VISITING INFORMATION EXCERPTED FROM

THE CALIFORNIA PRISON & PAROLE LAW HANDBOOK

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YOUR RESPONSIBILITY WHEN USING THIS HANDBOOK

When we wrote *The California Prison and Parole Law Handbook*, we did our best to provide useful and accurate information because we know that people in prison and on parole often have difficulty obtaining legal information and we cannot provide specific advice to everyone who requests it. However, the laws are complex change frequently, and can be subject to differing interpretations. Although we hope to publish periodic supplements updating the materials in the Handbook, we do not always have the resources to make changes to this material every time the law changes. If you use the Handbook, it is your responsibility to make sure that the law has not changed and is applicable to your situation. Most of the materials you need should be available in a prison law library or in a public county law library.

regulations may force the CDCR to clarify its policies and produce a regulation that is more clear and fair than the one it replaces.

2.7 Right to Challenge Regulations

The APA provides that any person who may be affected by a regulation may for review of the regulation by filing a complaint for declaratory and injunctive relief in a state superior court. Grounds upon which a regulation can be challenged include (1) a substantial failure to comply with the APA procedures; (2) for an emergency regulation, that the facts recited in the statement of necessity do not constitute an emergency; or (3) the record of the rulemaking proceeding does not contain sufficient evidence that the regulation is reasonably necessary to carry out the purpose of the law relied upon as authority. [45]

Moreover, a regulation can be challenged on the ground that it violates a higher federal law (like the U.S. Constitution or federal statutes that apply to the states) or higher state law (like the California Constitution or statutes).

VISITATION AND COMMUNICATION RIGHTS

2.8 Rights to Personal Visits

The First Amendment to U.S. Constitution includes a right of association to maintain family relationships; however, the U.S. Supreme Court has taken the view that freedom of association is among the rights least compatible with incarceration. Accordingly, the Court has upheld rather strict regulations restricting prison visiting on the grounds that the restrictions had a rational relationship to a legitimate penological interest.[46] The Court has also held that the U.S. Constitution's Fourteenth Amendment due process clause does not directly protect any right to "unfettered" visitation; and that state regulations create a due process liberty interest (enforceable federal right) in visitation only if they (a) place substantive limits on prison officials' discretion" and (b) the restriction of visitation imposes "an atypical and significant hardship on the inmate in relation to the ordinary incidents of prison life." [47] However, the Court has cautioned that actions such as permanent withdrawal of all visiting or arbitrary long-term denial of visiting to a particular person might constitute cruel and unusual punishment in violation of the U.S. Constitution's Eighth Amendment.[48]

The California legislature has recognized that visiting is good for improving prison safety, maintaining meaningful connections with family and community, and preparing a person for successful release.[49] A California statute allows prison officials to restrict visitation where there is a

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45 Government Code § 11350; *Rabuck v. Superior Court* (2013) 221 Cal.App.4th 1334 [165 Cal.Rptr.3d 354]; *California Assn of Medical Products Suppliers v. Maxwell-Jolly* (2011) 199 Cal.App.4th [131 Cal.Rptr.3d 692]; *Environmental Protection Information Center v. Dept. of Forestry* (1996) 43 Cal.App.4th 1011, 1017-1018 [50 Cal.Rptr.2d 892].

46 *Overton v. Bazzetta* (2003) 539 U.S. 126, 133-134, 136 [123 S.Ct. 2162; 156 L.Ed.2d 162].

47 *Kentucky Dept. of Corrections v. Thompson* (1989) 490 U.S. 454, 460 [109 S.Ct. 1904; 104 L.Ed.2d 506]; *Cooper v. Garcia* (S.D. Cal. 1999) 55 F.Supp.2d 1090, 1095-1098.*Torricellas v. Poole* (C.D. Cal. 1996) 954 F.Supp. 1405, 1413-1414; see also *Sandin v. Conner* (1995) 515 U.S. 472 [115 S.Ct. 2293; 132 L.Ed.2d 418].

48 *Overton v. Bazzetta* (2003) 539 U.S. 126, 133-134, 137 [123 S.Ct. 2162; 156 L.Ed.2d 162].

