

Department of Corrections
HAGATNA (FEDERAL) DETENTION FACILITIES
Hagåtña, Guam

GENERAL ORDER	Date of Issue: 09-17-07	Effective: Immediately	No. FY07-003
Reference: 9 GCA, §90.30 and §90.40 (a), (b) and (c) and Executive Order 94-19, Chapter 9		Rescinds: General Order 96-001	
Index As: DETAINEE/INMATE VISITATION RULES AND REGULATIONS			

SUBJECT: This General Order is to provide a standard visitation policy and procedure for the Hagåtña (Federal) Detention Facilities, Hagåtña, Guam, in compliance with provisions set forth in the Guam Code Annotated Title 9, §90.30 and §90.40 (a), (b) and (c) and Executive Order 94-19, Chapter 9.

THIS ORDER CONSISTS OF THE FOLLOWING SECTIONS:

- I. PURPOSE
- II. OBJECTIVE
- III. POLICY
- IV. PROCEDURES
- V. DEFINITIONS

I. PURPOSE:

To provide a visitation policy and procedure, which sets, uniform guidelines to govern the administration of visiting programs within the Detention Facilities.

II. OBJECTIVE:

To ensure families and friends continue their ties to be nurtured and strengthened through visiting which provides a positive morale and strong family relations for detainee(s) housed at the Guam and Federal Detention Facilities.

III. POLICY

It shall be the policy to provide all detainees with frequent visitation with their families and friends as reasonably possible, to ensure continued personal contact to maintain a strong relationship.

V. PROCEDURES

A. PROCESSING OF VISITOR APPLICATIONS

The following guidelines and procedures are set forth for processing visitor applications:

1. All Detainees will submit their visitation application with the names of persons to be considered for visitors during their orientation period.
2. Only fifteen (15) names are to be considered on the visitation application.
3. All visitation applications will be cleared, certified, and authorized through background checks, utilizing information obtained from;
 - Department of Corrections Databases and files,
 - Criminal Justice Information Database,
 - Recommendations from the Attorney General's Office

and is subject to the approval of the Prison Security Administrator or his designee, the Detention Commander if authorized.

B. DENIAL OF VISITOR APPLICATION

Visitor application requests may be denied for the following reasons:

- 1) The visitor has been convicted or is pending charges in a criminal case for the following reasons:
 - a. Introduction and/or supplying, attempting or conspiring to introduce; manufacture, possess or deliver a controlled substance.
 - b. Attempting or conspiring to manufacture possess or deliver a controlled substance.
 - c. Possession, control, delivery, attempting or conspiring to possess control or deliver an explosive device or substance.
 - d. Assisting, attempting or conspiring to assist in an escape.
 - e. If the proposed visitor has been convicted of a crime (felony or misdemeanor).
- 2) Reasonable suspicion to believe that such visitor would jeopardize the safety & security of other detainees, staff and /or visitor.
- 3) Any person convicted of introduction or possession of drugs or related paraphernalia in a Department of Corrections facility shall be permanently banned from the Department of Corrections (Guam Detention Facility, Federal Detention Facility, and Community Corrections Center) facility.
- 4) Any person who is now, or has been during the last 2 years, a detainee of any jurisdiction shall not be permitted visits, except as authorized by the Director or his designee.
- 5) Persons who are on parole status may be authorized to visit if the detainee being visited is a member of the immediate family and upon verification from the Parole Officer and approved by the Prison Security Administrator and concurred by the Director of Corrections or his designee.
- 6) Denial of an initial application to visit, and any subsequent restriction, supervision or termination of previous approved visits, shall be documented for inclusion in the detainees' record,

- 7) Visits between a detainee and the victim will not be authorized, unless ordered by the Court (Superior/District Courts),

A duly notarized agreement is required by the victim to allow for such visitation, submitted and approved by the Attorney Generals Office, and the Prison Security Administrator or his designee.

- 8) Visits between a detainee and a married individual with no family ties shall not be permitted unless the individual is accompanied by the spouse.
- 9) Department of Corrections employees and Institution volunteers shall not be approved to visit a detainee unless the detainee is a member of the employee's immediate family.
- 10) Former Department of Corrections employees, volunteers or contract employees who are or were removed or who resigned in lieu of being removed from their position as a result of an inappropriate relationship with a detainee, will not be allowed to visit any detainee without the approval from the Director of Corrections or his designee.
- 11) Inter-departmental visiting between detainees' incarcerated in separate departmental facilities will not be permitted, except between husbands and wives, unless extraordinary circumstances exist, and if approved, based on available resources. Detainees will not be transferred from one facility to another solely for purposes of visiting unless approved by the Prison security Administrator and approval has been concurred with and granted by the Director of Corrections.

