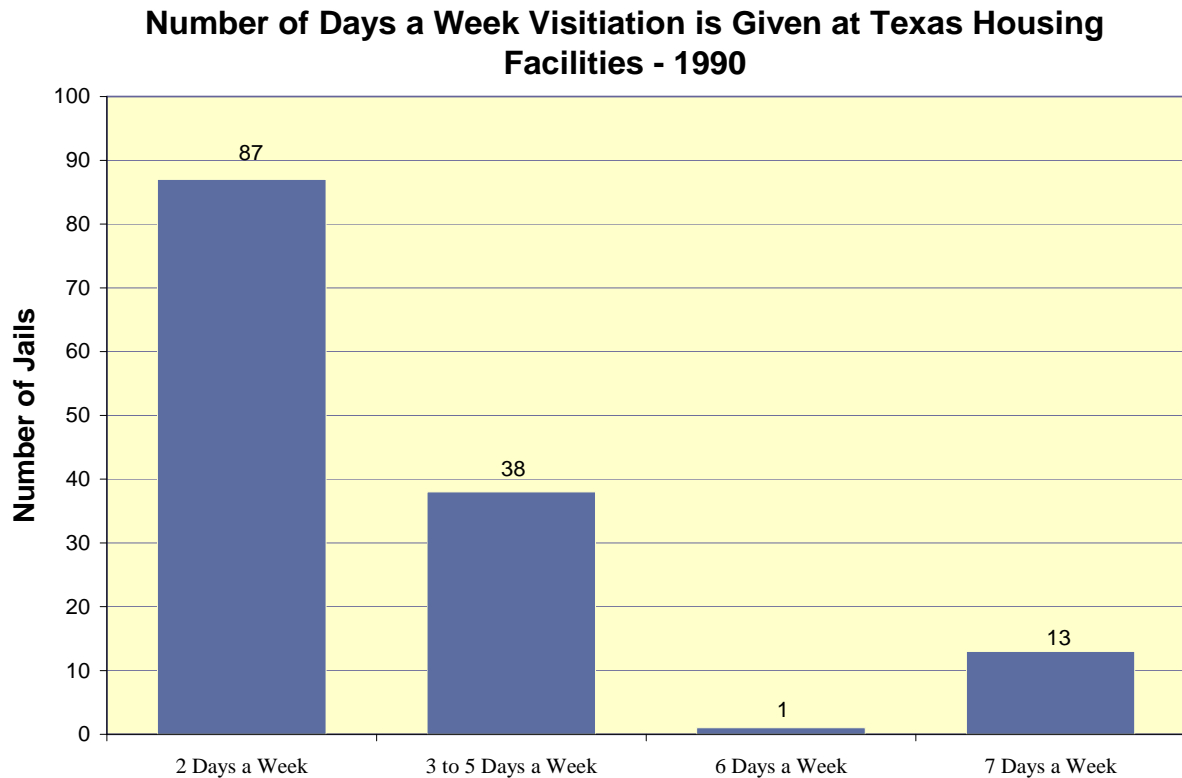
The researcher wanted to determine how many times a week visitation was allowed in Texas housing facilities. A descriptive study of Texas jails was conducted by Professor Rolando del Carmen through the Center for Criminal Justice at Sam Houston State University in 1990. (Texas County Jails, 2001: A Status Report) The survey included questions about visitation. Housing facility administrators were asked how often inmates were allowed to have visitors. There were 139 respondents who answered this question. More than six in ten jails permitted inmates to have visitors two days each week. A total of 87 jails followed this schedule. Thirty eight jails permitted inmates to have visitors from three to five days each week. Thirteen jails

permitted inmates to have visitors every day. One jail permitted inmates to have visitors once every six days. (Figure 1)

Administrators were asked how long each visit lasted. One hundred and forty housing facility administrators responded to this question. Ninety-eight managers (70%) of the group reported visits of 20 minutes. Another 24 (17.1%) reported visits of 30 minutes. County holding facilities are required to make arrangements for inmates to have periodic visits from relatives and friends (TCJS, 2000). The survey asked administrators the level of importance that they placed on inmate visitation. The housing facility administrators felt that visitation was important for inmate morale. The report did not question if visitation was effective in helping with the release of inmates by visitors posting bail or paying fines.

The researcher did a search of literature exploring if any author had written or documented a correlation between visitation and releases. The researcher did not find any such documentation.

Figure 1



METHODOLOGY

The research question to be examined considers whether or not inmate visitation supports the release of inmates at holding facilities. Holding facilities are not regulated by the Texas Jail Commission. These facilities have an array of visitation times spanning from no visitation to visitation being held seven days a week.

The researcher hypothesizes that visitation at holding facilities does not assist with the release of the inmate by visitors securing bail or paying a fine. The researcher hypothesizes that the use of a phone to notify family or friends provides for sufficient notification to assist with release. The researcher hypothesizes that the primary reason family and friends visit with inmates is for moral support.

The method of inquiry will include a review of data from one Texas departmental holding facility. The researcher will conduct a phone survey with holding facilities in the North Texas region to determine if visitation is held and how often. People who come to the holding facility to visit with an inmate will be surveyed to determine why they came. This survey will be used to determine the reasoning for the visit. Personal communication interviews will be conducted with a representative from the Texas Commission on Jail Standards and several holding facility administrators about their jail visitation practices. The researcher will review literature related to visitation policies at housing and holding facilities including CALEA standards.

The instrument that will be used to measure the researcher's findings regarding the subject of jail visitation will include a review of one year of data from one Texas departmental holding facility to include the date and time of arrest, date and time of visitation, date and time of release and type of release. The size of the survey will consist of four questions distributed to 31 survey participants from the North Texas region.

The response rate to the survey instrument resulted in 31 respondents in the North Texas region. The information obtained from the survey will be analyzed by the researcher. A review of the data will be compared with the holding facilities visitation survey and visitation questionnaire.