49 Penal Code § 6400.

rational relationship between the restriction and a legitimate penological interest.[50] However, the CDCR has regulations that provide more specific visiting rights and state the circumstances in which visits may be denied or restricted.[51]

Under the regulations, each prison must have a visiting schedule of no fewer than 12 hours a week. There must be visiting hours on Saturdays, Sundays and designated holidays.[52]

2.9 Procedures for Personal Visits

The CDCR also has information and a manual on visiting procedures (*Visiting a Friend or Loved One in Prison*) on its website at www.cdcr.gov/visitors/docs/inmatevisitingguidelines.pdf. Visitors can also get information on visiting rules and procedures by calling the CDCR visiting hotline at (800) 374-8474.

A prospective visitor can find the location of a person using the Inmate Locator on the CDCR Website (www.cdcr.ca.gov), calling the CDCR Identification Unit at (916) 445-6713, or faxing that unit a request at (916) 322-0500. For calls or faxes, the visitor will need to provide the full name of the person in prison and either their date of birth or CDCR identification number.

Except in very exceptional hardship or emergency circumstances, anyone who wants to visit a person in prison must get approval in advance by submitting a CDCR Form 106 Visiting Questionnaire (attached as Appendix 2-A); the person in prison should get the Form 106, sign it, and send it to the prospective visitor to complete and mail to the prison's Visiting Sergeant or Lieutenant.[53] In addition, a person who has been released from prison must get special approval by the warden, and anyone on probation, parole, or other supervision must get approval from their supervising agent.[54] There is no set deadline for prison officials to process a visiting approval request.

The CDCR regulations list reasons why a person may be denied approval to visit.[55] Generally, denial can be for failing to provide accurate and complete information on the visiting questionnaire, failing to get approval from the warden (for a person who has been released from prison) or supervising agent (for anyone on parole or probation), or due to a certain type of criminal record.[56] The criminal records that will result in visiting denial are: having an outstanding warrant, having been a co-defendant of the person in prison; having a conviction for one felony in the past three years or two felonies in the past six years or three felonies in the past ten years, or having a conviction for a particularly sensitive crime such as trafficking drugs or contraband into a prison or jail or involvement

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50 Penal Code § 2601. Prior to 1996, Penal Code §§ 2600 and 2601(d) guaranteed people in prison the right to receive personal visits, subject only to restrictions necessary for the reasonable security of the institution. See, e.g., *In re Roark* (1996) 48 Cal.App.4th 1946 [56 Cal.Rptr.2d 582]; *In re French* (1980) 106 Cal.App.3d 74, 84 fn. 22 [164 Cal.Rptr. 800].

51 Penal Code §§ 3170-3178.

52 15 CCR § 3172.2.

53 15 CCR § 3172. CDCR, *Visiting a Friend or Loved One in Prison* (includes prison addresses).

54 Penal Code § 3712(d); Penal Code § 3172.1(b)(4)-(5).

55 15 CCR § 3172.1(b).

56 15 CCR § 3172.1(b)(1)-(2).

in an escape attempt.[57] The CDCR must give the visitor and the person in prison notice of why visiting is being denied.[58]

In most cases, an approved visitor may go the prison's visitors' entrance during visiting hours and be processed in for a visit without scheduling an appointment in advance. However, CDCR now has a system for on-line scheduling of contact visits, the Visitor Processing Appointment Scheduling System (VPASS). Using VPASS can help reduce lengthy visiting wait times. Note that visitors must make appointments for all non-contact visits, such as those with people housed in reception centers or other segregation, and for all visits with people housed on Death Row; appointments are made by calling the prison.[59]

Upon arriving at the prison, a visitor must show an official photo identification such as a driver's license, passport, state identification card, or USCIS identification card.[60]

An emancipated minor under age 18 or a minor legal spouse of a person in prison may apply as an adult visitor, with proof of the emancipation or marriage.[61] Otherwise, children under 18 years old must be accompanied by an adult who is an approved visitor. If a child is accompanied by their parent, the parent must bring a certified copy of the child's birth certificate. If the child is accompanied by their legal guardian, a certified copy of the child's birth certificate and proof of legal guardianship is required. If the child is accompanied by someone other than the parent or legal guardian, then the adult must bring a certified copy of the child's birth certificate and a notarized authorization form signed by the minor child's parent or legal guardian giving permission for the child to visit a person in prison.[62]

Visitors must go through a body scanning device.[63] A visitor who cannot clear the scanner due to a medical implant or prosthetic device must present a letter signed by a health care professional verifying the type of implant or device and where it is located. Visitors with temporary devices are required to renew the verification letter every two years; visitors with permanent devices are required to update the verification only when there are changes to the device. A visitor who uses a wheelchair will be required to transfer to a CDCR wheelchair while the visitor's own wheelchair is inspected, unless the visitor presents a letter from a physician confirming the need for a battery-powered or custom designed wheelchair.[64]

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57 15 CCR § 3172.1(b).