C. GENERAL VISITING

Visitation will be permitted only in accordance with the procedures set forth below:

1. VISITORS are allowed entry only if their names are listed on the approved Visitation Application.
2. VISITING is permitted only at designated areas and times. The Guam Detention Facility courtyard will be designated as the visiting area for detainees/inmates housed at the Hagatna (Federal) Detention Facilities.
3. After an individual(s) have been cleared for visitation, they will be escorted to the visitation area and seated at the tables. Detainees/inmates will then

be called and escorted by an officer from the Federal Detention Facility to the visitation area. Visitors will be seated on one side of the table and detainees/inmates will be seated at the opposite side of the table. A brief embrace will be afforded at the beginning and end of each visitation session.

Note: Detainees/visitors who display unruly or disruptive behavior during a visitation session will be given a warning from the Visitation Officer and are subject to suspension of visitation. During the next schedule visitation session, the Visitation Officer will assign the seating arrangements. If the behavior reoccurs the visitation session will be terminated immediately and the visitor (s) shall be removed from the facility. The Detainee/Visitor shall be informed of the suspension of Visitation Privileges. Only the Detention Commander shall reinstate the visitation privilege upon approval of the Prison Security administrator.

4. VISITATION SCHEDULES (Attachment "A") will be posted at the Visitation Office, and the Housing Units. This schedule is subject to change. Prior to any changes, unless an emergency situation exists (i.e. inclement weather conditions), detainees and inmates will be notified and are responsible for informing their visitors of the changes.
5. A MAXIMUM of five (5) visitors will be authorized to visit per detainee. Detainees with legitimate children exceeding the maximum of five (5) will be considered for approval on a case-by-case basis by the Detention Commander or designated Visitation Officer.
6. VISITORS are only authorized to have in their possession one- (1) vehicle key and a valid picture Identification Card (ID). Failure to produce identification is grounds for denial of visitation.
7. VISITORS entering the boundaries of the Detention Facilities are subject to search, to include vehicles and personal property.
8. VISITORS refusing to be searched will be denied admission to the Detention Facilities. A written report of all searches beyond the regular security screening and pat searches conducted and denials will be completed by the officer conducting the search, prior to securing duty and submitted to the Detention Commander. A copy of the report and any notice to visitor(s) shall be placed in the detainee/inmates record excluding confidential information.

9. VISITORS shall wear no jewelry of any kind except for a wedding band if legally married.
10. MINOR Children will be accompanied by an adult approved visitor of the detainee and shall present a copy of the birth certificate for the children as proof of identification. Only a reasonable quantity of baby-care items shall be permitted. (All items are subject to search.)
11. VISITORS shall control children at all times to avoid disturbing other visitors. No minor children or pets shall be left unattended in vehicles or any boundary of the Detention Facilities property.
12. VISITORS will not be authorized more than one (1) visit during each visitation day.
13. DETAINEES/INMATES may refuse to be visited. The detainee/inmate shall submit their refusal in writing. If the detainee/inmate refuses to submit in writing their refusal to visit, the Visitation Officer will submit a report to be placed in the detainee/inmates record.
14. DETAINEES/INMATES will be in compliance of rules and regulations during their visitation period.
15. SNACKS Hand carried items (snacks) brought by family members must be consumed during visitation at the designated area. Snack items are not to be brought into the unit upon completion of visitation. Snacks will be limited to a total of two (02) packages of any items described below. Drink items are limited to two (02) containers as described per visitor.

AUTHORIZED HAND CARRIED ITEMS (SNACKS)

- a. Dried food or fruit Snacks 16 oz.
- b. Cookies/Crackers 16 oz.
- c. Chips/Nuts 16 oz.
- d. Drinks (Canned drinks and bottled water only) 2 containers per person

***No fruit juices will be allowed.**

All items must be factory sealed and in a plastic container. No homemade or bakery food items will be allowed.

ALL ITEMS WILL BE SUBJECT TO INSPECTION and may be denied if reasonable suspicion exist, and may be subject to Criminal prosecutions if applicable .

D. HANDICAPPED VISITORS:

1. It is the responsibility of the detainee/inmate to inform the Visitation Officer when a visitor is handicapped.
2. Prior notification must be made with the Visitation Office so that arrangements can be made for disabled visitors to enter the facility through an alternate entrance.
3. Assistance will be provided to all handicapped visitors. All handicapped visitors must obtain a pass to enter through the Sally Port entrance.
4. Handicapped visitors are to be in compliance with the policies and procedures of the Hagatna Detention and Department of Corrections Facilities.

E. NOTIFICATION OF VISITATION RULES FOR VISITORS:

1. It is the detainees' responsibility to inform the prospective visitor(s) of approval or denial to visit. The detainee will inform their approved visitor of the visitation procedures.
2. Telephone inquiries of approval or denial of prospective visitor(s) will not be entertained.
3. Department of Corrections Visitation Rules and Regulations will be made available at the Visitation Office for review by the visitors upon their request.

