

Families and Friends of the Incarcerated Guidebook

This guidebook provides general information and common policies for families and friends who have a loved one incarcerated. **EACH CORRECTIONAL FACILITY IS DIFFERENT. You will need to contact the detention center, jail or prison where your loved one is housed to know the specific policies for that correctional institution. Follow their policies.**

Table of Contents

Juvenile Facilities, Jails & Prisons.....	2
Locating an inmate.....	2
Mail.....	2
Telephone Calls.....	3
Visits.....	3
Identification.....	4
Visitors Under 18 years of age.....	4
Small children.....	4
Searches.....	4
Contraband.....	5
Dress code.....	5
Visiting Room Rules.....	6
Visitation Checklist.....	6
Emergencies.....	7
Grave Illness or Death of a Family Member.....	7
Inmate Monies.....	7
Inmate Commissary.....	8
Programs and Services for Inmates.....	8
Juvenile Justice System.....	8
Criminal Justice System.....	10
Legal System Flowchart.....	12
Criminal Justice and Correction Terms.....	12

JUVENILE FACILITIES, JAILS AND PRISONS

Juvenile Facilities

Most county jails have a section for juveniles. Check with your local jail. Some State Department of Corrections list juvenile facilities once they have been sentenced.

Juvenile Justice Directory can be found at
<http://www.bgcpisonministries.com/index.php?id=190>

Jails/Adult Detention Facility

Jails tend to be local (county or city) and house people waiting trial, those serving less than one year or those waiting to be transferred. Search the internet for the county sheriff's department to find information for your county jail or adult detention facility.

Prisons

Federal or state facilities housing people convicted of felonies. Prisons are often located in rural areas and far from families of the incarcerated. Prisons are classified by levels of security needed to maintain control. The higher the security (maximum), the less movement inmates have.

Federal Bureau of Prisons (BOP) <http://www.bop.gov/>

State Prisons

State prisons are listed on the State's Department of Corrections (DOC) website. The U.S. DOC directory can be found at
<http://www.bgcpisonministries.com/index.php?id=191>

LOCATING AN INMATE

Federal prisoners can be found on the bureau of prisons website.

Some state and counties provide an inmate search on their website.

Juveniles – you will need to call the facility where your son or daughter is held. The identity of juveniles is protected and will not be available on the internet.

MAIL (Check with the facility where you loved one is housed). General guidelines: All mail to inmates must be clearly marked with the inmate's name and number.

1. Some facilities limit letters to 5 pages (including photocopies, newspaper clipping, etc.)
2. Photos are allowed. (There may be a limit in the number of photos that can be sent). No nude or Polaroid photos are allowed.

3. All incoming mail will be opened and inspected for contraband, cash, checks, money orders, printed or photocopied materials, or contraband. Monies are credited to the inmate's account.
4. Do not send stamps, blank paper or envelopes.
5. Do not glue, tape, clip or paste any pages together.
6. Media Mail – some facilities require all books and magazines come directly from the publisher. Hardcover books are often prohibited.

Packages

All mail will be opened and inspected for appropriate content and contraband. Items deemed inappropriate or contraband will not be allowed. Mail items may be photocopied or reproduced.

Large packages, cardboard envelopes and bubble wrap are not allowed. No cash or checks will be accepted through the mail. Money orders sent through the mail will be accepted for deposit on the inmate's account.

Electronic Messaging (E-mail)

The Federal Bureau of Prison allows inmates housed at institutions operating the Trust Fund Limited Inmate Computer System (TRULINCS) access to electronic messaging. Electronic messaging through the use of e-mail allows for text only correspondence in a secured manner between inmates and the general public. In order to maintain security and the good order of our institutions, electronic messages are subject to monitoring. See [e-mail information and FAQ](#).

TELEPHONE CALLS

Inmates can call collect or through the use of a phone card, in some facilities, bought through commissary. Phone calls are typically time-limited and expensive. A 15 minute phone call may be as much as \$20. Phone calls are monitored by the jail or prison. Inmates cannot receive calls.