58 15 CCR § 3172(c).

59 CDCR, Visiting a Friend or Loved One in Prison (includes prison phone numbers).

60 15 CCR § 3173(b).

61 15 CCR § 3172(b).

62 15 CCR § 3172(c); CDCR, *Visiting a Friend or Loved One in Prison* (includes official CDCR authorization form). See also Legal Services for Prisoners with Children, *Child Custody and Visiting Rights Manual*, available at www.prisonerswithchildren.org.

63 15 CCR § 3173.2. See more information on searches of visitors at § 2.14.

64 15 CCR § 3173.2(d)-(e).

There are CDCR regulations for visitor dress codes, behavior standards, and the number of people who can visit a person in prison at one time.[65] The prisons also place strict limits on the items that visitors can bring into the visiting area.

The CDCR staff may turn away an approved visitor, place restrictions on a visit, or revoke or suspend permission to visit due to an institutional emergency or overcrowding in the visiting area,[66] misconduct by the visitor,[67] or as punishment for rule violations.[68] If the action is due to the visitor's misconduct, the CDCR must give the visitor a written notice stating the reasons for the action; for formal warnings, terminations, suspensions and revocations, the person in prison must also be provided with written notification.[69]

The visitor and person in prison may challenge a visiting denial, restriction, or suspension.[70] Administrative appeals of visiting issues are discussed in § 1.32. State habeas corpus actions and federal civil rights lawsuits, the most common types of court actions for challenging visiting restrictions, are discussed in Chapter 15 and Chapter 17.

2.10 Non-Contact Visiting Restrictions

Prison officials may limit people to non-contact visiting if there is a "reasonable relationship" between the restriction and a legitimate penological interest.[71] Non-contact visits usually take place in a booth where the visitor and person in prison can see each other through glass and speak through a grating or a phone handset; these conversations may be monitored by prison staff.

The CDCR's policy is to allow physical contact between people in prison and visitors except when there is a substantial reason to believe that physical contact with visitors or other people in prison will seriously endanger safety or security.[72] More specifically, the CDCR prohibits contact visits for people housed in reception centers or in any type of segregation units, although the warden may allow exceptions on a case-by-case basis for people in administrative segregation.[73] Prison officials may also restrict a person to non-contact visits temporarily as a punishment for willful failure or refusal to comply with visiting rules.[74]

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65 15 CCR § 3170.1; 15 CCR §§ 3174-3175. People in prison and their visitors should be allowed to exchange legal documents during contact visits. 15 CCR § 3170.1(g).

66 15 CCR § 3170(c); 15 CCR § 3176(a)(9)-(10).

67 15 CCR § 3176; 15 CCR § 3176.1.

68 15 CCR § 3176.4.

69 15 CCR § 3176(b); 15 CCR § 3176.3(g).

70 15 CCR § 3179.

71 See *Block v. Rutherford* (1984) 468 U.S. 576 [104 S.Ct. 3227; 82 L.Ed.2d 438] (upholding non-contact restriction on all jail visiting for purpose of preventing entry of contraband); *Toussaint v. McCarthy* (9th Cir. 1986) 801 F.2d 1080, 1113-1114 (upholding non-contact visiting restriction visits for people housed in segregation).

72 15 CCR § 3170(d)(1).

73 15 CCR § 3170.1(e)-(f).

74 15 CCR § 3170(d)(2).

