

Report to the Chairmen of the House Committee on Militia,  
Police and Public Safety and Senate Committee on  
Rehabilitation and Social Services

Visitors at State Correctional Facilities;  
Wearing of tampons and menstrual cups



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## Preface

This report is in response to the passage of House Bill 1884:

Chapter 303 State Correctional facilities; visitors wearing tampons or menstrual cups.

The Director of the Department of Corrections shall review the Department's visitation policies concerning visitors' wearing of tampons or menstrual cups at state correctional facilities and shall revise such policies as necessary to permit such visitors to wear tampons or menstrual cups. The Department shall make the policy available to the public as soon as practicable and shall provide a copy to the Chairmen of the House Committee on Militia, Police and Public Safety and the Senate Committee on Rehabilitation and Social Services by November 1, 2019.

## Table of Contents:

Purpose.....	3
Background.....	3
Review.....	3
Conclusion.....	4



## Purpose

HB 1884 requires the Director of the Virginia Department of Corrections (VADOC) to review the Department's visitation policies concerning visitors' intended use of tampons or menstrual cups at state correctional facilities and to revise such policies as necessary to permit such visitors to wear tampons or menstrual cups. The bill directs the Department to make the policy available to the public and to provide a copy to the Chairmen of the House Committee on Militia, Police and Public Safety and the Senate Committee on Rehabilitation and Social Services by November 1, 2019.

## Background

VADOC firmly believes in the importance of contact visits, as it tends to produce better outcomes when family and friends stay connected with loved ones who are incarcerated. To facilitate contact visits, screening for contraband is necessary for security purposes. On average, there are 3,000-4,000 visits every weekend at over 40 VADOC facilities statewide. In CY2017, there were 79 overdoses in VADOC facilities and 3 deaths; the number of overdoses has declined to 57 in CY2018, with only one death. In CY2019 through September 30, 2019, there have been 2 deaths where the cause has been opioid related overdose. As it relates to visitors and contraband, specifically drugs, in 2019 alone, VADOC has had numerous attempts by visitors to introduce drugs into the facility through the visitation process. In CY2019 (January-August) there have been 112 drug-related incidents involving visitors. This includes seizure of drugs from visitor vehicles, conspiracy of visitors to bring drugs into the facility, and alerts indicating the presence of drugs and refusal of search.

In the fall of 2018, VADOC proposed a policy to reduce the amount of contraband coming into VADOC facilities, avoid visitor strip searches, and facilitate contact visits. This policy involved the use of tampons or menstrual cups while visiting an offender incarcerated in a VADOC facility. The facility would offer pads so that the feminine hygiene products in a body cavity would not appear on a body scan as potential contraband. This was set to take effect on October 6, 2018. Prior to implementation, Secretary of Public Safety and Homeland Security Brian Moran advised that further review was necessary and stopped the procedure from taking effect.

## Review

Alternative methods, including other states' practices were explored, but ultimately VADOC decided to continue operating with the original procedure dated December 1, 2017. VADOC has no procedures that prohibit the use of feminine hygiene products in any form for facility visitors and the current procedure does not include any reference to tampons or menstrual cups. The



current agency visitation procedure went into effect on December 1, 2017 with amendments on September 1, 2018 and September 1, 2019. This procedure may be found on the VADOC's public website under the General Public tab and is referenced as Operating Procedure 850.1, "Visiting Privileges."

## **Conclusion**

Each weekend VADOC supports visitation at correctional facilities across the Commonwealth. With approximately 30,000 offenders incarcerated, and nearly 70,000 offenders supervised by VADOC probation and parole, family reunification is an important part of the successful reintegration of offenders back into society.

VADOC recognizes that contact visits pose a unique challenge to a secure correctional facility, but the connection between family and friends and the offender population results in support systems vital to the long-term success of our returning citizens. VADOC will continue to support contact visits and explore other ways to encourage family reunification to improve and maintain VADOC's goal of lasting public safety.