

July 6, 2022

Substantial rewording of Rule 33-601.732 follows. See Florida Administrative Code for the current text of the rule.

33-601.732 Reinstatement of Suspended Visitation Privileges.

(1) General Provisions.

(a) The suspending authority (i.e., warden, warden's designee, or Regional Director) will serve as the reviewing authority for all requests for reinstatement of visitation privileges.

(b) All requests for reinstatement must be legibly handwritten or typed.

(c) An inmate must use Form DC6-236, Inmate Request Form, to submit their request for reinstatement to the suspending authority who issued the suspension pursuant to Rule 33-601.731, F.A.C. Form DC6-236 is incorporated by reference in Rule 33-103.055, F.A.C.

(d) A visitor must use Form DC6-111A, Request for Visitation privileges, to submit their request for reinstatement to the classification officer where the inmate is currently housed. Form DC6-111A is incorporated by reference in Rule 33-601.715, F.A.C.

(e) A request for reinstatement may not be submitted more than ten calendar days prior to the expiration of the applicable waiting period as provided in this rule.

(f) All reinstatement decisions will be made in writing and will be provided to the inmate via institutional mail and sent to the visitor via the U.S. Postal Service to the visitor's last known address.

(2) Criteria Considered for Reinstatement.

(a) The warden, warden's designee, or Regional Director, as the reviewing authority, will consider the following criteria when determining whether to grant or deny reinstatement of visitation privileges:

1. The severity and circumstances surrounding the offense(s) for which visitation privileges were suspended;
2. Whether reinstatement will pose a threat to the security of visitation operations, based upon the inmate's disciplinary record and classification status as determined by Rule 33-601.210, F.A.C.;
3. Whether the inmate or visitor have previously documented visitation-related incidents, disciplinary reports, or suspension of visitation privileges;
4. Whether reinstatement of visitation privileges will benefit the inmate's successful reentry into society by facilitating maintenance of community or family ties;
5. The relationship between the visitor and the inmate;
6. Whether the visitor has refused to consent to a visitor search pursuant to Rule 33-601.726, F.A.C.; and

July 6, 2022

7. Any extenuating circumstances provided by the inmate or the visitor that would support the reinstatement of visitation privileges.

(3) Inmates and visitors whose visitation privileges are suspended for any reason other than refusing to consent to a search pursuant to Rule 33-601.726, F.A.C., are eligible to seek reinstatement of visitation privileges as follows:

<u>Original or Modified Suspension Period</u>		<u>Required Waiting Period before Submitting a Request for Reinstatement</u>		<u>Required Waiting Period before Submitting a Subsequent Request for Reinstatement Following Disapproval of a Request for Reinstatement</u>
<u>1 year or less</u>	→	<u>6 months</u>	→	<u>Ineligible</u>
<u>More than 1 year up to 2 years</u>	→	<u>1 year</u>	→	<u>6 months</u>
<u>More than 2 years</u>	→	<u>2 years</u>	→	<u>1 year</u>

(4) A visitor whose visitation privileges are suspended for refusing to consent to a search pursuant to Rule 33-601.726, F.A.C., is eligible to seek reinstatement of visitation privileges as follows:

<u>Original or Modified Suspension Period</u>		<u>Required Waiting Period before Submitting a Request for Reinstatement</u>		<u>Required Waiting Period before Submitting a Subsequent Request for Reinstatement Following Disapproval of a Request for Reinstatement</u>
<u>Up to 24 months for a Pre-Entry 1<sup>st</sup> Refusal</u>	→	<u>Ineligible</u>	→	<u>Ineligible</u>
<u>Indefinite for a Pre-Entry 2nd or Subsequent Refusal</u>	→	<u>3 years</u>	→	<u>1 year</u>
<u>Indefinite for a Post-Entry Refusal</u>	→	<u>3 years</u>	→	<u>1 year</u>

(5) In the event that an original suspension period is modified, the modified suspension period will be used to establish the required waiting period before submitting a request for reinstatement.

July 6, 2022

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History—New 11-18-01,  
Amended 5-27-02, 9-29-03, 2-13-12, 9-24-12, 8-7-17, \_\_\_\_\_.