VISITS (Check with the facility where you will be visiting for their policies)

1. To visit a prison inmate, you must be on his or her approved list.
2. Find out what the visiting hours and policies are for the facility you will be visiting. Your loved one may be able to provide you with information.
3. If bringing children, it is recommended that the adult visit one time prior to bringing the children so he/she can help prepare the children for the visit.
4. Just prior to visiting you should try to find their location by utilizing the website or by contacting the facility directly. Unscheduled transfers could result in you traveling a long distance only to find he or she is no longer at that facility.
5. Call to see if the facility is in lockdown (securing a correctional facility or unit by restricting prisoners movement to their housing area - no visitations allowed).
6. Call to see if the prisoner is eligible for visits. Unfortunately, if the prisoner is being disciplined he or she may lose visitation rights.

7. Jail visits are typically no contact visits and you talk through a phone or grate in the glass.
8. All visits are limited in time and the number of visits allowed. This will vary by facility.

Identification

Visitors 16 years and older are required to furnish proof of photo identification. The following are acceptable ID: driver's license, state government ID card, US passports, or US military identification card.

Visitors Under 18 years of age

All minors must be escorted by an adult who is approved to visit, or an adult in an official capacity with proper identification and the approval of the Superintendent, Warden or his/her designee. The adult escort will be responsible for the behavior and conduct of the minor while on facility property, as well as identification of the minor.

Children of inmates will be allowed to visit without written permission. The inmate's name should appear on the child's birth certificate as verification of relationship. No visit will be permitted if a court order prohibiting such visit is on file with the facility.

Children of inmates who are 16 years of age and older will be admitted without adult escort.

Unmarried minors under 18 years of age must have written permission from their parent or guardian to visit an inmate, if they are not accompanied by their parent or guardian. Written permission may be mailed to the facility in advance or presented by the accompanying adult at the time of the visit.

Married persons under 18 years of age who are related to an inmate do not need the permission of a parent, guardian, or an adult escort in order to visit an inmate. However, proof of age and marriage will be required.

Small Children

If you arrive with a small child, you will be allowed to take a diaper bag, three (3) diapers, and plastic baby bottles into the visiting room. (Milk is not always available at the facility. It is a good idea to bring your own). All articles must be searched beforehand. A suitable area within the perimeter of the visiting room is provided for the changing of diapers.

Searches

All visitors will be searched upon entry to a prison. This is to make sure you are not carrying in any contraband. You may be asked to remove any metal objects, such as loose change, jewelry, watches, belts with buckles, car keys, etc.

Visitors may also be asked to take off outer clothing, such as jackets and sweat shirts. At some prisons, ALL of the aforementioned items are required to be put in a locker or left in the waiting room before visitation. Prison staff may also ask you to show them the bottom of your shoes; they are checking to make sure you are not bringing in contraband, such as razor blades.

Visitors will then be asked to either walk through a metal detector or be wanded-down with a hand-held metal detector. If a visitor refuses a search or is found with contraband, their visiting privileges will be terminated. Visitors can be subject to more intrusive searches if there is probable cause and prison staff suspect the visitor may be carrying contraband into a facility. Anyone caught with illegal contraband can have charges filed and be prosecuted.

Contraband

Contraband includes many different types of items, such as illegal or legal drugs, alcohol, tobacco products, and/or weapons. Any article not authorized by the prison administration is considered contraband.

Drugs are particularly dangerous in the prison environment. Inmates who have illegal drugs may be assaulted by other inmates who want to steal their drugs. If an inmate overdoses or becomes ill because of taking the drugs, he or she may be afraid to ask for help for fear of prosecution if anyone finds out.

You may wonder why some items are contraband. For example, it is difficult to understand how something as harmless as bubblegum could be a security risk. Gum has been used to disable locks (keyholes) on cell doors. Inmates have used this item and other contraband items to harm inmates and staff, or to disrupt the institution.

As stated above, if you are caught bringing in contraband, you can be prosecuted. This is a serious criminal offense and can lead to you going to prison as well. If you have children, bringing in contraband could lead to them losing both parents. You don't want to hurt your loved one or your children.

You naturally want to help your friend or family member. However, if he or she asks you to bring in contraband material, you can help them best by observing the rules and refusing to do it. *Help keep everyone safe!*

Dress Code

Yes, most prisons only allow clothing that is conservative, modest, and meets standards that are acceptable. Visitors should not wear clothing that is difficult to search, such as items with excessive pockets or padding or layering of one garment over another.