FINDINGS

Holding facilities present some of the most perplexing and confusing areas of the criminal justice system. Jails are a crucial component of the justice system because they represent the hub where law enforcement, the courts and corrections come together. It is important to understand that political factors involving a holding facility in your community reach beyond the local level. State law regulates and delegates authority over housing facilities

and identifies such entities. The Texas Legislature created the Commission on Jail Standards in 1975 to implement a declared state policy that all county jail facilities conform to minimum standards of construction, maintenance and operation. In 1983, the Texas Legislature expanded the jurisdiction of the Commission to include county and municipal jails operated under vendor contract. In 1997, the Texas legislature affirmed that counties, municipalities and private vendors housing out-of-state inmates are within the commission's jurisdiction. (Texas Administrative Code) Holding facilities are not regulated by the Texas Jail Commission. A typical holding facility will simultaneously house prisoners for class-c violations and warrants to murderers. Any changes in state level justice may necessarily impact these two distinct facilities. Holding facilities transfer prisoners charged with more serious crimes to the county jail. While holding facilities are referred to as "jails", they are not regulated unless they contract to hold county prisoners. Some municipal holding facilities join organizations like the Commission on Accreditation for Law Enforcement Agencies (CALEA) that mandate regulations to maintain a level of professionalism and proficiency.

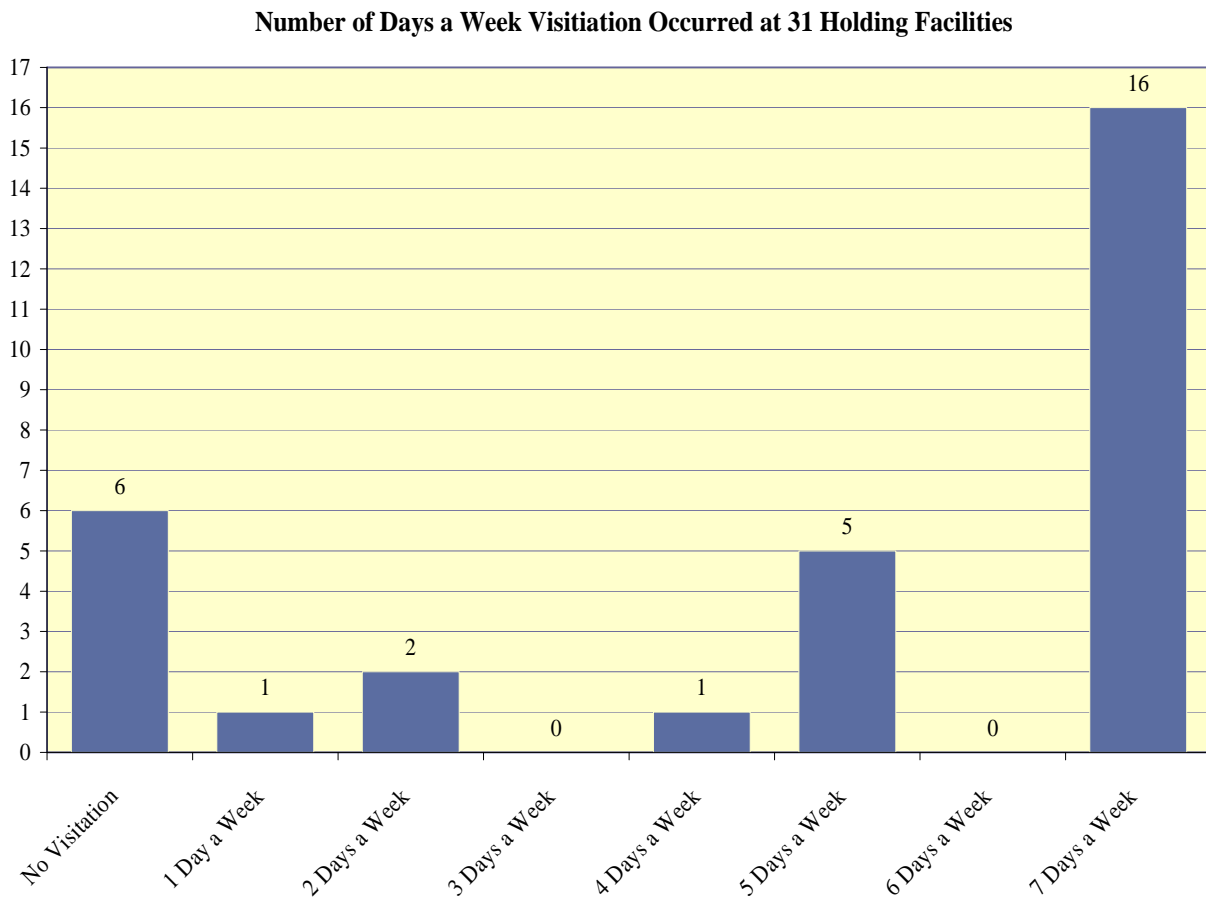
The reader must remember that local jails exist within a political environment (Clear & Cole, 1997). There is little public support for increased jail spending. Jail administrators are keenly aware of all financial considerations relative to their jail's operation. The researcher believes jail administrators would attempt to be viewed in the best light possible concerning jail operations and expenditures. The researcher emphasizes that the present study is not intended to rate individual jails against one another; therefore the researcher has refrained from making any comparative judgments. The researcher did not explore the political consideration to having or restricting visitation at a holding facility.

When building a holding facility policy-makers should make considerations for construction costs to determine the best value available when building a holding facility. Comparisons from City to City may not always measure the economic or political culture where a facility is located. Questions that need to be address include; should the structure include a visitation center? How many days a week should visitation be held? What times during the day and how long should visitation last? If a visitation center is not built then an area for attorneys and inmates needs to be added to the facility. Security of the visitors, prisoners, and staff is critical requiring procedures and policies to address visitation. It is imperative that the decision be based on an empirical understanding of jail operations.

In constructing the questionnaire the researcher determined each holding facilities maximum population. Questions pertaining to visitation were; how many days a week the holding facility has visitation? How many hours per day were devoted to visitation? How many visitors per day will your department allow the inmate to see?

A total of 31 holding facilities were surveyed and provided a response in the North Texas region. Sixteen holding facilities permitted inmates to have visitors seven days each week. A much smaller number, five holding facilities, permitted inmates to have visitors five days each week. One holding facility permitted inmates to have visitors four days a week. Two facilities allowed visitation twice a week and one facility allowed visitation once a week. Of the 31 holding facilities six did not allow any visitation for inmates. (Figure 2) The researcher asked how long each visit lasted. The most common answer given was 15 to 20 minutes.