F. REFUSAL, DENIAL AND TERMINATION OF VISITATION

1. A visit may be refused, denied, terminated if the Detention Commander or his designee has reasonable suspicion to believe the continuance of the

visitation would jeopardize the safety, general security, or good order of the Detention Facilities.

2. Violation of Visitation rules by the visitor or prohibited conduct by the detainee will be grounds for refusal or termination of visitation.
3. A written report of any termination or refusal on such grounds for action shall be prepared by the officer and a copy afforded to the detainee and visitor within seven (7) days of action.
4. Visits may be denied for the following reasons:
 - a. When a visitor has previously violated visitation rules and regulations.
 - b. When a visitor provides false information on required forms or applications.
 - c. When there is reasonable suspicion to believe the visitor is involved in criminal activity involving the detainee.

G. REMOVAL OR SUSPENSION

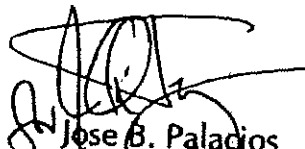
1. An approved visitor's name will be removed from the detainee's visitation list upon request by the detainee or visitor.
2. Any visitor's name removed by the detainee or visitor's request, will not be placed back on the visitation list for a minimum of ninety (90) days.
3. A visitor's name may NOT be removed from a detainee's list and placed on another detainee's list unless it is a member of the immediate family.
4. Visitors shall be subject to removal from the Institution by departmental staff, if visitor (s) displays inappropriate conduct, loitering or violation of departmental policies. The Visitation Officer with the assistance of the Platoon Commander will remove the visitor from the Institution.
5. The visitor may apply for a review of this decision to the Detention Commander within fifteen (15) calendar days after receipt of the suspension.
6. A review by the Detention Commander must be initiated within fifteen (15) calendar days from the date of receipt for review and final decision on the case.

H. VISITOR DRESS CODE

1. Visitors shall wear conventional clothing in a manner, which is not unduly suggestive, or tight fitting (spandex-leotards). Clothing, hairstyles, insignias or other symbols associated with street gangs will not be permitted.
2. Dresses, skirts, jumpers, culottes and shorts shall be worn below or 1 inch above, or on the kneecap.
3. The following types of dresses/attire will not be permitted:
 - a. Halter dresses, halter tops, tube tops, dresses or tops with plunging/low-cut necklines, and sleeveless dresses or tops, slit dresses, mini-skirts, wrap-around and/or sarongs.
 - b. See-through clothing, including sheer fabrics and loose weave, shall not be allowed. Clothing that exposes an undue amount of flesh (e.g. exposing chest, back, thighs, or mid-section).
 - c. Outer garments such as raincoats and other garments which protect against rain will not be allowed into visitation area but may be placed in storage lockers upon entry into facility until completion of visitation.
 - d. Rubber or plastic slippers.
 - e. Visitors shall wear underclothes.
 - f. Hair accessories or hats shall not be allowed, unless used for health purposes.
 - g. Footwear must be worn at all times except those prohibited. Dress sandals and open-toed shoes are permitted.
 - h. Sunglasses, unless prescribed, are not allowed.

IV. DEFINITIONS

1. **ACCOMPANIED VISIT** is a visit authorized only for minor children who remain in the company of an adult visitor approved in writing from the custodial parent or guardian.
2. **CONTACT VISITATION** is for Federal detainees approved by the United States Marshals Office and for inmates sentenced and housed at the Detention Facilities.
3. **REASONABLE SUSPICION** is an apparent state of objective facts and rational inferences, which would cause a reasonable and experienced person to conclude that an individual is/are conspiring to, attempting to or committing a crime.
4. **SPECIAL HOUSING UNIT (SHU), Post #6** is housing for detainees under Disciplinary Segregation status for violations of institutional rules and regulations.
5. **SPECIAL VISITATION** is a visitation granted to a detainee with a person that may or may not be on the approved visiting list, an extended visit granted beyond established limits; documents justifying the Special Visit must be presented.
6. **IMMEDIATE FAMILY** is defined as the detainee's Spouse or common-law (proof of cohabitation two or more years), Grandparents, Father, Mother, Legal Guardian, Brother, Sister, Children, Mother-in-law, Father-in Law, and In-loco Parentis.
7. **SUSPENSION OF VISIT** is a temporary end of visiting privileges for a designated period of time.
8. **TERMINATION OF VISIT** is the discontinuance of visiting privileges due to any violation of Institutional rules and regulations as determined by the Visitation Officer(s).


Jose B. Palacios
Director, Acting