

PROPOSED CHANGE TO STANDARDS

§291.4

Visitation

The Commission is proposing to amend 291.4 Visitation as mandated by House Bills 549 and 634, 84th Legislature. The proposed text is bolded.

291.4 Visitation.

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 **in-person, noncontact** visitation periods per week of at least 20 minutes duration each;

a. Facilities exempt from in-person visitation shall be determined by the provisions set forth in Government Code 511.009 (20) (a-1).

b. The requirement of in-person visitation does not remove a sheriff's/operator's authority to limit visitation for disciplinary reasons as per Texas Administrative Code Title 37 Part 9 §283.1.

- (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. **The sheriff/operator shall provide procedures regarding visitation by a guardian. The procedures shall include placement of a guardian, at the guardian's request, on the inmate's visitation list, and provide the guardian access to the inmate during regular visitation hours to an eligible inmate. A guardian's visit shall be in addition to normal visitation. The sheriff/operator shall require the guardian to provide the sheriff/operator with letters of guardianship as provided by Sections 1002.012, 1106.001-1106.003, Estates Code, before allowing visitation with the inmate;**
- (5) define procedures where contact visitation is permitted;
- (6) contain procedures for emergency visitation.

RECOMMEND: PUBLISH THE PROPOSED CHANGE TO STANDARD.