Figure 2



The researcher was able to obtain one year worth of corrections data from a holding facility in the North Texas region. The data included the inmates booking number, the time and date the inmate was admitted into jail, the time and date the inmate received a visitor, the time and date the inmate was released from jail and the type of release. The release type includes paid fine, posted bail, time served or transferred to another facility. The researcher only used data from inmates who had visitation while in jail. If several visitations occurred while the inmate was in custody the researcher only used the first visitation time and date in which visitation occurred. The researcher captured the booking number for each inmate. A booking number is a unique identifier that represents an inmate while in custody. A new booking number is assigned to an

inmate each time they are incarcerated. The researcher only calculated the time of release for inmates who were released by bail or fine after they received visitation. In 2006 the city demographics identified the population at 362,393. The police force has fewer than 580 officers. The median income for the population is \$48,617. The studied holding facility can accommodate up to 100 inmates. The average stay for inmates is three (3) days. Visitation is offered seven days a week to anyone 18 years or older who has a valid government identification card.

In 2006 there were sixteen thousand three hundred fifty eight (16,358) inmates booked into the holding facility. During the evaluation period one thousand one hundred fifty three (1,153) inmates received visitation. Because some inmates had multiple visits the total number of documented visits in 2006 was one thousand five hundred thirty four (1,534). Visitation is held seven days a week from 4:00 PM to 6:00 PM. Periodically the holding facility would cancel visitation due to various reasons. The reasons for canceling visitation did not affect the outcome of the research so they are not identified.

Of the inmates who received visitation one hundred two (102) inmates were released by bail within six hours of the visitation. Within seven to twelve hours of visitation twenty-nine inmates were released by bail or paying a fine. Within thirteen to twenty-four hours fifty-nine inmates were released and within thirty-six hours forty-nine inmates were released by bail or paying a fine. Within thirty-seven to forty-eight hours eighteen inmates were released. After forty-eight hours the number of inmates released by bail or fine drops dramatically. Within forty-nine to sixty- hours fifteen inmates were released. Within thirty-one to seventy-two hours five inmates were released. There were seventeen inmates released after seventy-two hours. In

all two hundred eighty seven inmates were released by bail and seven had their fines paid.

(Figure 3.1, Figure 3.2)

