

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> <b>Standard Operating Procedures</b>		
<b>Policy Name:</b> Compassionate Visit		
<b>Policy Number:</b> 222.09	<b>Effective Date:</b> 10/17/2018	<b>Page Number:</b> 1 of 5
<b>Authority:</b> Commissioner	<b>Originating Division:</b> Facilities Division	<b>Access Listing:</b> Level I: All Access

**I. Introduction and Summary:**

- A. Under the Rules of the Georgia Department of Corrections (GDC) Board, an offender, unless under a death sentence, may be permitted a Compassionate Visit to attend a funeral of an immediate family member or visit a critically ill member of their immediate family under prescribed conditions.
  
- B. Offenders may also be provided the opportunity to visit with their immediate families during times of emotional difficulty. This is accomplished within the departmental rules and based upon the Warden's or Superintendent's determination of the offender's reliability and trustworthiness.

**II. Authority:**

- A. O.C.G.A. §§ 42-5-56, 42-5-80 thru 85, and 19-3-1.1;
  
- B. GDC Board Rules: 125-2-4-.15 and 125-3-4-.02;
  
- C. GDC Standard Operating Procedures (SOPs): 209.01, Offender Discipline; 203.04, Notification/Clearance of Escapes; 225.01, Escape Plan; and 215.07, Resident Passes and Leaves; and
  
- D. ACA Standards: 4-4445, 4-4447, 4-4500, and 4-4500-1.

**III. Definitions:**

- A. **Compassionate Visit** - Offender leaves from a facility or center to attend the funeral of an immediate family member or visit a critically ill member of his family in the custody of a sheriff, sheriff's deputy, or a correctional officer designated by the Warden or Superintendent. Compassionate visits for Transitional Center residents will be handled according to SOP 215.07, Resident Passes and Leaves, unless circumstances require compliance with this policy.
  
- B. **Immediate Family** - A grandparent, parent (including step-parents, parent through adoption, or person who acted in the capacity of a parent), spouse, brother, sister, child (including step-child or adopted child), and grandchild. A spouse or step-children from a common law marriage that occurred on or before January 1, 1997

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may be considered immediate family if they meet visitation criteria adopted by the Board of Corrections.

- C. **Offender** - For the purposes of this procedure any offender housed in a facility under the jurisdiction of the Georgia Board of Corrections. This includes public and private prisons, county correctional institutions, probation detention centers, revocation centers, boot camps, substance abuse treatment centers, and when required, transitional centers.
- D. **Sexual Offense** - As used in this SOP, the term sexual offense means a violation of O.C.G.A. §16-6-1, relating to the offense of rape; §16-6-2, relating to the offense of aggravated sodomy; §16-6-5.1, relating to the offense of sexual assault against a person in custody; §16-6-22, relating to the offense of incest; or §16-6-22.2, relating to the offense of aggravated sexual battery, when the victim was under 18 years of age at the time of the commission of any such offense; or a violation of §16-6-3, relating to the offense of statutory rape; §16-6-4, relating to the offenses of child molestation and aggravated child molestation; or §16-6-5, relating to the offense of enticing a child for indecent purposes, when the victim was under 16 years of age at the time of the commission of any such offense.

**IV. Statement of Policy and Applicable Procedures:**

- A. An offender may be released into the temporary custody of a sheriff or a deputy sheriff for the purpose of a bona fide Compassionate Visit (i.e. to attend the funeral of an immediate family member or visit a critically ill member of his family) provided the sheriff accepts responsibility for the physical custody, control, and return of the offender to the facility or center in a manner and a time prescribed by the Warden or Superintendent.
- B. Any offender with a current or prior conviction for any sexual offense as defined in the Definitions Section of this SOP shall not be allowed visitation with any person under the age 18 years unless such person is the spouse, son, daughter, brother, sister, grandson, or granddaughter of the offender and such person is not the victim of a sexual offense for which the offender was convicted. If visitation with a minor is restricted by court order, permission for special visitation with the minor may be granted only by the court issuing such order.

