

33-601.723 Visitation Check-In Procedures.

(1) Pursuant to Rule 33-601.722, F.A.C., approved visitors must have requested to schedule a visitation session in advance by accessing the Department's automated visitation scheduling system on the Department's public website and have been approved for the current session before arriving at the institution

(2) No more than five approved visitors, twelve years of age or older, may visit an inmate in the visiting area at any one time. Children eleven years old and younger do not count against the five approved visitors.

(3) A visitor's initial check-in shall take place in a location that minimizes weather exposure and provides restrooms.

(4) Visitors shall be required to register for the current visitation session through the automated visiting record. Failing to do so or providing false information shall result in denial or termination of the visit and suspension of visitation privileges.

(5) All visitors sixteen years of age or older must present a valid form of picture identification for visitation registration. Acceptable forms of identification are identification cards that contain a photograph, current address, and date of birth and physical characteristics of the individual. Signatures are not required if the identification otherwise complies with all other standards of proper identification.

(6) A visitor seventeen years old or younger who cannot furnish proof of emancipation must be accompanied during a visit by an approved parent, legal guardian, or authorized adult and must remain under the supervision of that adult at all times, including when the minor is subject to being searched under the provisions of Rule 33-601.726, F.A.C. An authorized non-parental adult accompanying a visiting minor must provide a notarized document of guardianship from the minor's parent or legal guardian (neither of which may be an inmate except as provided below) granting permission for the minor to visit a specifically identified inmate. The document shall be notarized by someone other than the non-parental adult accompanying the minor and shall be updated every six months from the date of issue. In cases where it can be determined that legal custody remains with the incarcerated parent or legal guardian and has not been given to another adult by the court, a notarized statement from the incarcerated parent or guardian shall be acceptable for purposes of authorizing children of the inmate to visit. Any such authorization remains subject to any relevant court orders or relevant departmental rules regarding the inmate's contact with the minor in question. Falsification of a document of guardianship shall result in the person being subject to suspension of visitation privileges pursuant to Rule 33-601.731, F.A.C.

(7) All visitors twelve years of age or older are subject to periodic onsite background checks via fingerprint scan prior to entry into any institution.

(a) Without exception, entry into the institution will be denied if the background check reveals any of the following:

1. The visitor has an active warrant for their arrest;
2. The visitor has an active protective order or injunction against the inmate;
3. The inmate has an active protective order or injunction against the visitor;
4. The visitor has an open criminal case that is pending disposition;
5. The visitor has been arrested since becoming an approved visitor.

(b) If entry is denied pursuant to paragraph (a), the visitor will not immediately be advised of the specifics revealed during the background check and should contact institutional staff on the next business day for assistance.

(8) Should a visitor find it necessary to leave the visiting park prior to completion of the visit, the visitor shall not depart until institutional staff have verified the identity of the visitor and the presence and location of the inmate being visited. The visitor will not be allowed reentry unless approved by the shift supervisor or the duty warden. If reentry is approved, the visitor will proceed through the automated visiting record as required in this rule.

(9) A visitor is allowed to bring a service animal, as defined in rule 33-601.713, F.A.C., into institutional visiting parks under the Americans with Disabilities Act (ADA). Under the ADA, a service animal must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the visitor's disability prevents using these devices. In that case, the visitor must maintain control of the animal through voice, signal, or other effective controls.

(a) When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:

1. "Is the dog a service animal required because of a disability?"; and
2. "What work or task has the dog been trained to perform?"

(b) Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

(c) Allergies and fear of dogs are not valid reasons for denying access to people using service animals. When a staff member or

Effective 1/26/2023

other visitor who is allergic to dog dander and a person who uses a service animal must spend time in the visiting park, they both should be accommodated by assigning them, if possible, to different locations within the visiting park.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-17-06, 6-28-12, 2-21-13, 1-26-23.