Figure 3.1

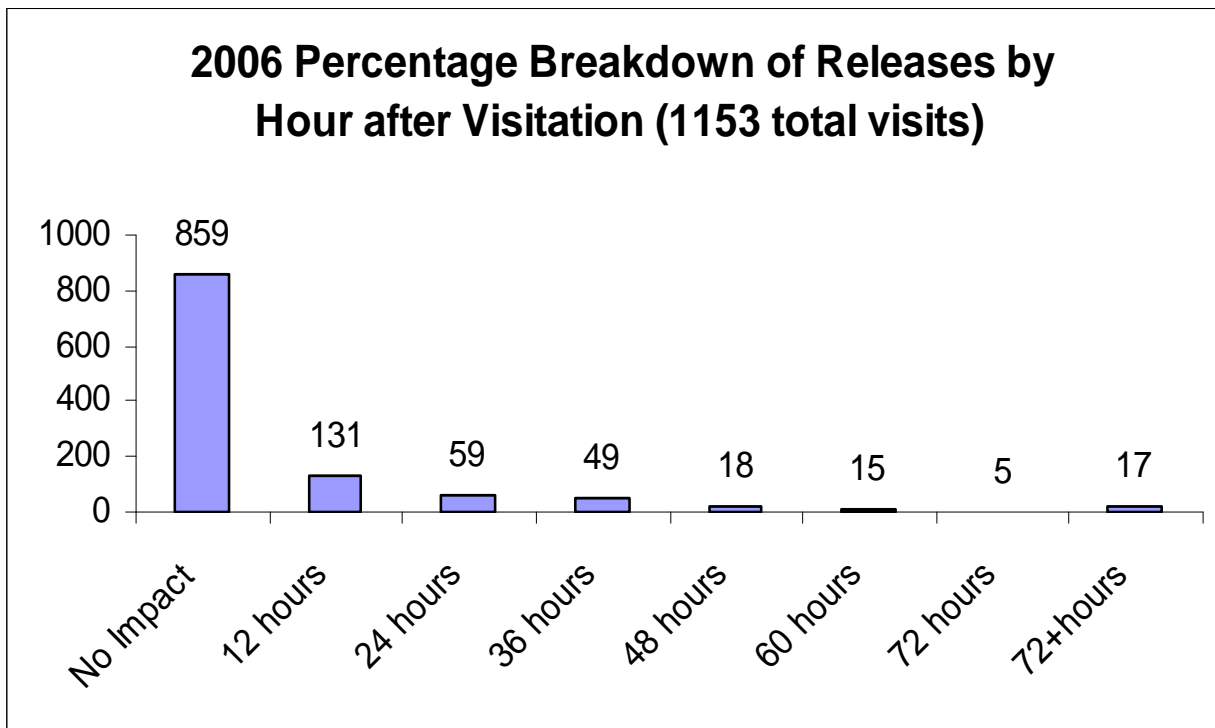
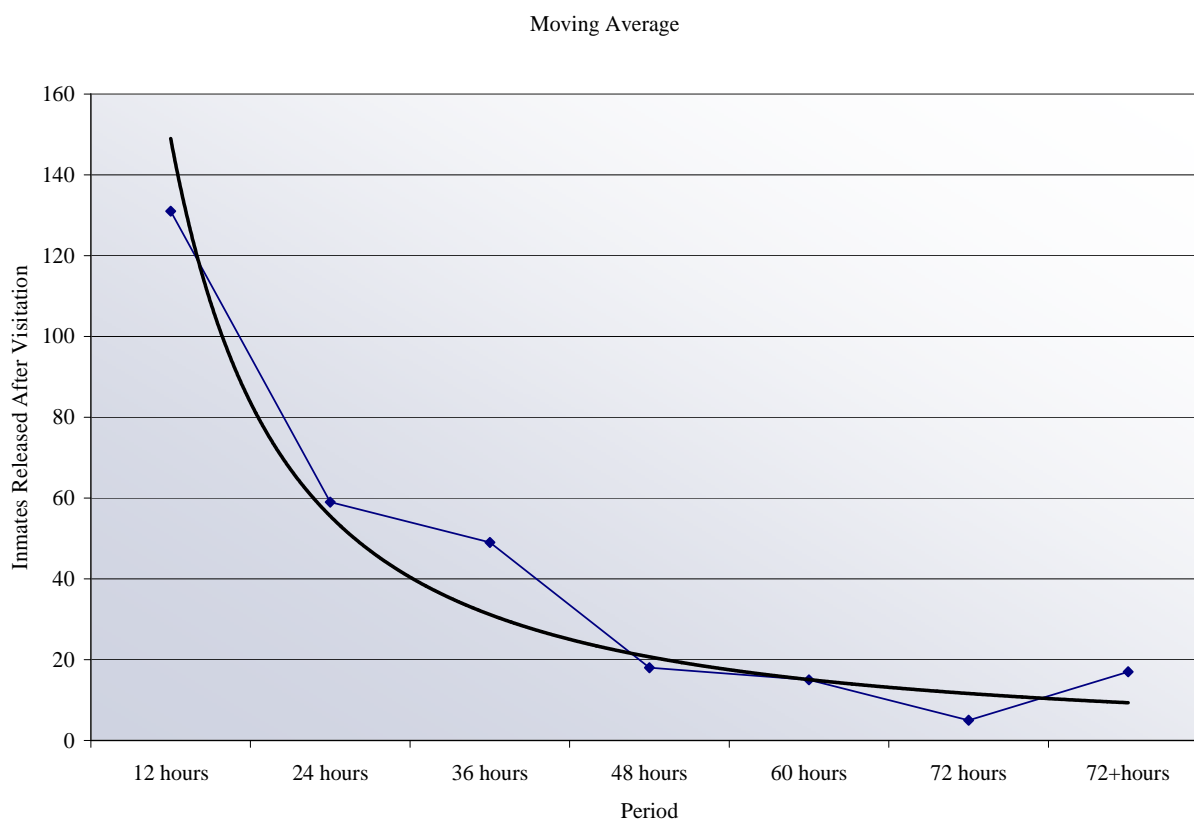
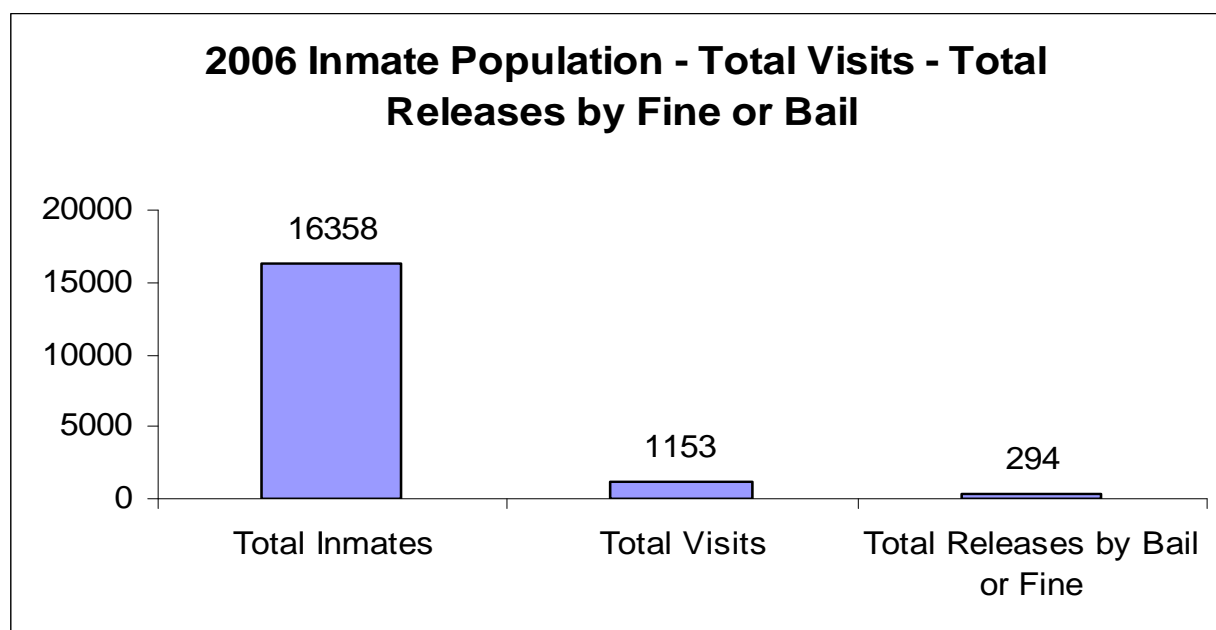


