



DEPARTMENT OF CORRECTIONS
PRIDE: Professionalism, Respect, Integrity, Dignity, and Excellence



GENERAL ORDER NUMBER 30.02		DISTRIBUTION ALL PERSONNEL	PAGE 1 OF 7
ORDER TITLE Processing of New Arrestee(s) / Confinees	SERIES NO. 30	SERIES TITLE/SUBJECT Management of Offenders	
TOPICS/REFERENCE 9 GCA Chapter 90, Government of Guam Rules and Regulations			APPENDICES None
ORIGINAL ISSUE/EFFECTIVE DATE May 10, 2020	Rescinds: Special Order: 07-002		EXPIRATION DATE This order remains in effect until revised or rescinded

I. POLICY:

It is the policy of the Department of Corrections to have in place a system whereby the most accurate Booking information is recorded for every person admitted to the Hagatna /Federal Detention Facility, Women’s Facility, or other places of confinement pursuant to laws of Guam, and the United States.

II. PROCEDURES:

When a person is placed in the custody of the department, pursuant to the laws of Guam, and the United States the following processing procedures shall be followed.

III. IDENTIFYING ESCORTING OFFICER

- A.** The Processing Officer shall verify the identity and credentials of all transporting officers by examine the escorting officers badge and picture I.D. that provides the officers name and rank/title, & agency name to ensure that they are representatives of a recognized law enforcement agency, pursuant to the laws of Guam and the United States.
- B.** If the escorting officer cannot be positively identified, the processing officer shall notify his/her supervisor for guidance.

- C. If the escorting officer produces an identification that does not conform to his physical description, the booking officer is to notify his/her supervisor. Neither the escorting officer nor the prisoner are to be admitted into the admissions area or allowed to leave the security perimeter until they have been properly identified.

IV. COMMITMENT DOCUMENTS

- A. Prior to accepting the new confnee, the processing officer will examine the documents authorizing commitment.
- B. Persons may be admitted into the Guam Department of Corrections facility under any of the following documents:
- C. Arrest record issued by the Guam Police Department, Guam International Airport Police, Superior Court of Guam (Marshals, Probation Officers), Port Authority Police, Park Rangers, Guam Customs and Border Patrol or any other law enforcement agency on Guam authorized by law to confine an individual.
- D. Writs/orders issued by Superior Court of Guam.
- E. Writs/orders issued by U.S. District Court.
- F. Court orders or orders from the Guam Attorney General.
- G. Transfer orders or detainer from the U.S. Bureau of Prisons, Immigration, or U.S. Marshals.
- H. Orders of extradition or fugitive warrants from any state.
- I. If the processing officer is unfamiliar or is uncertain about the validity of the confinement documents, the officer shall contact their supervisor for guidance.
- J. The processing officer is to ensure that the commitment papers, and arrest record are complete, legible, and valid.
- K. If the escorting officer does not provide an order authorizing confinement, the prisoner is to be refused admission into the facility in accordance with section VI E & N.

V. FRISK SEARCH (Pat Down)

- A. To ensure facility security and order, new prisoners are to be frisk searched (patted down) by the processing officer, in front of the arresting officer, and prior to the prisoner entering the processing area.

- B.** While conducting the frisk search, the processing officer will obtain information from the arrestee concerning possible medical or mental health problems. If there are obvious injuries to the arrestee, or any medical or mental health conditions that require attention of medical an on-duty medical staff shall be notified. The processing officer will note these medical or mental health problems in the processing documents.
- C.** Prisoners are to be frisked by staff members of the same sex unless one is not available, and there is an articulable, reasonable belief that delaying the frisk search poses an immediate threat to the safety, security, and good order of the facility.
- D.** If the officer frisking is of opposite sex the supervisor shall be notified prior to conducting the search and will determine if the search by a staff of opposite sex will be conducted. If the supervisor approves the search, the officer is to use the back of the hand to check sensitive areas. Afterwards, a report will be submitted documenting all reasons for the search.

VI. CONDITION OF ARRESTEE/NEW CONFINEE

- A.** After a review of all accompanying documents and a frisk search, the Processing Officer shall ask the Arrestee/New Confinee if he/she needs medical attention. If the arrestee/new confinee responds or requests for medical attention, then the transporting agency will be informed that the arrestee/new confine shall be taken to the Guam Memorial Hospital (GMH) or other medical facilities for medical assessment and examination prior to acceptance. All arrestees refusing medical treatment shall sign the waiver for medical treatment.
- B.** Before a person is admitted into the facility, the processing officer is to observe the person's physical condition. If the person is unconscious, semiconscious, bleeding, seriously ill, seriously injured, mentally unstable, severely intoxicated, in alcohol or drug withdrawal, or otherwise urgently in need of medical attention the processing officer is to refuse admittance of the person into the facility in accordance with section VI E. & N.
- C.** Refusal to admit a person to the facility is to be based on the person's current medical condition.
- D.** The processing officer shall call for the on-duty medical staff (if available) to conduct an immediate assessment of the arrestee. If the medical staff feels that the arrestee is not medically or mentally fit to be admitted, they will require that the arresting agency transport the arrestee to the hospital or Guam Behavior Wellness Center (GBWC) for medical/mental health clearance.