2.11 Limits on Visiting with Children

California law prohibits visits between people in prison who have been convicted of certain sex offenses and the victims of those offenses who are children under age 18.[75] A parent, guardian, or child victim can request an exception to this bar by asking for a juvenile court hearing to determine whether allowing visitation is in the best interest of the child.[76]

CDCR regulations restrict visits between children and people in prison convicted of some types of child sex offenses or other crimes involving children to non-contact visits only. Some the non-contact restrictions apply to all of the person's child visitors and some apply just to the child victims of the person's crimes. In some cases, the Institutional Classification Committee (ICC) may make exceptions.[77] A person who has been arrested but not convicted of certain offenses against children may be limited to non-contact visiting with children if the ICC determines that contact visiting would pose a threat of harm to the child.[78]

People in prison may also be at least temporarily barred from visits with children or limited to non-contact visits with children due to in-prison misconduct.[79]

2.12 Family (Overnight) Visits

Each California prison has facilities for "family visits" (sometimes called "conjugal" visits) with "immediate family members."[80] These visits allow a person in prison to be with their family for approximately 30 to 40 hours in a private space, usually a small trailer on the prison grounds. There is no cost to the person in prison or visitors, but the visitors must provide food for themselves and the person in prison. An eligible person must put in an application for a family visit with their correctional counselor.

For the purpose of family visiting, "immediate family members" are the person's legal spouse, registered domestic partner, natural parents, adoptive parents (if the adoption occurred prior to incarceration), stepparents or foster parents, grandparents, siblings, natural and adopted children, stepchildren, and grandchildren.[81] A verified foster sibling may be allowed to participate in family visiting with prior approval from the warden.[82]

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75 Penal Code § 1202.05; 15 CCR § 3173.1(a); see *People v. Ochoa* (2011) 192 Cal.App.4th 562, 565 [121 Cal.Rptr.3d 448] (court erred in issuing no-visitation order because defendant was not convicted of qualifying sex offense); *People v. Scott* (2012) 203 Cal.App.4th 1303, 1312-1313 [138 Cal.Rptr.3d 236] (court cannot impose prohibition on visits if victim reached age 18 before the person is sentenced).

76 Penal Code § 1202.05; Welfare & Institutions Code § 362.6; 15 CCR § 3173.1(a).

77 15 CCR § 3173.1(b)-(d); see *Robin J. v. Superior Court* (2004) 124 Cal.App.4th 414 [21 Cal.Rptr.3d 417] (finding regulations valid and holding that juvenile courts cannot override them).

78 15 CCR § 3173.1(e)-(f).

79 See 15 CCR § 3176.4; *Dunn v. Castro* (9th Cir. 2010) 621 F.3d 1196, 1203-1205 (upholding 18-month bar on visits with children after person had sexually explicit phone conversation with child).

80 15 CCR § 3177.

81 15 CCR § 3000; 15 CCR § 3177.

82 15 CCR § 3177(a).

The CDCR regulations state that family visiting is a privilege rather than a right.[83] Courts have upheld restrictions on family visiting against various constitutional challenges.[84]

Prison officials may restrict family visiting as necessary for prison operations or to maintain order, safety, or security.[85] A person cannot have family visits while any action that restricts, suspends, or denies that person from having contact visits is in effect.[86]

Under the CDCR regulations, some people are not eligible to receive family visits. These are:

- People convicted of a violent offense involving a minor or family member or of any sex offense. In addition, a person may be prohibited from family visits if there is substantial information that they committed any of these types of offenses, even if they were not convicted;
- People who are sentenced to death;
- People in a reception center or in any type of segregation unit, or classified as Maximum or Close custody;
- People found guilty of A Division A or B prison rule violation within the last 12 months or who have ever been found guilty of narcotics distribution in prison;
- People in privilege group C.[87]

2.13 Legal Visits

An attorney can arrange to have legal visits with a person in prison through the prison's litigation coordinator.[88] Legal visits may be carried out by the attorney or by a representative of the attorney such as an investigator, law student or paralegal.[89] However, people who are representing

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83 15 CCR § 3177(b).

84 *In re Cummings* (1982) 30 Cal.3d 870 [180 Cal.Rptr. 826] (upholding exclusion of common-law spouse and spouse's child from family visiting); *Pro-Family Advocates v. Gomez* (1996) 46 Cal.App.4th 1674 [54 Cal.Rptr.2d 600] (rejecting ex post facto and equal protection challenges to new regulations making more people ineligible for family visits) *Cooper v. Garcia* (S.D. Cal. 1999) 55 F.Supp.2d 1090, 1098-1100 (upholding bar on family visits for people with "R" suffix even though person never convicted of a sex offense).

85 15 CCR § 3177(b)(1)(A).

86 15 CCR § 3177(d).