Figure 3.2



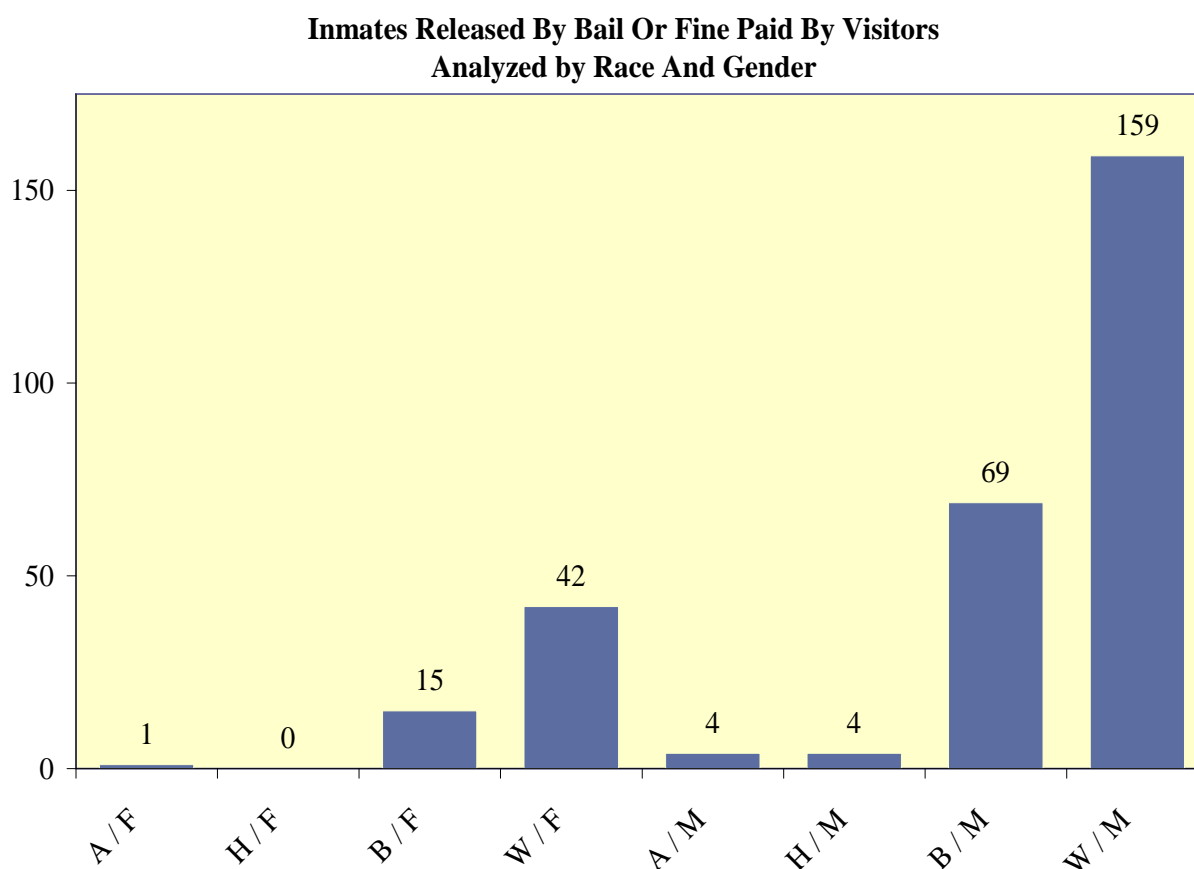
The holding facility visitation policy allows visitation from 4:00 to 6:00 PM. The inmates are locked down away from phones at 9:00 PM for bedding. Inmate cells are opened again at 7:00 AM. Inmates do not have access to phone usage for ten hours, three hours after visitation ends. After 7:00 AM inmates have access to a phone and can again try to secure their release by telecommunication. Of the total population of inmates who received visitation one hundred thirty one or 11% were released by bail or a fine being paid within the first twelve hours of visitation. This is 0.8% of the total population of inmates booked into the jail in 2006. Of the sixteen thousand three hundred fifty eight inmates booked into the jail in 2006 only two hundred ninety four inmates or 1.80% of the total population was able to get bailed out of jail or had their fine paid by a visitor sometime after visitation occurred. (Figure 4)

Figure 4



Race and gender are interesting elements when it comes to evaluating cultural and gender differences. The researcher compared men to women who had visitation and were later released by bail or a fine being paid. There were fifty-eight women and two hundred thirty six men in the grouping. In the women's category there was one Asian female, fifteen black females and forty-two white females. There were no Hispanic females who had visitation and were later released by bail or a fine being paid. In the men's category there were four Asian males, four Hispanic males, sixty-nine black males and one hundred fifty nine white males. The researcher looked at the race and gender of those inmates who had visitation and were subsequently release by bail or a fine being paid. When looking at the race and gender the researcher determined the amount of time it took to release the inmate after visitation was irrelevant and that calculation was not completed. The researcher did find that of all women who had visitation 72% were white Anglo and 28% were from minority races. In the men's category 67% were white Anglo and 33% were from minority races. (Figure 6)

Figure 6



Of the sixteen thousand three hundred fifty eight (16,358) total inmate population twelve thousand three hundred sixty two or 76% were men and three thousand nine hundred ninety six or 24% were women. Of the total one thousand one hundred fifty three (1,153) inmates who had visitation in the facility nine hundred nineteen or 80% were men and two hundred thirty four or 20% were women. Of the two hundred ninety four inmates who had their fine paid or were bailed out of jail sometime after visitation two hundred thirty six or 80% were men and fifty eight or 20% were women.

A visitation questionnaire was submitted to people requesting to visit with inmates. The survey was conducted for four weeks at the studied holding facility. There were 114 respondents. The survey was one page and asked four questions. The survey questions asked “Who are you here to visit with?” “Do you know why the person is in jail?” (Figure 7) “What is

the purpose of your visit?” (Figure 7.1) and “How did you find out the person you came to visit with was in jail?” (Figure 7.2) Three of the questions had pre-selected responses that the respondent could check off. Respondents were asked to check only one response that applied most to their situation. Although most respondents followed the instructions some felt compelled to check more than one box. Clerks who reviewed the responses clarified to the respondents that only one best associated response should be marked for each question. Respondents were then asked to correct their responses. When visitors were asked if they knew why the person they were visiting with was in jail ninety-seven or 85% of the respondents indicated they did know.

