



*State of North Carolina
Department of Public Safety
Prisons*

Chapter: G
Section: .0400
Title: **Court Ordered Probationer
Visits to Prison Units**
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POLICY AND PROCEDURE

References 5th Edition Standards for Adult Correctional Institutions

Related ACA Standards None

.0401 PURPOSE

It is the policy of North Carolina Department of Public Safety (NCDPS), Prisons to establish guidelines in regard to court ordered tours for probationers. The focus of these programs is educational and informative and will not use emotional and intentionally intimidating approaches. The use of profane language, harassing behavior, or physical contact is strictly prohibited.

.0402 PHILOSOPHY

Programs of this nature are designed to provide a structured encounter between adult probationers, committed offenders and corrections' staff inside a correctional facility. Prisons must respond to court and legislative mandates for correctional awareness programs as well as make every appropriate effort to enhance the public safety. These programs are designed to selectively accommodate those probationers whose future behavior might be altered as a result of their experience in the correctional setting. The primary focus is educational. The tour should provide a realistic view of the liabilities of imprisonment. Additionally, the programs attempt to persuade probationers to avoid future criminal involvement. These programs are a support component of the criminal justice system and are not intended to be a primary catalyst for the reassessment of value systems and alteration of behavior by the participant.

.0403 PARTICIPANT CRITERIA

- (a) The participants are adult probationers ordered by the court to visit a Prisons facility.
- (b) Participants, male or female, should be those adjudicated by the adult criminal justice system. Court Ordered probationer tours for juvenile offenders (accused or adjudicated in the juvenile justice system) shall not take place at any prison.
- (c) Age and sex may be considered in determining the appropriate correctional facility for each tour.

.0404 PROGRAM CONTENT

- (a) The programs will be offered only at those correctional facilities which have been designated by the **Commissioner** of Prisons. **NCDPS** Community Corrections will be provided a list of designated prisons. The program presentation time will normally be limited to two hours and will be coordinated by one correctional staff member who has been selected by the **Warden** as the coordinator.
- (b) The programs will be offered only from 8:00 a.m. to 5:00 p.m., Monday through Friday. The frequency of programs will be determined by the local **Warden**, but will be frequent enough to meet the needs of the court.
- (c) Probation officers will be required to prearrange the tours not less than five working days in advance, unless otherwise ordered by the court. The tour must have the approval of the program coordinator and the **Warden**.
- (d) The program should begin with the proper registration of all participants and sponsors prior to entering the correctional facility. All program participants are subject to the pat and frisk searches prior to entering a correctional facility as set forth in Prisons Policy **F .3300 Prison Entrance/Exit Policy**. No other search shall be conducted.
- (e) The **Warden** has the authority to terminate a probationer tour and deny the person access to the **facility** if they have reasonable cause to believe that the probationer will attempt to smuggle contraband into the facility. This belief must be based upon a reliable tip or other specific information known to the **Warden**. The **Warden** must notify the probation officer that they are terminating the tour, and the reason for doing so. The probation officer shall contact the local law enforcement agency, provide them with the necessary information, and turn the matter over to law enforcement for investigation and handling. If requested by the law enforcement agency, the **Warden** and probation officer shall detain the probationer until law enforcement officers arrive at the facility.
- (f) A tour should be conducted with the probation officer present. The typical tour could involve any or all of the following areas: living quarters, dining facilities, recreation, restrictive housing, work projects, and school/program areas. Security and operational needs must be considered in selecting tour sites. Offenders shall not mingle or converse with the probationers except with the permission of the supervising officer, nor shall the probationers mingle or converse with offenders except with the permission of the supervising officer.
- (g) Upon completion of the tour, the group will be escorted to a classroom or office type setting (depending on the number in the group) where a short program will be conducted by one or two selected residents of the correctional facility. This will consist of a short speech designed to show the realities of prison life to the participants through testimony of offenders who are now serving time in the correctional system. A question and answer session will then be conducted (allow at least 20 minutes) to provide interaction with the selected offenders.

- (h) When the program is completed, the group will be escorted to the main entrance of the correctional facility where they will sign out before exiting. Evaluation forms must be completed by the probationers.

.0405 STAFF RESPONSIBILITY

- (a) The coordinator of the program and any staff conducting a tour will be approved by the **Warden**. They will be available at all times to assist in any manner and may respond to or clarify any offender's statements. Adequate staff supervision for the tour will be determined by the number of the participants and by the security needs of the correctional facility. A maximum ratio of eight probationers to one staff will be provided. Staff will only allow interaction with offenders at the end of the tour. Should problems arise prior to or during the tour, or during the offender presentation, the staff member will terminate the program immediately and escort the participants out of the facility.
- (b) Supervising probation officers of the participants will be required to accompany their clients during the tour. Male and female probation officers should limit their presence in areas which may violate offender privacy but should participate in all other areas.
- (c) Staff are instructed to prohibit the following activities:
 - (1) Offender physical contact with any participant.
 - (2) Passing of any material between participant and offenders including written material.
 - (3) Allowing the separation of the tour group in any way.
 - (4) Verbal abuse or harassing behavior directed towards the participant or offenders.
 - (5) Profane language.

.0406 OFFENDER SELECTION AND PARTICIPATION

- (a) Offenders should be selected and trained to participate in the program. They should be chosen from the regular population based upon the following criteria:
 - (1) Demonstration of responsible and stable behavior by an infraction-free record for six months prior to the date of the tour.
 - (2) A variety of ages, races, religions, and ethnic backgrounds.
 - (3) A variety of crimes and sentences.

- (b) Offender speeches should follow the outline provided. The coordinator will review this outline with the participant prior to the time of their presentation. The speech will focus on the impact of incarceration on a person's life, both during and after incarceration, including such topics as loss of freedom, loss of employment and educational opportunities, relationships with family, and relationships within the prison environment. Participating offenders will be instructed that they do not have to answer any questions which they consider too personal, too embarrassing, or that they are uncomfortable in answering.

.0407 OFFENDER SPEECH OUTLINE

Each offender presentation should address all of the following subjects:

- (a) Loss of Freedom
 - (1) The incarceration intake process
 - (2) Lack of privacy
 - (3) Clothing policies
 - (4) Freedom of movement
 - (5) Dealing with authorities (correctional officers and prison staff)
 - (6) Impact of rules and regulations in a controlled environment
- (b) Loss of Employment or Educational Opportunities
 - (1) The effects on job opportunities after release
 - (2) The effects on educational opportunities
 - (3) The stigma of being in prison
- (c) Relationships with Family
 - (1) The stigma of both the resident and their family
 - (2) Separation from friends and family
 - (3) Visiting policy of institution
- (d) Return to Family
 - (1) Relationships within the prison environment

- (2) Work projects and money in prison
- (3) Gender Identity
- (4) Living conditions
- (5) Dealing with other offenders

.0408 LIST OF FACILITIES DESIGNATED TO CONDUCT COURT ORDERED PROBATIONER VISITS

The following facilities have been designated to conduct Court Ordered Probationer Visits:

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|----------------|---------------|
| Carteret | Mt. View |
| Central Prison | Nash |
| Columbus | NCCIW |
| Craggy | Pamlico |
| Craven | Pasquotank |
| Eastern | Pender |
| Foothills | Piedmont |
| Gaston | Randolph |
| Granville | Richmond |
| Harnett | Roanoke River |
| Hyde | Southern |
| Lincoln | Tyrrell |
| Lumberton | Wilkes |
| Marion | |


 Commissioner of Prisons

May 19, 2022
 Date

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