Unacceptable garments may include a low cut item exposing undergarments, tight fitting clothes, or clothes that refer to obscenity, alcohol, drugs or sex in any form.

Unacceptable items also include very short skirts or shorts, excessive jewelry, or any item considered to be a threat to the security of inmates, visitors, or staff. You may not be allowed to visit if dressed inappropriately.

Transportation

Some states have programs or ministries that offer free transportation for family members. Check with your loved one to see if this is available at his or her institution.

Visiting Room Rules (See the jail or prison policies you will be visiting)

General Rules:

- The Lobby rules will be followed at all times.
- Children must be supervised at all times.
- All persons and property on the Sheriff's Office grounds are subject to search.
- Officers or civilian staff can deny, change, or cancel a visit at any time at their discretion.
- All visits are subject to monitoring and recording.
- No items of any kind (packages, pictures, letters, etc) will be accepted.
- Gang members regardless of family status, or persons named in an Order of Protection, will not be allowed to visit.
- You are permitted to visit only one detainee per day.
- No cameras, cell phones, MP3 players or any other electronic devices are allowed. If it is discovered that you have taken any photographs in the facility the camera or photographic device may be confiscated.
- Appropriate dress is required at all times.
- Sitting, standing, kneeling, or lying on the countertops is not allowed.
- Any item issued to you as part of the visitation program (elevator prox. card, lock, locker, etc.) is the property of the Sheriff's Office. You may be held responsible for any loss of or damaged to these items.
- Do not linger after your visit has ended. Please return immediately to the front lobby to sign out.

Visitation Checklist

1. Confirm that the inmate has not been transferred and has visitation privileges.
2. Bring valid Identification – photo ID – License, state ID or Passport
3. Check clothing and jewelry for compliance with visiting regulations.
4. If you are bringing a child, you will need their birth certificate
5. If you are bringing a child and you are not the legal guardian or parent, you must have the notarized statement from the child's parent or legal guardian with you.
6. Before leaving home, check your vehicle for contraband or hazardous items. (weapons, scissors, intoxicants, etc.)
7. Leave purses, wallets, cell phones in your glove compartment or trunk. Be sure to LOCK your car!
8. Treat correctional staff with respect.

9. Do not bring anything into the visiting room to give to the inmate. Inmates are not permitted to take anything from the visiting area.
10. Prepare children for the visit.
11. Plan what to talk about and do during the visit.

EMERGENCIES

If you are an immediate family member of the inmate, it is always good to keep the inmate informed of any change in your address and phone number.

GRAVE ILLNESS OR DEATH OF A FAMILY MEMBER

In the event of a grave illness or death of a family member it is the family's responsibility to notify the chaplain or the commanding correctional officer.

The facility Superintendent or Warden determines if an inmate may be granted a final visit to a loved one who is ill or to attend the funeral. Inmates rarely receive approval. If they are approved, all expenses must be paid by the family.

Inmate Monies (Check with the jail or prison)

Never send cash or a personal check to an inmate.

Depositing money in an inmate fund may be through:

Mail: Send a certified check (some facilities determine the amount such as \$50). The check is to be made out to the inmate's full committed name and number. The sender's name and return address must appear on the upper left-hand corner of the envelope to ensure that the funds can be returned to the sender in the event that they cannot be posted to the inmate's account. Send only the check and nothing for delivery to the inmate.

Western Union Quick Collect Program: This is available for federal inmates.

Telephone: Jails and prisons contract with businesses such as TouchPay to coordinate payments into the inmate's account. Deposits are made using your credit card. A surcharge is typically added.

Online: Jail and prisons contract with businesses such as TouchPay to coordinate payments into the inmates account. Deposits can be made online at: <http://www.touchpaydirect.com> using your credit card. A surcharge is typically added.

On-site Kiosk: Some jails and prisons have an on-site kiosk in the lobby to make deposits into the inmate's account. A surcharge is typically added.

Inmate Commissary

The commissary is a store located inside the facility for inmates. It includes food, hygiene products, clothing, etc. Inmates are entitled to a “commissary buy” as scheduled by the facility.