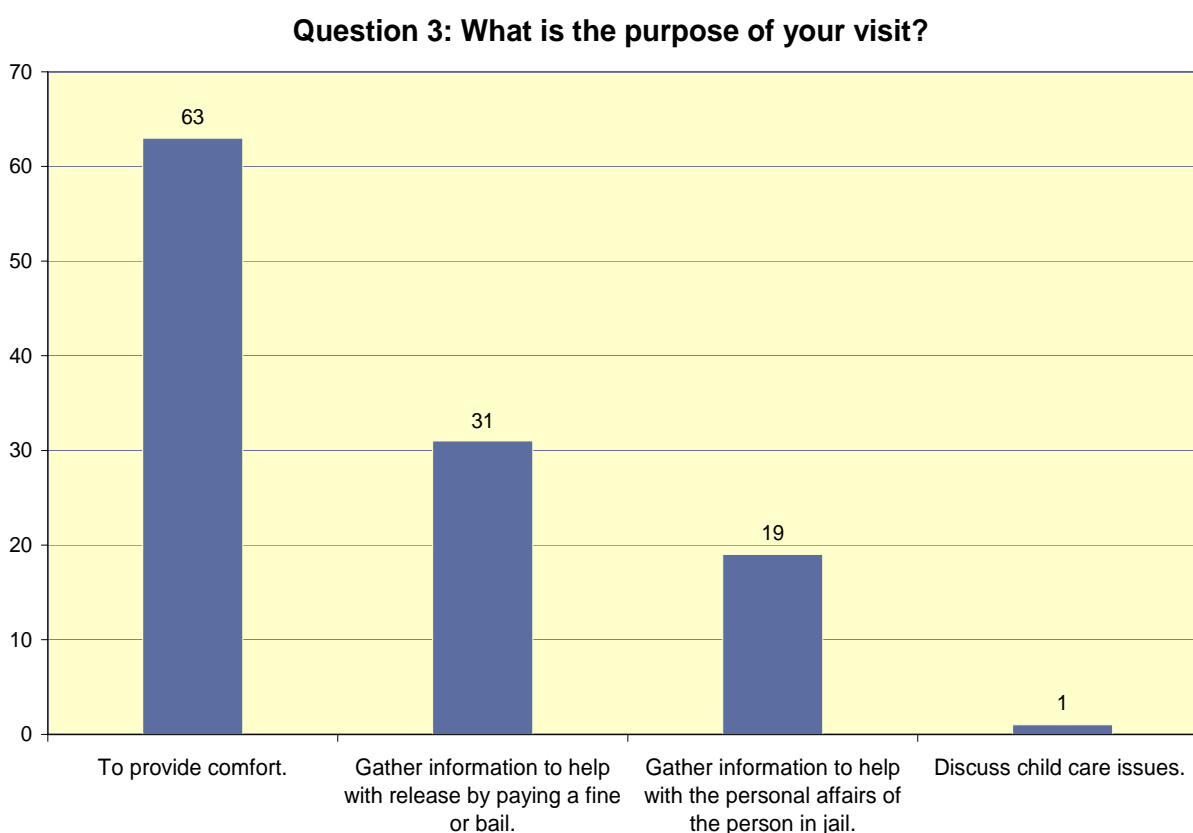
Figure 7



When asked what the purpose of the visit was, sixty-three respondents or 55% indicated they were there to provide comfort to the inmate. Thirty-one or 27% indicated they were there to gather information to help with the release by paying a fine or bail. Nineteen or 17% indicated

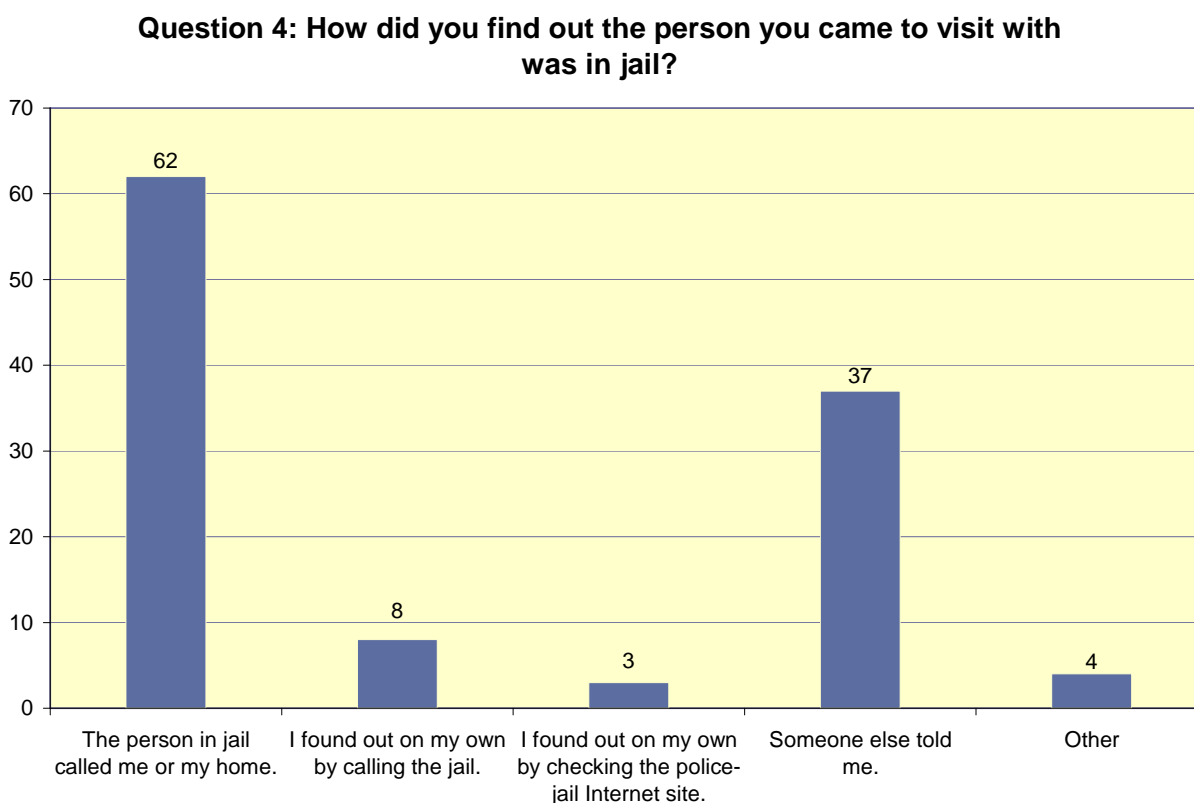
they were there to gather information to help with the personal affairs of the person in jail. Of the primary reason to visit only one person indicated they were there to discuss child care issues.

Figure 7.1



The last question written on the questionnaire asked visitors how they found out the person they came to visit with was in jail? Of the responses sixty-two respondents or 54% indicated the person in jail called them. Only eight respondents or 7% found out by calling the jail. Three respondents or 3% found out by checking the police Internet site that posted in-custody inmates names. Thirty-seven or 32% of those surveyed indicated they were notified by someone else who knew the inmate was in custody. A small 4% or 4 people wrote on the form that they were with the subject when he was arrested and none of the selected responses matched.