87 15 CCR § 3177(b). The CDCR previously excluded people serving life without the possibility of parole (LWOP) or indeterminate life terms from family visiting. As of 2017, this has been changed so that people with LWOP or other life sentences without parole dates may have family visiting if they meet the other eligibility criteria. Penal Code § 6404; CDCR, *Memorandum: Revision to the Family Visiting (Overnight) Offender Eligibility* (Feb. 17, 2017).

88 The CDCR website at ww.cdcr.ca.gov/Ombuds/litigation.html lists telephone and fax numbers for each prison's litigation coordinator.

89 15 CCR § 3178(a), (c); see also *Procunier v. Martinez* (1974) 416 U.S. 396, 419-421 [94 S.Ct. 1800; 40 L.Ed.2d 224] (striking down rule restricting legal visits to attorneys and licensed investigators).

themselves cannot get confidential legal visits with non-lawyers who are assisting them with their legal work.[90]

The CDCR regulations set forth the procedures for obtaining a security clearance for a legal visit. Usually the process takes at least a few days.[91] Prison staff may search legal visitors, their property, and their vehicles for contraband and illegal drugs using technology devices and passive alert dogs; a legal visitor may also be subject to a patdown search following a positive dog alert. Refusal to submit to searches can result in non-contact visiting restriction or denial of the visit.[92]

People in prison have constitutional, statutory, and regulatory rights to private and confidential consultation with their attorneys during legal visits.[93] In addition, legal visits should be contact visits unless a legitimate security need justifies a non-contact restriction.[94] People in prison and their attorneys should be allowed to exchange legal documents during visits; staff may inspect the documents for contraband, but may not read the documents without the attorney's and person in prison's consent. [95]

An attorney's or representative's authorization to have confidential visits may be restricted or suspended for abuse of the attorney-client privilege or other misconduct; very serious misconduct can result in a long-term exclusion barring the attorney or representative from entering the prison.[96]

2.14 Searches of Visitors and Their Vehicles and Property

"Unreasonable" searches of prison visitors, their vehicles, and their property may violate the Fourth Amendment of the U.S Constitution and Article I, § 13 of the California Constitution. A "legitimate administrative search (1) must be clearly necessary to a vital governmental interest; (2) must be limited, and no more intrusive than necessary to accomplish the governmental interest; (3) must be

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90 *Morris v. Superior Court* (1983) 145 Cal.App.3d 561 [193 Cal.Rptr. 496] (rejecting due process challenge to rule that visits must be by attorney or representative of an attorney).

91 15 CCR § 3178.

92 15 CCR §§ 3410.1-3410.2; see also 15 CCR § 3173.2.

93 15 CCR § 3178(m); see *Procunier v. Martinez* (1974) 416 U.S. 396, 419-421 [94 S.Ct. 1800; 40 L.Ed.2d 224] (Fourteenth Amendment due process right of access to courts); *In re Poe* (1966) 65 Cal.2d 25, 32, fn. 5 [51 Cal.Rptr. 896] (confidential communication essential to Sixth Amendment right to counsel); *People v. Torres* (1990) 218 Cal.App.3d 700 [267 Cal.Rptr. 213]; see also Penal Code § 636 (eavesdropping on conversation between attorney and client in prison is felony).

94 *Ching v. Lewis* (9th Cir. 1990) 895 F.2d 608; *Nevada County v. Superior Court (Siegfried)* (2015) 236 Cal.App.4th 1001; 1009-1011[187 Cal.Rptr.3d 27] (striking down policy barring on all legal contact visits in jail); compare with *Small v. Superior Court (Barrett)* (2000) 79 Cal.App.4th 1000 [94 Cal.Rptr.2d 550] (non-contact restriction reasonable for person with history of contraband, weapons, and assaults in prison); *California Dept. of Corrections v. Superior Court (Jordan)* (1982) 131 Cal.App.3d 245 [182 Cal.Rptr. 294] (non-contact restrictions reasonable where person was prone to violence); see also *In re Roark* (1996) 48 Cal.App.4th 1946 [56 Cal.Rptr.2d 582] (under older standards, it was unnecessary to require restrict attorney to non-contact visits unless he removed artificial leg for inspection); see also 15 CCR § 3178(b)(2)(CDCR officials can authorize contact legal visits for person who is otherwise on non-contact status).

95 15 CCR § 3178(n)-(o).

