

**TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW  
ENFORCEMENT**

**CHAPTER I: DEPARTMENT OF CORRECTIONS  
SUBCHAPTER e: OPERATIONS**

**PART 525  
RIGHTS AND PRIVILEGES**

**SUBPART A: VISITATION**

**Section**

525.10	Applicability
525.12	Definitions
525.15	Responsibilities
525.20	Visiting Privileges
525.30	Clergy Visitation
525.40	Attorney Visitation - Adult Division
525.50	Attorney Visitation Juvenile Division (Court Agreement)
525.60	Restriction of Visitors

**SUBPART B: MAIL AND TELEPHONE CALLS**

**Section**

525.100	Applicability
525.110	Definitions
525.115	Responsibilities
525.120	Processing of Mail
525.130	Outgoing Mail
525.140	Incoming Mail
525.150	Telephone Privileges

**SUBPART C: PUBLICATIONS**

**Section**

525.200	Applicability
525.202	Definitions
525.205	Responsibilities
525.210	General Guidelines
525.220	Publication Review Officer
525.230	Procedures for Review of Publications

**SUBPART D: MARRIAGE OF OFFENDERS****Section**

525.300	Applicability
525.302	Definitions
525.305	Responsibilities
525.310	Request for Permission to Marry

**AUTHORITY:** Implementing Sections 3-2-2, 3-7-1, 3-7-2, 3-8-7, 3-8-8, 3-10-8, and 3-10-9 of the Unified Code of Corrections [730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-8-7, 3-8-8, and 3-10-9] and Section 1-3 of the Juvenile Court Act of 1987 [705 ILCS 405/1-3] and authorized by Sections 3-2-2 and 3-7-1 of the Unified Code of Corrections [730 ILCS 5/3-2-2 and 3-7-1]. Subpart A is also implementing a Consent Decree (Tillman vs. Rowe, #77 C 1008, N.D. Ill., 1977).

**SOURCE:** Adopted at 8 Ill. Reg. 14598, effective August 1, 1984; amended at 9 Ill. Reg. 10728, effective August 1, 1985; amended at 11 Ill. Reg. 16134, effective November 1, 1987; amended at 12 Ill. Reg. 9664, effective July 1, 1988; amended at 14 Ill. Reg. 5114, effective April 1, 1990; amended at 14 Ill. Reg. 19875, effective December 1, 1990; emergency amendment at 16 Ill. Reg. 3583, effective February 20, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10439, effective July 1, 1992; peremptory amendment at 17 Ill. Reg. 1666, effective January 22, 1993; expedited correction at 17 Ill. Reg. 11903, effective January 22, 1993; peremptory amendment at 17 Ill. Reg. 8069, effective May 27, 1993; amended at 20 Ill. Reg. 15960, effective January 1, 1997; emergency amendment at 21 Ill. Reg. 641, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7139, effective May 31, 1997; amended at 27 Ill. Reg. 8039, effective July 1, 2003.

**SUBPART A: VISITATION****Section 525.10 Applicability**

This Subpart applies to all correctional facilities within the Department of Corrections.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)

**Section 525.12 Definitions**

"Chief Administrative Officer" means the highest ranking official of a correctional facility.

"Department" means the Department of Corrections.

"Director" means the Director of the Department of Corrections.

“Offender” means a person committed to the Department or to the custody of the Department.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)

#### **Section 525.15 Responsibilities**

- a) Unless otherwise specified, the Director or Chief Administrative Officer may delegate responsibilities stated in this Subpart to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director or Chief Administrative Officer shall personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency.

(Source: Amended at 20 Ill. Reg. 15960, effective January 1, 1997)

#### **Section 525.20 Visiting Privileges**

- a) The Chief Administrative Officer of each correctional facility shall establish regular visiting hours.
  - 1) All rules and regulations pertaining to visiting shall be posted and made available to visitors and offenders.
  - 2) Visitors who travel great distances to visit an offender may request extended visits. These requests should be submitted sufficiently in advance to the Chief Administrative Officer for consideration.
  - 3) Visitors shall be subject to search in accordance with 20 Ill. Adm. Code 501.220.
  - 4) Visitors may be permitted to wear religious headgear if:
    - A) There are no safety or security concerns; and
    - B) The headgear has been removed and thoroughly searched; and
    - C) The visitor has indicated that the headgear has religious significance; and
    - D) Either:

- i) The headgear is a kufi, yarmulke, turban, habit, or fez; or
  - ii) A written request to wear headgear other than those listed in subsection (a)(4)(D)(i) of this Section was submitted to the Chief Administrative Officer at least ten days prior to the visit and the Chief Administrative Officer approved the request. Failure to submit a timely request shall result in denial of the request.
- 5) All offenders' visits shall be subject to monitoring and recording at any time by departmental staff, unless prior special arrangements have been made for confidential attorney visits or other privileged visits. For purposes of this Section, a privileged visit means any conversation or communication between visitors that is protected by a privilege of law or by decision, rule, or order of the Illinois Supreme Court. Notices stating that visits are subject to monitoring and recording shall be posted in places in which offenders are normally permitted to visit and in the offenders' orientation manual.
- 6) Visits may be restricted to non-contact visits by the Chief Administrative Officer for reasons of safety, security, and order. This may include, but not be limited to, restricting visits to non-contact visits for offenders known or believed to be engaged in gang activity.
  - A) Offenders who are assigned to an adult closed maximum security facility or who are in disciplinary segregation or who are extremely high escape risks shall be restricted to non-contact visits.
  - B) Offenders found in possession of illegal drugs or who fail a drug test shall be restricted to non-contact visits for at least 6 months.
  - C) Offenders involved in gang activity or found guilty of assault against a Department employee in accordance with 20 Ill. Adm. Code 504 shall be restricted to non-contact visits for a period of at least 6 months.
- b) At the time of admission to a reception and classification center, an offender shall submit a list of proposed visitors to designated facility staff. A visiting list shall be established after verification, review, and approval by the Chief Administrative Officer. Permission to visit may be denied due to the safety, security, or operations of the facility. Visitors must be approved in order to visit.
  - 1) Department staff may interview or request background information from potential visitors to determine whether the individual would pose a threat

to the safety or security of the facility or any person or to the order of the facility.

- 2) Visitors 17 years of age or older must be on the approved list in order to visit.
  - A) An individual 12 years through 16 years of age who is not a member of the offender's immediate family may only visit with the written consent of his or her parent or guardian. Immediate family shall include children, brothers, sisters, grandchildren, whether step, adopted, half, or whole, and spouses.
  - B) When visiting, anyone under the age of 17 years must be accompanied by an approved visitor who is 17 years of age or older, unless prior written approval has been granted by the Chief Administrative Officer.
  - C) Visitors under 12 years of age may only be permitted to visit:
    - i) When accompanied by a parent or guardian who is an approved visitor;
    - ii) When prior written consent has been given by a parent or guardian who is in the free community for the child to visit when accompanied by an approved visitor designated in writing who is at least 17 years of age; or
    - iii) As otherwise approved by the Chief Administrative Officer.
- 3) In determining whether an exception shall be granted pursuant to subsections (b)(2)(B) and (C), the Chief Administrative Officer may consider, among other factors, the proposed visitor's age, emancipation, and relationship to the offender; whether a legal guardian has been appointed for the proposed visitor; the inability of an approved visitor to accompany the proposed visitor; and any applicable court order.
- 4) A proposed visitor who has been convicted of a criminal offense or who has criminal charges pending, including, but not limited to, an individual on bond, parole, mandatory supervised release, or probation or an ex-offender, may visit an offender only with the written approval of the Chief Administrative Officer. In determining whether to approve or deny a request, the Chief Administrative Officer may consider, among other matters, the following:

- A) The nature, seriousness, and the date of commission of the offense.
  - B) The proposed visitor's criminal history.
  - C) The proposed visitor's relationship to the offender.
  - D) The date of discharge from parole, supervision, or probation or of completion of service of a term of incarceration.
- 5) The number of approved visitors may be limited by the Department due to operations and security reasons. Any limitations imposed shall be conveyed to offenders.
  - 6) Offenders may request to change the names of requested visitors no more frequently than monthly except in emergencies or to add or change attorney names.
  - 7) A visitor may be disapproved at any time by the Chief Administrative Officer in accordance with this Subpart.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)

### **Section 525.30 Clergy Visitation**

Clergy and religious leaders from religious groups may visit offenders during regularly scheduled visiting hours and during other hours as approved by the Chief Administrative Officer subject to safety and security concerns.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)

### **Section 525.40 Attorney Visitation - Adult Division**

- a) Licensed attorneys and any investigators, law students, or paralegals working under their supervision may visit an offender during regularly scheduled visiting hours unless permission has been granted by the Chief Administrative Officer to visit during other hours.
- b) Investigators, law students, or paralegals shall be required to present a written statement from a registered attorney indicating that they are working under the supervision of an attorney who is representing an offender and indicating the names of the offenders with whom they are authorized to visit.
- c) Attorneys or those working under their supervision are requested to notify the Chief Administrative Officer of the designated time and date of the visit at least two days in advance of the visit in order to make special visiting room

arrangements.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)