Figure 7.2



DISCUSSION/CONCLUSIONS

The issue examined by the researcher considered whether or not to have visitation at holding facilities. The purpose of this research was to determine if family visitation is related to early release from jail at holding facilities. Upon entry into a holding facility inmates are given access to free phone calls just after being booked into custody. These phone calls provide notification of arrest to family, friends or legal council. If release is not imminent the inmate may be held for housing purposes. When inmates are not able to get out of jail in a timely fashion they are usually dressed in a jail uniform and placed in a housing cell or dorm style room where the inmate has access to collect phone calls.

Visitation by council is regulated by departmental policies and is not part of this research. Various holding facilities have visitation at different times during the day and the number of

visitation days per week differ from agency to agency. This researcher will determine if visitation results in an inmate being released by visitors posting bail or paying a fine. If visitation results in inmates being released the cost to holding facilities would be lessened. Inmates would spend less time in jail, a lower number of inmates would be transferred to another facility, liability for housing would be lessened, there could be less medical transfers, and there would be lower housing costs related to essential inmate care. Departments may choose to add or increase visitation at holding facilities. Dependent on the number of releases compared to the housing facility population staffing will need to be evaluated to support visitation or increasing the amount of days and time visitation occurs.

If the researcher finds that there is no correlation to inmate visitation and early release, reducing or eliminating visitation could result in less one-on-one contact with inmates, reduce or eliminate staffing costs to support visitation, and allow resources to be used elsewhere for other jail functions. Building costs should be examined to determine if a visitation center is needed for a new housing facility. Planners should examine the cost benefit to having a visitation center when there is no benefit or regulation requiring one. Providing a separate visitation area for legal council may be more cost effective.

The research question that was examined focused on data from one North Texas holding facility that captured the date and time of arrest, date and time of visitation, date and time of release and type of release. The facility also captured the gender and race of the inmates who received visitation. The researcher conducted a phone survey and contacted thirty-one holding facilities in the North Texas region to determine if visitation is held, number of days a week visitation is held and duration of the visit. A correlation review of the data was compared with the holding facilities visitation survey. The survey identified fifteen holding facilities that had

visitation up to five days a week or no visitation at all. Sixteen of the thirty-one holding facilities had visitation seven days a week. Due to a lack of standards or mandates by the State there is no consistency with visitation standards for holding facilities.

A personal communication interview was conducted with a representative from the Texas Commission on Jail Standards. The Commission does not regulate holding facilities and will not provide guidance on visitation at holding facilities. During the survey with holding facilities numerous jail administrators made unsolicited comments on their jail visitation. A common theme stated was a lack of understanding as to why their facility had visitation. Current administrators were not the original administrator in place when the facility opened.

The researcher reviewed literature related to visitation and visitation policies at housing and holding facilities. State law mandates a minimum standard of allowing two visitation times a week for housing facilities. The Commission on Accreditation for Law Enforcement Agencies, (CALEA) provides guidance for visitation to its accredited agencies. CALEA does not recommend holding facilities have prisoner visitation because most holding facilities are not equipped to properly manage the function.

The researcher hypothesized that visitation at holding facilities does not assist with the release of the inmate by visitors securing bail or paying a fine. The researcher hypothesized that the use of a phone to notify family, friends or legal council was sufficient notification to assist with release. The researcher hypothesized that the primary purpose for visitation was for moral support of the inmate.

The researcher concluded from the findings that holding facilities should do away with or have very limited visitation times for inmates. The findings of the research did support the hypothesis. A review of the 2006 inmate book-in data from a holding facility identified 16,358

inmates. Of the total population one thousand one hundred fifty three (1153) inmates received visitation. Of all the inmates who received visitation one hundred thirty one (131) or 11% were released by bail or a fine being paid after the first twelve hours of visitation. Since visitation is held in late afternoon hours the researcher concluded that visitation supported release of the inmate within approximately the first twelve hours of receiving a visitor. Although the primary release time identified by the research is within the first 6 hours after visitation the researcher concluded that since inmates do not have access to phones and are locked down overnight some family and friends continue to work on the release during the overnight hours. The researcher identified that within the first twelve hours after visitation releases are only 0.8% of the total population of inmates booked into the jail in 2006.

The researcher concluded that race and gender did not play a role in release after visitation. Race and gender percentages closely mirrored the overall percentages of the visitation population. Thirty-three percent (33%) of the minority men's population and 28% of the minority women's population were released sometime after visitation.

A four week survey at the studied facility was conducted with visitors. A total of 114 visitors were given a survey that asked four questions. One question asked if the visitor knew why the person they were there to visit with was in jail. Overwhelmingly 85% of the respondents reported they did know why the person was in jail. Another question asked, what is the purpose of your visit? Of the responses 55% reported the reason why they were visiting with the inmate was to provide comfort. Twenty-seven percent (27%) were there to visit and attempt to gather information to help get the inmate out of jail. When visitors were asked how they found out the inmate was in-custody 54% indicated the inmate called them while 32% found out by someone else. In review of the survey questions the researcher concluded that inmates had

sufficient phone usage to notify family, friends or legal council that they were in jail. The researcher concluded through the visitation survey that for over half of all visitations the primary reason for visitation is to provide up close comfort to the inmate and not to support the inmate's release.

The reason why the findings did support the hypothesis is probably due to inmates being provided access to free phone calls when they are initially booked into jail. The initial phone call provided notification of an arrest and directions to family, friends and legal council on where the inmate is located and possibly why they were incarcerated. Bail and fine amounts can be provided for those contacted in order to start the process of release. Inmates have the ability to make follow up phone calls from their cell blocks between 7:00 AM to 9:00 PM to check on the progress of their release.

Limitations that might have hindered this study resulted because departmental records related to corrections are routinely tracked by holding facilities but are not tracked to formulate relevance to the researcher's question. While the researcher was able to obtain data from one department a program to extract and read the data had to be built. The researcher was not able to obtain economic resource data pertaining to the wealth of inmates or visitors in order to post bail or pay a fine for release.