96 15 CCR § 3178(s)-(t); see also 15 CCR § 3176.3.

reasonably effective in accomplishing its purpose; and (4) must be conducted for a purpose other than the gathering of evidence for criminal purposes."[97]

The CDCR regulations provide that "Any person coming onto the property of an institution/facility shall be subject to inspection "as necessary to ensure institution/facility security including prevention of the introduction of contraband." Inspections may include a search of the visitor's person, personal property and vehicle(s) when there is "reasonable suspicion" to believe the visitor is attempting to bring contraband or unauthorized items into or out of the prison.[98]

At a minimum, every visitor should expect to go through a scanning device and for CDCR staff to inspect any property being carried. Searches for drugs using Electronic Drug Detection Equipment (EDDE) or dog "sniffs" may also be conducted. Visitors shall not be forcibly searched unless a court has issued a search warrant or prison officials are detaining or arresting the visitor for a crime that poses an immediate and significant threat to people in prison, prison staff, or the public.[99]

The CDCR has particular rules regarding dog sniffs. If the visitor agrees to a sniff, and the dog does not alert, the visitor shall be processed normally. If the visitor submits to a sniff, and the dog alerts during the scan, the visitor will be required to submit to a clothed body search in order to visit and will be restricted to a non-contact visit. If the visitor refuses to submit to a dog sniff, contact visiting will be denied, but a non-contact visit shall be permitted if facilities are available and the visitor submits to a clothes body search. Further refusals to submit to dog sniffs, electronic drug detection, or clothed body searches after a positive drug scan will result in increasingly severe restrictions on and denials of visiting, up to a possible long-term visiting ban.[100]

2.15 Personal Mail

Under CDCR regulations, almost any person may write to a person in prison and a person in prison may write to almost any person; there is no requirement that correspondents be placed on an "approved" list and no limit on how many letters a person may send or receive.[101]

A person in prison must obtain approval from prison officials to correspond with any other person who is in criminal or juvenile custody (federal, state, or county), anyone committed to a civil addict program, anyone on parole, probation or civil outpatient status, and anyone released from a CDCR facility within the past 12 months. Correspondence may be approved so long as the correspondent does not have any affiliation with a Security Threat Group (STG), terrorist group, or racketeering enterprise. At the very least, a person must be allowed to correspond with other people in prison who are immediate family members, co-litigants on an "active case", or the parent of the person in prison's child; unless either correspondent has violated prison rules. If the correspondents

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97 *Estes v. Rowland* (1993) 14 Cal.App.4th 508, 517 [17 Cal.Rptr.2d 901]; see also *People v. Boulter* (2011) 199 Cal.App.4th 761, 769-771 [131 Cal.Rptr.3d 185] (jail staff could search locker provided for visitors, even though the locker was outside entrance to visitor's center and before sign warning visitors that their possessions could be subject to search); *Estes v. Rowland* (1993) 14 Cal.App.4th 508 [17 Cal.Rptr.2d 901] (allowing random dog sniffs of prison visitors' cars, although with restrictions as to the manner of the searches).

98 15 CCR § 3173.2(a).

99 15 CCR § 3173.2(b).

100 15 CCR § 3173.2.

101 15 CCR § 3133.

STATE OF CALIFORNIA
VISITING QUESTIONNAIRE
CDCR 106 (Rev. 05/17)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

READ CAREFULLY. Please **PRINT** or **TYPE**. The information requested will be used by officials of the California Department of Corrections and Rehabilitation (CDCR) to determine whether your questionnaire will be approved or disapproved. The information provided will be maintained in a file pertaining to the inmate.

In accordance with the Privacy Act of 1974 (PL93-579), providing your Social Security number is optional. However, any omission or falsification on this questionnaire maybe cause for denial of visiting. Please mail this form directly to the visiting office of the institution where the inmate is confined.

