



GENERAL ORDER

Loudoun County Sheriff's Office

Chapter: Correctional Services	Section: 505.6
Subject: Classification and Inmate Records	Topic: Inmate Access to Courts, Attorneys, and Legal Services
Accreditation: 6VAC15-40-680, 6VAC15-40-700	
Enacted: 04/16/2008	Revised: 09/22/2016
Last Review:	Reaffirmed:
	Review:

I. PURPOSE

The purpose of this General Order is to provide directives concerning inmate access to the courts, attorneys and legal services.

II. POLICY

It shall be the policy of the Corrections/Court Services Division that inmates have the right to:

- A. Unlimited access to the courts and to address uncensored communications to governmental authorities. Inmates seeking judicial or administrative redress are not subject to reprisal or penalties as a consequence.
- B. Access to attorneys and their authorized representatives.
- C. Access to legal materials if there is not adequate free legal assistance to help them with criminal, civil and administrative legal matters.
- D. Access to paper, word processing equipment, and other supplies and services related to legal matters.

II. DEFINITION:

Indigent Inmate: An inmate is considered indigent if the average balance in his or her inmate account during the previous two-week period prior to application for consideration as indigent is two dollars and ninety cents (\$2.90) or less.

III. PROCEDURE

- A. Inmates have the following access:
 1. Unrestricted and uncensored correspondence with the courts, attorneys and their agents, and parole and probation officers, unless evidence of criminal activity through such correspondence is brought to the attention of a deputy. In such cases, the Division Commander may initiate appropriate measures to restrict such activity.
 2. Visitation by attorneys, attorneys' agents, agents of the courts including federal, state and local law enforcement officials, and parole and probation officers; as well as phone calls thereto.

- B. General Order # 506.6, Inmate Mail, provides guidance regarding the handling of inmate mail and correspondence.
1. Indigent inmates are entitled to postage for personal and/or legal mail.
- C. General Order # 506.8, Inmate Visitation, provides guidance concerning personal and professional visitation. With respect to inmates' rights to receive visits from agents of the courts, criminal justice agencies, and attorneys, the following is applicable:
1. Inmates may be visited by attorneys or their agents; special agents of the courts, federal, state, and local law enforcement officers; parole and probation officers during times which do not conflict or interfere with operations of the Adult Detention Center.
 2. Visiting hours will be posted for public information; however, exceptions may be made at the discretion of a squad or shift supervisor for official visitors.
 3. Arrangements should be made to afford attorneys and other professional visitors the opportunity to visit with their clients in private.
 4. Official visitors may be subject to search.
 5. Official visitors who engage in criminal activity while in the Adult Detention Center or who do not conduct themselves in a professional manner are to be reported to the Division Commander through the chain of command.
- D. General Order # 506.7, Inmate Telephone Access, provides guidance concerning the availability of telephones for inmate use.
- E. Legal Services
1. Inmates desiring to use the law library must submit requests to a supervisor on an Inmate Request Form.
 2. Inmates whose custody status precludes law library visitation may submit requests for legal reference materials to be sent to their cells.
 3. Notary services for inmates as related to legal matters, specifically, courts, counsel, officials of the confining authority, state and local chief executive officers, and members of the paroling authority will be available to inmates upon request.

IV. DOC STANDARD

6VAC15-40-680: Visiting Opportunities

Written policy, procedure and practice shall ensure the maximum visiting opportunities limited only by facility schedules, space, personnel constraints and inmate disciplinary status. Attorneys shall be permitted to have confidential visits with their clients.

Compliance Documentation:

- Review written policy and procedures
- Review visitor logs/records
- Observation of space
- Interview staff/inmates

The amount and length of visits of visitors must be consistent with the institutional schedule of activities, space available, personnel constraints, or substantial security concerns sufficient to justify any restrictions. Visitors under a certain age, as determined by the facility, should not be permitted access to the facility without an accompanying adult, unless authorized by the managing official or designee. Reasonable restrictions may also be placed on visitor attire and behavior to minimize potential problems. Attorney visits should be in accordance with §53.1-127 Code of Virginia.

6VAC15-40-700: Requirements of Visitor Registration and Visitor Searches

Written policy, procedure and practice shall specify requirements for visitor registration and the circumstances and methods under which visitors may be searched.

Compliance Documentation:

- Review written policy and procedures
- Review registration records
- Review visitor search records (if applicable)

This General Order becomes effective September 23, 2016, and rescinds all previous rules and regulations pertaining to the subject.