PROGRAMS AND SERVICES

Each facility is different and provides different programs. Some of the common programs include:

- Education – Adult Basic Education, GED, English as a Second Language, Continuing education (life skills) or vocational program
- Guidance and Counseling
- Religious Services
- Treatment programs
- Medical/Dental/Mental Health Services

JUVENILE JUSTICE SYSTEM

(Check with your state’s Juvenile Justice System)

What Parents Should Know About the Juvenile Justice System

The goal of the juvenile justice system is to deter juveniles from future illegal acts. Parents are the most important resource in achieving that goal. Here are a few suggestions on how parents may help their child succeed:

- Listen to your child.
- Be consistent with your child.
- Do not physically or verbally abuse your child.
- Express love and affection.
- Create a stable family environment.
- Agree upon and follow house rules.
- Discuss problems.
- Meet your child's friends and their parents.
- Get involved in your child's school.
- Set a good example yourself.
- Spend time with your child.
- Reward positive behaviors.
- Take care of your own personal problems.
- Get professional help if necessary.

What is the Juvenile Justice System?

The juvenile justice system is a network of agencies that deal with juveniles whose conduct has come in conflict with the law. These agencies include police, prosecutor, detention, court, probation, and the Department of Juvenile Corrections.

How Does the System Work?

There are various stages in the process. At each stage important decisions are made about how to handle cases.

Police Contact

When the police determine that a crime has been committed and have a suspect, they have the option of referring the juvenile to the prosecutor's office and returning the juvenile to his/her parent or requesting that the juvenile be detained in the Juvenile Detention Center

Intake

The purpose of intake is to screen cases to determine how they will be handled. If a juvenile is detained and a petition is filed, the case is referred to court. However, in the case of minor offenses, the case may be referred for informal handling through the youth accountability board or through the probation department. Repeat offenders and felony cases are automatically referred to court by the prosecutor's office.

Detention

Detention is a short-term secure facility where juveniles are held awaiting court hearings. Juveniles may be held because of the seriousness of the offense, a history of criminal offenses, the juvenile is a threat to others, or to insure that the juvenile returns to court. The juvenile may also be placed in detention after the sentencing by the judge as a consequence for his/her actions. Parents may be ordered to pay detention costs.

Arraignment

The initial hearing is for the purpose of informing the juvenile and parents of the charges and their rights. The judge will also decide where and under what conditions the juvenile will stay until the next hearing.

Evidentiary Hearing

The evidentiary hearing is the same as a trial, except that juveniles do not have the right to a jury. At this hearing, the judge listens to everyone's testimony and determines whether the acts charged actually happened.

Sentencing

At the sentencing hearing the judge will decide what services will be ordered and what conditions the juvenile and parents must fulfill. Before the hearing, a probation officer will investigate the case by interviewing the family and other people to gather information to help the judge make a disposition. The judge may also order evaluations such as psychological, substance abuse, medical, etc. At the hearing the judge will consider the evaluations, reports, and statements made by all parties, including the victim. The juvenile and parents will be ordered to repay the victim for losses.

Dispositions

The two main dispositions the court may order are probation or commitment to the Department of Juvenile Corrections.

Probation is the disposition made in most juvenile court cases. The judge will order that the juvenile live with a responsible adult, usually the parents, and order that certain conditions be followed. They may include a curfew, school attendance, counseling, etc. The judge may order that the parents follow certain conditions and if they fail to, may be ordered to pay fines up to \$1,000 or serve jail time.

The judge may determine that the juvenile needs treatment that is not available in the community or that the community needs to be protected from the juvenile's behavior. In such cases, the juvenile may be placed in the custody of the Department of Juvenile Corrections. The Department may then place the juvenile in foster care, a group home, a hospital, secure confinement, or placement in another state. Although the Department has legal custody of the juvenile, that does not mean that the parents lose either their rights or responsibilities as the parents. The Department will require that the parents pay for the treatment of their child while he/she is in the state's custody.

Waiver to Adult Court

The judge may determine that the juvenile is not going to respond to the juvenile system and presents enough of a danger to the community that the juvenile should be treated as an adult. First there has to be a hearing where the prosecutor must prove that the child should be treated as an adult. If the judge orders the juvenile into the adult system, he/she will be subject to any punishment available in adult court, such as a sentence to the State Penitentiary. There are certain offenses where a juvenile may be waived into adult court automatically.