NAME OF INMATE YOU WANT TO VISIT (LAST FIRST MIDDLE)				INMATE'S CDC NUMBER
2. YOUR NAME: (Print *your name exactly as indicated on the photo identification you will be using)*			SUFFIX (Jr., Sr., etc.)	HOME TELEPHONE NUMBER ( )
3. MAIDEN NAME (If applicable)	HAVE YOU EVER USED ANOTHER NAME? IF SO, PLEASE LIST			RELATIONSHIP TO INMATE (Spouse, Son/Daughter, etc)
4. DATE OF BIRTH	AGE	GENDER (Check one)	BIRTHPLACE (City County State Country)	
5. ID NUMBER	ID TYPE (Check one) ☐ DRIVER'S LICENSE ☐ STATE ID ☐ MILITARY ID ☐ PASSPORT ☐ MATRICULA CONSULAR DE ALTA SEGURIDAD (MCAS)			
OFFICIAL USE ONLY EXPIRATION DATE:	ISSUED BY (County State Country)			6. SOCIAL SECURITY NUMBER
7. CURRENT RESIDENCE ADDRESS: STREET ADDRESS Apt. # (If applicable)	CITY		STATE	ZIP CODE
8. MAILING ADDRESS: (If different from Residence Address)	CITY		STATE	ZIP CODE
9. PREVIOUS ADDRESS WITHIN PAST TWO YEARS Apt. # (If applicable)	CITY		STATE	ZIP CODE

10. ACCOMPANYING MINOR(S) (If any) NAME, DOB, RELATIONSHIP TO INMATE

1. 2. 3.

10. *Continued*

4. 5. 6.

11. HAVE YOU EVER VISITED ANOTHER INMATE(S) IN A CALIFORNIA PRISON?

(Check one) ☐ YES ☐ NO If YES, complete Item 11A. Attach additional sheet(s) if more than two inmates.

11A. INMATE NAME	CDC NUMBER	INSTITUTION WHERE YOU VISIT INMATE	RELATIONSHIP TO INMATE
1.			
2.			

12. HAVE YOU EVER BEEN DETAINED, ARRESTED, OR CONVICTED OF A CRIME?

(Check one) ☐ YES ☐ NO

If YES, complete Item 12A. List all detentions, arrests and/or convictions. Failure to list all requested information may result in denial of visiting. Attach additional sheet(s) if necessary.

12A. OFFENSE	APPROX. DATE	DISPOSITION: (Dismissed, Probation, Jail, Prison)	COUNTY	STATE

13. ARE YOU ON PROBATION? (Check one) ☐ YES ☐ NO If YES, answer 13	ARE YOU ON PAROLE OR CIVIL ADDICT OUTPATIENT STATUS? (Check one) ☐ YES ☐ NO If YES, answer 13a	HAVE YOU BEEN INCARCERATED IN A STATE ADULT/JUVENILE CORRECTIONAL FACILITY? (Check one) ☐ YES ☐ NO If YES, answer 13b	14. ARE YOU CURRENTLY UNDER ANY TYPE OF COURT IMPOSED PROGRAM? (Check one) ☐ YES ☐ NO If YES, please explain on additional sheet and attach to this form.

13A. TYPE: (Court, Formal, Informal, etc.)	SUPERVISING AGENCY	NAME, ADDRESS, AND TELEPHONE NUMBER OF YOUR PROBATION/PAROLE OFFICER	COUNTY	STATE

13B. If you were discharged from an institution or discharged from parole or outpatient status within the last twelve (12) months, you must have prior written approval of the Warden before visiting will be permitted. You will also need to provide a copy of your discharge paperwork.

14. If you are under 18 years of age and are not an emancipated minor or the inmate's legal spouse, you must have the written notarized consent of a parent or legal guardian and be accompanied by a responsible adult who is also approved to visit. The notarized written consent must be presented each time a minor visits unless prior approval has been attained from the Warden for an inmate to visit with his or her unchaperoned children.

15. **VISITORS WITH DISABILITIES:** If you have special requirements related to your disability (medical implants, prosthetic devices or requiring mobility assistive devices, i.e., crutches, walkers, braces, wheelchairs, battery operated or custom prescribed wheelchairs, guide dog for the visually or hearing impaired, insulin kit with syringes, etc.) you will need to attach a verifying statement from your physician. Visitors with guide dogs will need to provide the dog's certification paperwork upon visit check-in. The CDCR will make every effort to provide reasonable accommodations for all qualified/eligible visitors with disabilities in keeping with the safety and security of the institution and the public. If you have any questions and/or concerns, please contact the institution where the inmate is confined.

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16. The following laws relate to prison visitation:

SUBJECT TO SEARCH: Visitors entering the correctional institution, camp or facility grounds are subject to a search of their person, vehicle and property. Except as described below, visitors may leave the institution, camp, or facility grounds rather than submit to a search of their person, vehicle or property. Refusal to submit to the search will result in denial of visiting for that day.

