

July 6, 2022

Substantial rewording of Rule 33-601.722 follows. See Florida Administrative Code for present text.

33-601.722 On-Site Visitation Schedule Designation.

(1) The Department will establish an on-site visitation schedule designation for each institution based upon criteria that promote the safety and security of the institution, inmates, staff, and the public. Utilizing the criteria below, the Department will determine whether a “standard” or “modified” visitation schedule designation, as defined in this rule, is best suited to balance the safety and security needs of the institution with the need to provide inmate visitation. The following criteria will be considered, with equal weight being given to each criterion:

(a) Whether institutional staffing levels are sufficient to adequately supervise the visitation, taking into consideration the physical area where visits will take place, the average number of visitors at an institution during the previous six months, and the number of inmates receiving visitors during the previous six months.

(b) The number of times when the number of visitors reached or exceeded 75% occupancy of the institution’s visiting park maximum capacity during the previous six months.

(c) The number of institutional visitation cancellations during the previous six months. Four or more cancellations will support a modified visitation schedule.

(d) The number of reported disturbances, disruptions, or physical or verbal altercations during visitation between or among inmates, staff, or visitors during the previous six months. Two or more reported incidents will support a modified visitation schedule.

(e) The number of reported incidents of contraband introduction by visitors resulting in the interruption, cancellation, or modification of routine facility operations during the previous six months. Four or more reported incidents will support a modified visitation schedule.

(f) The number of other reported safety incidents not covered by paragraphs (1)(a)—(e) occurring immediately prior to, during, or following visitation involving inmates, staff, or the public during the previous six months.

(2) For the purpose of paragraph (1)(e) of this rule, the following definitions will apply:

(a) “Contraband” means any item defined in section 944.47, F.S., or Rule 33-602.203, F.A.C.

(b) “Routine Facility Operations” include attorney/legal visits, canteen supply deliveries, classification appointments, contractor/vendor construction or repair projects, education/vocational classes, external transports, facility/grounds maintenance, facility tours, feeding of meals, food service supply deliveries, health services

July 6, 2022

appointments/callouts, inmate canteen services, inmate movement, inmate orientation, inmate reception, inmate recreation, inmate visitation, outside work squads, religious programs, special visits, and staff training.

(3) The Department will designate each institution's on-site visitation schedule as one of the following: "standard visitation" or "modified visitation." The Department will provide notice of the on-site visitation schedule designation as provided in paragraph (12)(d) of this rule.

(a) Standard visitation is defined as visitation between the hours of 9:00 a.m. and 3:00 p.m., Eastern Time (ET), or 8:00 a.m. and 2:00 p.m., Central Time (CT), on each Saturday, Sunday, and the days identified in subsections (10) and (11) of this rule.

(b) Modified visitation is defined as visitation between the hours of 9:00 a.m. and 3:00 p.m. ET or 8:00 a.m. and 2:00 p.m. CT on alternating odd-even weekends corresponding to the last digit of an inmate's Department of Corrections ("DC") number. Each year, Week 1 will start on the first Monday in January and continue through and include the following Sunday. Weeks will be numbered consecutively each week thereafter.

1. Inmates with a DC number ending in an odd-numbered digit will be allowed visitation during odd-numbered weeks, and inmates with a DC number ending in an even-numbered digit will be allowed visitation during even-numbered weeks.

2. The visitation period will be each Saturday and Sunday of the odd- or even-numbered week.

3. Notwithstanding whether a week is designated as odd or even, and subject to subsections (4) and (5) of this rule, all inmates will be allowed visitation on the days listed in subsections (9) and (10) of this rule.

(4) Emergency/Temporary Visitation. When the Secretary or Secretary's designee determines it necessary, he may establish an emergency/temporary visitation schedule designation for an individual institution, the institutions in one or more regions, or all institutions statewide. Emergency/temporary visitation includes a reduction or suspension of visitation privileges as warranted by the circumstances to promote the safety and security of an institution, inmates, staff, or the public. The emergency/temporary visitation schedule designation will be limited to the duration of the threat or hazard posed. The following criteria will be considered when determining whether an emergency/temporary visitation schedule designation is appropriate:

(a) An imminent or current disturbance, uprising, strike, or riot, or the immediate aftermath thereof.

(b) An unexpected institutional staffing limitation that creates or poses a significant threat to the safety and security of the institution, inmates, staff, or the public.

