

July 19, 2022

## Notice of Declaratory Statement

### **DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections issued a Final Order dated July 15, 2022, disposing of the Amended Petition for Declaratory Statement filed by inmate Juanita Isaiah – PDS (visitation), on April 18, 2022. The following is a summary of the agency’s disposition of the petition:

Petitioner would be in violation of paragraph 33-601.731(2)(a), Florida Administrative Code, and would be subject to the suspension of her visitation privileges, if she were to bring a firearm onto institutional grounds without prior authorization, even if she left the firearm in her locked vehicle during her visit. Regarding cellular telephones and other portable communication devices, the Department interprets Sections 33-601.731 and 33-602.203, Florida Administrative Code, to permit the suspension of visitation privileges only when the circumstances of the visitor’s possession of such devices outside the secure perimeter indicate that the visitor has passed, is passing, or is attempting to pass such devices to an inmate or to otherwise transfer or introduce such devices inside the secure perimeter. Without additional aggravating circumstances [for example, the possession of a telephone (or multiple telephones) specially packaged to facilitate an apparent transfer to inmates], mere possession of a personal cellular telephone inside a visitor’s vehicle will not, for the limited purpose of suspending a visitor’s visitation privileges, be considered “unauthorized” possession under the existing applicable rules.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lauren Sanchez, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: Amy Matlock, 501 S. Calhoun Street, Tallahassee, Florida 32399.