A vehicle may be chosen to be searched as part of the Department's canine visitor vehicle search program. Visitors have the right to refuse the search, in exercising this right the driver of the vehicle will be required to remove that vehicle from institution grounds, however, the visitor will not lose their ability to visit this date, provided they return without the vehicle. A refusal to consent to a canine vehicle search on part will not prohibit any passengers of the vehicle from continuing in the visiting process. Should consent be given and narcotics and/or contraband are discovered, the driver and all passengers will be subject to arrest. Should the canine alert to the presence of narcotics, regardless if narcotics are discovered, all passengers will be subject to a more intensive search of their person as a condition of visiting on that date.

Visitors may not elect to leave the correctional institution, camp or facility grounds rather than submit to a search when institution officials possess a court issued search warrant or cause for a search arises while the visitor is on the institution grounds and the cause for the search is believed by institutional officials to be a criminal offense.

FIREARMS AND DRUGS ON INSTITUTIONAL GROUNDS/ASSISTING INMATES TO ESCAPE: It is a felony for anyone to assist inmates to escape. Bringing firearms, deadly weapons, explosives, tear gas, drugs, drug paraphernalia, or selling drugs on prison grounds, or giving/selling inmates firearms, weapons, explosives, liquor, cocaine, or other narcotics of any kind of drugs, including marijuana, is a crime (Sections 2772, 2790, 4534, 4535, 4550, 4573, 4573.5, 4573.6, 4573.8, 4573.8, 4573.9, 4574, 4600, California Penal Code).

GIVING LETTERS TO INMATES OR TAKING LETTERS OUT FOR INMATES BY ANYONE IS A MISDEMEANOR: (Sections 4570, 4570.1, California Penal Code).

FALSE IDENTIFICATION: Anyone who falsely identifies himself/herself to gain admittance to a prison is guilty of a misdemeanor. Persons previously convicted of a felony in the State who come upon the grounds of a prison without permission of the official in charge are guilty of a felony. (Sections 4570.5, 4571, California Penal Code).

PERIOD OF EMERGENCY: In the event of an emergency situation that affects a significant portion of the inmate population at an institution, the visiting program and other program activities may be suspended during the period of emergency (Section 2601(d), California Penal Code).

GIVING OR RECEIVING GIFTS: *Visitors shall not give or receive gifts from inmates* (Section 3010, California Code of Regulations, Title 15, Division 3, Chapter 1).

HOSTAGES: Hostages will not be recognized for bargaining purposes during attempted escapes by inmates (Section 3304,California Code of Regulations,Title15,Division 3,Chapter 1).

17. If you are APPROVED to visit, the inmate will be notified and it is his/her responsibility to notify you.
If you are DISAPPROVED to visit, the institution will notify you by mail. You will not be allowed to visit until your application is approved.

I have read and understand the above information and agree to follow all Federal, State and CDCR rules and regulations.	**VERIFICATION OF MAILING**
VISITOR SIGNATURE _____ DATE _____	I have mailed this Visiting Questionnaire to the visitor applicant. INMATE SIGNATURE/CDC # _____ DATE _____

OFFICIAL USE ONLY – TO BE COMPLETED BY INSTITUTION STAFF

Criminal History: ☐ YES ☐ NO CII/FBI #: _____

☐ APPROVED

☐ DISAPPROVED, for the following reason(s): (if DISAPPROVED, the applicant and inmate are to be informed in writing of the disapproval.)

☐ Omissions and/or falsifications Section(s): _____ ☐ Need copy of Declaration of Discharge

☐ Need disposition(s) for _____

☐ Applicant is under: ☐ Parole ☐ Formal Probation ☐ Civil Addict Outpatient Supervision

☐ Arrest record received via DOJ indicates applicant has an extensive and/or recent history of criminal activity for offenses that are particularly sensitive to the institutional security. May reapply after: (DATE: _____)

☐ Other: _____

☐ Applicant's privileges to visit will be reconsidered:

☐ Upon receipt of the above requested information and/or ☐ after (DATE: _____)

PRINT NAME	SIGNATURE	TITLE	INSTITUTION	DATE

☐ INMATE/VISITOR NOTIFIED ON (DATE)_____ ☐ BY WHOM _____