CRIMINAL JUSTICE SYSTEM

Different jurisdictions (city, county, state, federal) have different laws, agencies and ways of managing criminal justice processes. An outline is provided of the process for those who has been arrested, charged with a felony and found guilty.

Law Enforcement (Cops)

1. *Crime committed and reported*
2. *Police investigation*
 - a. evidence of a crime committed and a suspect identified
3. *Arrest or citation*
 - a. The suspect is arrested or issued a citation to appear in court at a specific time.
4. *Booking*
 - a.

Judicial System (Courts)

5. *First Court Appearance*

- a. The accused will appear in court to be informed of the charges and of his or her rights. The judge decides whether there is enough evidence to hold the accused or release him or her. If the defendant does not have an attorney, the court may appoint one or begin the process of assigning a public defender
- b. *Bail or Bond* – To be released on bail, defendants have to hand over cash or other valuables (such as property deeds) to the court as security to guarantee that the defendant will appear at the trial. To bond (an amount put up by a bail bondsman who collects a non-refundable fee from the defendant to pay the bail).
- c. *Own Recognizance* – the defendant promises to return to court
- 6. *Grand Jury or Preliminary Hearing*
 - a. In some states the defendant has the right to a grand jury, which means that a jury of citizens must hear the evidence presented by the prosecutor and decide whether there is enough evidence to indict the accused of the crime. The grand jury submits an indictment, or written statement of the facts of the offense charged against the accused. In a preliminary hearing, the judge may hear evidence and the defendant is formally indicted or released.
- 7. *Arraignment*
 - a. The defendant is informed of the charges and his or her rights by the judge. The defendant pleads guilty, not guilty or no contest (accepts the penalty without admitting guilt). If the plea is guilty or no contest, no trial is held and the offender is sentenced then or later. If the plea is not guilty, a date is set for the trial. If a plea agreement is negotiated, no trial is held.
 - b. *Plea Agreements*: The majority of cases are resolved by plea agreements rather than trials. In a plea agreement, the defendant has agreed to plead guilty to one or more of the charges in exchange for one of the following: dismissal of one or more charges, a lesser degree of the charged offense, a recommendation for a lenient sentence, not recommending the maximum sentence, or making no recommendation.
- 8. *Trial*
 - a. Trials are either bench (judge) or jury trial. The prosecutor and defense attorney present evidence and question witnesses. The judge or jury find the defendant guilty or not guilty on the original or lesser charges. If guilty, a date will be set for sentencing.
- 9. *Sentencing*
 - a. Victims are allowed to read an impact statement that explains how the crime affected them. The judge has a range of choices, depending on the crime (fines, probation, jail, prison, death penalty).

Corrections

- 10. *Jail or Prison*
 - a. Jail is typically for sentences of less than 1 year.
 - b. Prison is typically for sentences of 1 year or more.

Parole

11. Probation or *Parole*
 - a. Probation is when the offender is placed under the supervision in the community rather than going to jail or prison.
 - b. Parole is when an offender serves the remainder of his or her sentence under the supervision of the corrections system or the court.
 - c. A violation of probation or parole can result in being sent to jail or prison.

LEGAL SYSTEM FLOWCHART

A detailed flowchart and description of each event of the criminal justice system can be accessed at <http://www.ojp.usdoj.gov/bjs/largechart.htm>

CRIMINAL JUSTICE AND CORRECTIONS TERMS

Adjudication: The process by which a court reaches a decision that terminates a criminal case or a proceeding. It is a judgment, acquittal, or dismissal of the case.

Administrative segregation (AS): When an inmate is housed separately from the prison's general inmate population for other than disciplinary reasons, such as incompatibility with inmates, mental health reasons, at their own request, or any reason that calls for increased attention, surveillance, or supervision.

Bail: The amount of money specified by a Judge to be posted as a condition of pretrial release for the purpose of ensuring the appearance of the accused in court as required.

Bail bondsman: Person in the business of posting bail for a criminal suspect who charges a percentage of whatever bail has been set.

Bench trial: Trial conducted by a Judge who acts as both a finder of facts and determiner of issues of law.

Booking: The official registering of an arrest by the police that occurs at a police station or a prison. The physical presence of the accused is required for fingerprinting and photographing.