July 6, 2022

(c) Any incident of contraband introduction resulting in the interruption, cancellation, or modification of routine facility operations as defined in paragraph (2)(b) of this rule.

(d) Any emergency declared pursuant to Chapter 252, F.S.

(e) An imminent or current natural disaster, or the immediate aftermath thereof.

(f) Infection control issues that pose a significant potential health risk to inmates, staff, or the public.

(g) Any other extraordinary circumstance that creates or poses a significant threat to the security or safety of the institution, inmates, staff, or the public.

(5) Notwithstanding an institution's on-site visitation schedule designation, visitation at the institution is subject to the provisions of Rule 33-601.721(9), F.A.C., which may necessitate a limitation, reduction, or termination of visitation.

(6) Notwithstanding an institution's on-site visitation schedule designation, an inmate's visitation privileges are subject to limitation, restriction, or prohibition due to a disciplinary sanction or special status pursuant to Rules 33-601.731 or 33-601.733, F.A.C., respectively.

(7) Notwithstanding an institution's on-site visitation schedule designation or special visits conducted pursuant to Rule 33-601.736, F.A.C., approved visitors must request to schedule visitation sessions by accessing the Department's automated visitation scheduling system on the Department's public website. Visitation requests shall be made in advance to the institution where visitation is being requested. Visitation requests must be submitted the Monday, Tuesday, or Wednesday immediately prior to the desired visitation date, during the times published on the Department's public website.

(8) Institutions will initiate the visitation registration process at 8:15 a.m. ET or 7:15 a.m. CT. To better facilitate the registration process, visitors will be allowed to park in designated spaces beginning at 7:30 a.m. ET or 6:30 a.m. CT.

(9) Visitors will not be processed after 2:00 p.m. ET or 1:00 p.m. CT unless authorized by the duty warden.

(10) Notwithstanding an institution's on-site visitation schedule designation and subject to subsections (4)—(6) of this rule, all eligible inmates will be allowed visitation on:

(a) New Year's Day;

(b) Martin Luther King, Jr., Day;

(c) Memorial Day;

July 6, 2022

(d) Independence Day;

(e) Labor Day;

(f) Veteran's Day;

(g) Thanksgiving Day and the Friday following Thanksgiving; and

(h) Christmas Day.

(i) If any of the days listed in paragraphs (9)(a) through (h) falls on Saturday, the preceding Friday will be observed as an authorized visitation day. If any of the days listed in paragraphs (9)(a) through (h) falls on Sunday, the following Monday will be observed as an authorized visitation day.

(j) For institutions designated as a modified visitation institution, when any of the days identified in paragraphs (9)(a) through (h) falls on a Saturday, Sunday, Monday, or Friday, all eligible inmates will be allowed visits on the identified day and the adjacent Saturday and Sunday.

(11) Notwithstanding an institution's on-site visitation schedule designation, and subject to subsections (4)—(6) of this rule, inmates will be allowed visitation on:

(a) Mother's Day; and

(b) Father's Day.

(12) Review and Reconsideration of On-Site Visitation Schedule Designations.

(a) The Secretary or Secretary's designee will review and consider re-designation of an institution's on-site visitation schedule from standard visitation to modified visitation, or from modified visitation to standard visitation upon the occurrence of any of the following:

1. Notification by the Regional Director, Assistant Deputy Secretary of Institutions, or Deputy Secretary of an increase or decrease in one or more of the criteria set forth in paragraphs (1)(a) through (f) of this rule that impacts the institution's ability to provide a safe and secure visitation environment for inmates, staff, or the public.

2. The 180th day after assigning a modified visitation schedule designation to an institution.

(b) When considering whether to re-designate an institution's on-site visitation schedule, the Secretary or Secretary's designee will consider with equal weight each of the criterion set forth in subsection (1) of this rule.

(c) The Secretary or Secretary's designee will determine whether a standard or modified on-site visitation schedule designation is best suited to balance the safety and security needs of the institution with the need to provide inmate visitation.

July 6, 2022

(d) The Department will provide notice of the on-site visitation schedule designation or change in designation for each institution as follows:

1. On the individual institution's web page,
2. On the Department's website,
3. On a bulletin board at each institution accessible and viewable by inmates, and
4. In accordance with Rule 33-601.714(4)(b), F.A.C.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.151, 944.23, 944.47 FS. History—New 11-18-01, Amended 5-5-05, 10-12-05,_____.