The study of jail visitation is relevant to contemporary law enforcement because law enforcement will be influenced by the conclusions. Most holding facilities allow some sort of visitation. The researcher's findings tend to support reducing or eliminating visitation at holding facilities. Departments with holding facilities may choose to reduce or eliminate visitation for visitors to reduce costs and lessen inmate contact with staff. The research conclusion may also influence new construction for holding facilities by eliminating or reducing the size of visitation

rooms in future construction plans. Holding facilities should provide inmates with easy access to phones in order for them to assist with securing their own release. The researcher discovered that holding facilities overall provided inmates with more personal outside contact with visitors than did housing facilities regulated by the state. Holding facilities are expending resources for visitation and are getting little to no return for their efforts in allowing visitation. The researcher questions why holding facilities have visitation? The cultural or social economic demands of the community may demand inmate visitation. As reported in the Texas County Jails, 2001: A Status Report, housing administrators felt that visitation was important for inmate morale. Since holding facilities usually transfer inmates within a relatively short period of time to housing facilities the need to support inmate morale by visiting may be irrelevant.

Police Departments that utilize holding facilities stand to be benefited by the results of this research to assist with policy decisions on whether to have visitation at their holding facility. The findings may also influence new construction for holding facilities by not including or reducing the size of visitation rooms in construction plans. If departments decide to reduce or eliminate visitation there will be less one-on-one contact with inmates that will enhance security in the facility. Staffing needs for visitation can be averted for other services within the holding facility.

REFERENCES

Clear, T., & Cole, G. (2000). American corrections. California: Wadsworth Publishing.

Texas Administrative Code Title 37, Part 9, Chapter 291, Rule 291.4, Inmate Visitation Plan

Source Note: The provisions of this §291.4 adopted to be effective December 27, 1994, 19 TexReg 9880; amended to be effective May 3, 1995, 20 TexReg 2867. Texas Administrative Code §251.1 adopted to be effective December 27, 1994, 19 TexReg 9878; amended to be effective September 2, 1997, 22 TexReg 8404.

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APPENDICES -- Appendix 1

[illegible]

Appendix 2

Visitation Questionnaire

1. Who are you here to visit with? _____
2. Do you know why the person is in jail? Circle one: Yes or No
3. What is the purpose of your visit? Check only one that applies the most.
 - _____ To provide comfort.
 - _____ Gather information to help with release by paying a fine or bail.
 - _____ Gather information to help with the personal affairs of the person in jail.
 - _____ Discuss child care issues.
4. How did you find out the person you came to visit with was in jail?

Check only one.

- _____ The person in jail called me or my home.
- _____ I found out on my own by calling the jail.
- _____ I found out on my own by checking the police-jail internet site.
- _____ Someone else told me.

Please return this form back to the clerk in the window. They will call you when visitation starts.

Appendix 3

CALEA Chapter 72 HOLDING FACILITY

Most standards in this chapter apply only to those agencies operating short-term holding facilities to maintain custody of detainees for periods usually not exceeding 72 hours, excluding holidays and weekends. Such facilities include substations or precinct lockups, as well as facilities operated as collection centers in which detainees are held for periods not exceeding 72 hours before their transfer to longer term detention facilities. Also included are facilities under the control of the agency located in the court and used by the agency's court security officer(s) to hold detainees awaiting appearances. These standards are marked with an asterisk (*).

Not included in this category are holding facilities co-located with and operated as an integral part of a jail or other correctional institution whose primary purpose is to house detainees for periods exceeding 72 hours. Agencies operating such facilities should contact the Commission on Accreditation for Corrections for possible accreditation.

Subchapter 72.9 (Temporary Detention) applies to agencies that have no holding cells *per se* but may detain or hold persons for a period not to exceed two hours in a room, space, or area for the purpose of processing, questioning, or testing. In this instance, the detainee may not be under the continuous control or supervision of agency personnel. The period when detainees are not under the continuous control or supervision of agency personnel may not exceed two hours. In the rare circumstance when a detainee is shackled to an immovable object designed and intended for such use, the restraint period may not exceed two hours. This method of detention should be used only when no other suitable method of detention is available.

Applicability of these standards may be determined on a case-by-case basis. However, as a general rule, standards in this chapter will be applied when a person is locked into any space or is shackled to an immovable object and is not continually under the direct, personal supervision and control of another person who can immediately intervene on behalf of the agency or the detainee. These standards will not apply when an agency has no holding facility and keeps its detainees under continual supervision and control.

72.8.5 *A written directive governs procedures for visiting detainees.*

Commentary: Holding facilities are generally not equipped to handle visitors. Visits should be discouraged until detainees arrive at the appropriate correctional institution where visitations can be appropriately managed.

Holding facility security is paramount. All contact with a detainee should be closely monitored and controlled to avoid transfer of weapons or contraband. In exceptional situations, where a detainee should meet with a visitor, such as an attorney, the detainee should be removed from the holding facility and brought to another location for the meeting.

The detainee should be carefully searched before leaving and re-entering the holding facility.

Each visitor should be required to register his or her name, address, and relationship to detainee upon entry.

Generally, all visitors, and their belongings, coming into direct contact with detainees should be searched.

Appendix 4

Texas Administrative Code

TITLE 37

PART 9

CHAPTER 291

RULE §291.4

PUBLIC SAFETY AND CORRECTIONS

TEXAS COMMISSION ON JAIL STANDARDS

SERVICES AND ACTIVITIES

Inmate Visitation Plan

Each facility shall have and implement a written plan, approved by the commission, governing inmate visitation. The plan shall:

- (1) indicate frequency of visitation periods; each inmate shall be allowed a minimum of two visitation periods per week of at least 20 minutes duration each;
- (2) provide that at least one visitation period be allowed during evenings or weekends;
- (3) provide for reasonable attorney/client visitation;
- (4) provide procedures for the selection of visitors, including inmates' minor children. Accompaniment by parent, guardian, or legal counsel may be required;
- (5) define procedures where contact visitation is permitted;
- (6) contain procedures for emergency visitation.

Source Note: The provisions of this §291.4 adopted to be effective December 27, 1994, 19 TexReg 9880; amended to be effective May 3, 1995, 20 TexReg 2867.