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1. The offender shall not be released to the custody of a member of the offender's family.
  - a. A family member shall not be deputized to assume custody of the offender. Nor shall the offender be released to a sheriff or deputy who is related to the offender.
  - b. If an offender is not returned by the prescribed time, then the sheriff's office (one having custody of the offender) shall be contacted immediately.
  - c. The sheriff or deputy into whose custody an offender is released shall not take the offender to any location other than the funeral home, church or other location at which the Immediate Family member's funeral is being conducted or the location at which the Immediate Family member is being cared for. The offender may be housed at the county jail on the way to or from these locations, if needed, for logistical reasons. The offender shall remain in the physical presence of the sheriff or deputy throughout the Compassionate Visit. At no time shall the offender be left alone with the Immediate Family member or other members of his or her family.
  
2. All Compassionate Visit Requests for Sex Offenders, offenders convicted of Murder, and Out of State Reprieves shall be referred to the State Board of Pardons and Parole.
  
3. The Warden or Superintendent shall take into consideration the following when deciding whether to grant or deny a Compassionate Visit request:
  - a. Offender's attitude;
  - b. Record;
  - c. Security Classification;
  - d. If the visit is in the best interest of the offender, his family, the facility or center, offender's community and the general public; and

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- e. The Warden or Superintendent shall also review the offender's institutional file to ensure compliance with section II. B., of this SOP, and direct necessary corrections to the identified offender's visiting list or requests regarding a Compassionate Visit. The review shall be documented in SCRIBE, in a case note.
4. The Warden or Superintendent may designate a correctional officer to transport an offender in an official vehicle.
5. An offender under the jurisdiction of the State Board of Corrections and who is a mental health patient at Correct Care Recovery Solutions shall be permitted to take a Compassionate Visit only with the consent and under the circumstances dictated by the authorities of Correct Care Recovery Solutions.
6. An offender may take a Compassionate Visit/Reprieve outside the boundaries of the State of Georgia on the authority of an Executive Agreement between the Governor of Georgia and the Governor of the other state. In some circumstances, a similar visit may be arranged through the State Board of Pardons and Parole.
7. The Facility Chaplain, or Counselor, shall be responsible for verifying the death or serious illness of an offender's family member, notifying the offender in a timely manner, completing Attachment 2, Crisis Form, and contacting the Office of Victim Services.
8. The Facility Chaplain, or Counselor, shall be responsible for contacting the State Board of Pardons and Parole, if necessary, to comply with section IV. B. 2., of this SOP.
9. The Chaplain, or Counselor, shall be responsible for completing Part 1, Initial Contact Information of Attachment 2, prior to contacting the Office of Victim Services. Once verification has been made, the Director of Victim Services or their designee, shall be contacted via telephone and email in accordance with the information provided to each facility on the Georgia Office of Victim Services Critical Contact List.

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10. The Director of Victim Services or their designee, shall verify if there is a registered victim(s) of the offender. If a victim(s) exists, Victim Services shall notify the victim(s) of the offender's request. After notifying the victim(s), Victim Services shall contact the Facility Chaplain, or Counselor, via telephone and email, and advise of the recommendation.

**NOTE: All information from the Office of Victim Services shall remain confidential, and shall not be the sole basis for approval or denial.**

11. Once all information has been verified and The Office of Victim Services has rendered their recommendation, Attachment 2, Crisis Form, shall be completed and the Warden/Superintendent shall render a decision. The Chaplain, or Counselor, shall be responsible for notifying the Director of Victim Services or their designee, family member(s), Sheriff's Department, and the offender of the final decision. Attachment 2, shall be emailed to the Director of Victim Services or their designee.

12. Prior to the offender departing the Facility, Attachment 1, Compassionate Visit Form, shall be completed. The releasing GDC Supervisor shall be responsible for completing and reading Attachment 1 to the receiving Sheriff's Deputy and the offender and ensuring that both receive a copy. The Warden/Superintendent or their designee, shall be responsible for contacting the Communication Center once the offender departs the facility and upon return.

13. The Communication Center Staff shall also be responsible for contacting the Director of Victim Services or their designee, in accordance with the information provided to each facility, the Georgia Office of Victim Services Critical Contact List, to advise that an offender has departed the facility and upon the offender's return. Victim Services shall notify the victim(s), of the departure and return of the offender.

**V. Attachments:**

Attachment 1: Compassionate Leave Form; and  
 Attachment 2: Crisis Form.

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**VI. Record Retention of Forms Relevant to this Policy:**

Upon completion and distribution of Attachment 1 and 2, copies shall be placed in offender's institutional file. Attachment 2 shall be sent to the Office of Victim Services and made a permanent and confidential part of the Office of Victim Services' files.