**Section 525.50 Attorney Visitation - Juvenile Division (Court Agreement)**

- a) To assure that persons committed to the Juvenile Division may privately confer in person with attorneys of their choice or with attorneys retained by their parents or with attorneys appointed by courts, the following procedures are established:
  - 1) Attorneys may routinely visit offenders between the hours of 9:00 a.m. and 5:00 p.m. daily, unless other arrangements have been made with the Chief Administrative Officer of the facility.
    - A) Except in emergencies, at least 24 hours before the visit, attorneys are requested to notify an employee of the facility designated by the Chief Administrative Officer to arrange visitations, the date and time at which they wish to confer with the offender.
    - B) The designated employee will immediately confirm or deny the arrangements.
  - 2) The visiting attorneys may establish that they are attorneys registered with the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (130 East Randolph, Suite 1500 , Chicago, Illinois 60601) by exhibiting their Commission identification card.
    - A) If no card is available, the facility shall call the Commission (800/826-8625 or 312/565-2600 ) to determine if the attorneys are registered.
    - B) Visiting attorneys not listed with the Commission or those practicing out of state shall be approved by the Chief Administrative Officer only after it has been established that they are licensed to practice law.
  - 3) Any time prior to any attorney-offender conference, the offender shall sign an authorization. The authorization shall be filed in the offender's master record file and shall be substantially in the following form:

I, (name of offender), hereby authorize (name of attorney), Attorney at Law, to represent me as my attorney and advocate.

Date: \_\_\_\_\_  
Signature

- A) In the event that the offender's written authorization is not submitted for the attorney, the designated employee will immediately confer with the offender for the purpose of obtaining written authorization.
  - B) In lieu of the above authorization, any time prior to the visit, an attorney may present a copy of a court order appointing the attorney to represent the offender.
- b) The aforementioned shall apply also to law students, paralegals, or attorneys' agents to the extent that such persons present a written statement from registered attorneys indicating that the person is working under the supervision of an attorney.
  - c) Before this Section of the Subpart may be modified, the Department legal staff shall be consulted. This Section was promulgated pursuant to the settlement of litigation by order of the court. It may not be modified without the approval of the court.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)

#### **Section 525.60 Restriction of Visitors**

- a) The Chief Administrative Officer may limit the frequency and duration of visits in accordance with the availability of space and staff.
- b) The Chief Administrative Officer may limit the number of persons allowed per visit in accordance with considerations of space, time, and security.
- c) Visiting privileges may be temporarily suspended by the Chief Administrative Officer during an institutional emergency or lockdown and for a reasonable time thereafter, upon the approval of the Director.
- d) Visitors and offenders shall not be permitted to exchange any item during a visit, except with prior approval of the Chief Administrative Officer.
- e) The Chief Administrative Officer may deny, suspend, or restrict visiting

privileges based, among other matters, upon the following:

- 1) Security and safety requirements;
  - 2) Space availability;
  - 3) Disruptive conduct of the offender or visitor;
  - 4) Abuse of the visiting privileges by the offender or visitor; or
  - 5) Violation of State or federal laws or departmental rules by the offender or visitor.
- f) Any of the following actions on the part of a visitor may result in a temporary restriction of up to six months:
- 1) Disruptive conduct of a minor nature.
  - 2) Disobeying an order or posted rule.
  - 3) Refusal to submit to search.
  - 4) Possession of drugs when the visitor has demonstrated there was no intent to conceal or introduce drugs into the facility.
  - 5) Possession of alcohol when the visitor has demonstrated there was no intent to conceal or introduce alcohol into the facility.
  - 6) Being under the influence of alcohol or drugs.
  - 7) Possession of other contraband as defined under State, federal, or local laws or other departmental rules not specifically outlined in this Subpart.
- g) Any of the following actions on the part of a visitor may result in a permanent restriction:
- 1) Assaultive behavior on any individual.
  - 2) Sexual misconduct.
  - 3) Possession of weapons.
  - 4) Possession of drugs or drug paraphernalia.
  - 5) Unauthorized possession of money.

- 6) Possession of escape paraphernalia.
  - 7) Possession of alcohol.
  - 8) Providing false identification or information.
  - 9) Disruptive conduct of a major nature.
  - 10) Violation of State, federal, or local law during a visit, including arrest or conviction based on any action committed during a visit.
  - 11) Any recurrence of an action that previously resulted in a temporary restriction.
- h) Employees who have been involved with offenders or former employees who have either resigned or have been terminated as a result of involvement with offenders may be permanently restricted from visits if it is determined they may be a threat to safety or security.
  - i) If contraband is discovered in the possession of an offender either during or after a visit, it will be assumed that the contraband was introduced by the offender's visitor.
  - j) Visits of offenders hospitalized in the community may be restricted to the immediate family and shall be subject to the general visiting policies of the hospital.
  - k) Written notification of temporary or permanent restriction of visiting privileges shall be sent to the visitor and to the offender. Any person excluded from an offender's visiting list at one correctional facility shall be excluded at all facilities. The notice of temporary restriction shall state the exact length of the restriction.
  - l) Notices of permanent restrictions shall inform visitors and offenders that they may request that the Chief Administrative Officer review the decision after a six month period. After the initial six month review, permanent restrictions shall be reviewed by the Chief Administrative Officer on an annual basis upon request of the offenders or their visitors. Written notification of the decision shall be sent to the visitor and to the offender.
  - m) The Chief Administrative Officer may restore visiting privileges at any time.

(Source: Amended at 27 Ill. Reg. 8039, effective July 1, 2003)