Citation: A written order issued by a law enforcement officer directing an alleged offender to appear in court at a specified time to answer a criminal charge.

Classification: Assigning inmates to suitable living quarters based on risk

factors such as criminal history, type of offense, and behavioral characteristics.

Commissary: The prison store for inmates.

Contraband: Items not authorized by the jail administration which includes illegal items such as, explosives, deadly weapons, drugs, and/or controlled substances. Any item that is controlled, limited, or prohibited on the grounds, or within the secure perimeter of a correctional facility is considered contraband. This includes any item that is a threat to prison security.

County Prison: Another name for a jail facility.

Courts: Federal, state, or local courts with jurisdiction to conduct trials, accept guilty pleas, and act as fact finders and sentence persons convicted of crimes.

Crime: A specific act of commission or omission in violation of the law, for which a punishment is prescribed.

Defense attorney: The lawyer who represents the accused and the convicted offender in their dealings with criminal justice officials.

Detainee: Inmate awaiting trial who is held in a prison.

Detainer: A charge on a prison inmate from another jurisdiction. The inmate will be extradited (sent) to that jurisdiction once the current charge is adjudicated (decided).

Detention Center: Another name for a prison or a facility for juveniles.

Disciplinary custody: Confinement to the disciplinary unit, which is a separate housing unit where prisoners are confined to their cells at all times except for limited outdoor exercise, showers, and specific needs such as a medical visit.

Discretion: When criminal justice personnel have the authority to choose among alternative actions or not to act at all.

Electronic Monitoring (EM): The offender is required to wear or carry an electronic device which transmit's their location to a receiver maintained by criminal justice personnel.

Extradition: The surrender and transportation of a person accused of or convicted of a crime in one state by another state holding the person in custody.

Felony: A serious crime carrying a penalty of incarceration for more than one

year.

Fine: A sum of money to be paid to the state by a convicted person as punishment for an offense.

House of Corrections: Another name for prisons/jails.

Intermediate Punishment: A sentence that does not include incarceration but does include court-ordered sanctions.

Lock-down: Securing a correctional facility or unit by restricting prisoner movement to their housing area.

Lock-up: A temporary holding facility, usually operated by a police department, that holds offenders pending bail or transport to prison; holds intoxicated persons until ready for release or juveniles pending parent custody or shelter placement.

Misdemeanor: An offense less serious than a felony and usually punishable by incarceration for no more than a year, a fine, or probation.

Non-contact visit: A visit in which the inmate and the visitor are not permitted to be in physical contact and are generally separated by a physical barrier.

Parole: The release of certain inmates from incarceration to continue serving their sentences in the community under varying degrees of supervision by a parole officer.

Parolee: A person who has been released with conditions before the end of his or her sentence. The individual is placed under the supervision of a parole officer.

Plea Bargain: The practice involving negotiations between a prosecutor, a defendant, and the defendant's attorney, which often results in the defendant entering a guilty plea in exchange for the state's reduction of charges, or for the prosecutor's promise to recommend a more lenient sentence than the offender would originally receive.

Pre-trial: motion to file a document with the court by one of the parties asking the court to do something, such as exclude evidence.

Prison: An adult confinement facility administered by a county, state, or federal government that houses inmates.

Probable cause: A reasonable belief that: 1) a crime has been committed, and

2) the person sought to be arrested committed the crime.

Probation: The release by the court of a convicted offender into the community with certain conditions, such as good behavior, under a suspended sentence. The offender is supervised by a probation officer.

Prosecuting attorney: A legal representative of the state with sole responsibility of bringing criminal charges.

Public Defender: An attorney employed on a full-time salaried basis by the government to represent persons who cannot afford to pay an attorney.

Recognizance: The release of an offender on his/her word of honor or promise to appear in court. The court is satisfied that the offender will appear and will not require the posting of bond or bail.

Restitution: Compensation for injury one has inflicted, in the form of payment of money to the victim.

Revocation: Refers to a court decision ending a parole because an offender violated the conditions of parole. An offender is entitled to a hearing before the court of original jurisdiction.

Special Visit: A visit granted when there is a special need which cannot be satisfied through normal procedures.

Source: *Handbook for Families and Friends of Butler County Prison Inmates*