- E.** Notwithstanding the medical staff assessment, it is the decision of security on whether to accept or deny the arrestee. The on-duty supervisor shall be notified of the nature of the refusal. The Supervisor will be responsible for the final decision. The officer and supervisor shall submit a written report via channels detailing the reasons for not accepting the arrestee/new confinee.
- F.** The arresting/transporting agency is responsible for seeking and obtaining emergency treatment of the person's immediate medical needs at a healthcare facility or with a healthcare provider.
- G.** After treatment, has been administered by qualified medical personnel, the transporting/escorting officer will return to the Department of Corrections with the person, and the person is to be admitted to the facility provided that the arresting officer provides the proper medical clearance form from the hospital. Documents provided by ambulance personnel, is not an acceptable medical clearance form.
- H.** If the person has a minor injury, the booking officer is to ensure the person is provided the necessary first aid and notation is made of the injuries on the Medical Receiving Screening Form in accordance with departmental policy.
- I.** If the arrestee is physically combative, violent, or uncooperative, the processing officer will escort them directly to the holding cell, they will be segregated from non-violent arrestees. The processing officer will remove the arresting officer's restraints and replace with department restraints. The processing officer will consult with the supervisor to decide the best course of action in dealing with the arrestee.
- J.** When accepting arrestees, who are known patients with mental health issues the mental health staff will be informed on the acceptance of the arrestee. The processing officer will initiate a close observation (15 minutes) until cleared by behavioral staff.
- K.** Arrestees under the influence of Alcohol / Consumption of Drug Paraphernalia will be segregated from other arrestees as practicable.
- L.** If after acceptance of the arrestee, and medical attention is needed, the processing officer shall notify the medial staff and the on-duty supervisor of the situation to decide the best course of action in dealing with the arrestee.
- M.** In the event the arrestee is taken from DOC to a medical or mental health facility for further assessment, the escorting officer(s) will restrain the arrestee in accordance with department policy. The escorting officer will be provided with a quick reference of the arrestee and if available, radio communications. The escorting officer will provide Central Control his/her cell phone number if not radio communications is available.

- N. All information regarding the refusal of arrestee/confinee shall be reported to the Central Control/Unit Control officer for documentation purposes in the Daily Activity Blotter. The on-duty supervisor will notify management of the refusal in accordance with established policies.
- O. Prior to processing, a strip search shall be conducted of all new confinees in accordance with the department's policy on strip search.

VII. PROPERTY

- A. Generally, DOC does not accept arrestee/new confine personal property but in the event the arrestee/new confine is accepted with property, all personal property will be removed from the arrestee's possession except the clothing they are wearing.
- B. A custody receipt will be initiated listing all items removed and confiscated from the arrestee/new confine, to include belt, shoes (if steel toe), necklaces, wristwatch, bracelets, earrings, wallets, and other valuables.
- C. The custody receipt will then be signed by the arrestee and the processing officer; one (1) copy of the custody receipt will be given to the arrestee and the original will be kept with the property and placed into secured area.
- D. If the arrestee/new confinee is intoxicated which causes difficulty for processing, the processing officer will inventory the property, sign the custody receipt as the receiving officer. The confiscated property accompanied with the custody receipt will be placed in a secured location witness by another officer. Once the arrestee/new confine can be processed, the confiscated personal property must be re-inventoried, this time in the presence of the arrestee/new confinee. Upon completion of the inventory, the arrestee/new confinee is required to acknowledge by signing the custody receipt. One copy of the custody receipt will be given to the arrestee/new confinee.
- E. All personal property will be returned to the arrestee upon release. In the event the arrestee is held longer than 30 calendar days, the arrestee will identify a person who is authorized to pick up their property. A processing officer will contact, by phone, the person authorized to pick up the arrestee/new confine's property and inform them of the date, time, and location where the property can be picked up.
- F. All unclaimed property shall be disposed of after 45 calendar days after the arrestee was provided in writing a notice informing them of DOC's policy.

VIII. PROCESSING

- A. A strip search shall be conducted of all new confinees prior to processing in accordance with the department's policy on strip search.

- B. Processing consists of the completion of all required forms (Commitment Sheet, Screening Officer Checklist, PREA Checklist), photographs, and any other forms related to arrest and processing.
- C. Supervisors or their designee are responsible for reviewing all processing documentation for accuracy, completeness, and legibility. Incorrect documents are returned for correction as soon as possible.
- D. All violent detainees will be segregated from non-violent detainees.
- E. Overnighters will not be confined in the same cell with a committed detainee.
- F. If an arrestee is confined and brings his/her own medication, the medication will be relinquished to the clinic for further evaluation and control.
- G. In the event the arrestee/new confinee is admitted to the hospital after his confined, an officer will be posted until the detainee is released.
- H. After the arrestee / new confinee has been processed, the processing officer shall input the information into the departments Adult Correctional Management Information System (ACMIS) also known as Naviline.

IX. CONFINEMENT OF JUVENILES

- A. At no time will a juvenile be confined in any DOC facility unless the juvenile has been certified as an adult by law.
- B. After a juvenile has been certified as an adult, he/she will be processed as if he/she is an adult and confined in a cell separate by sight and sound from adult detainees.
- C. When a juvenile is not certified as an adult, the court order will indicate that the juvenile will be transferred and/or transported to Department of Youth Affairs (DYA) for housing.

X. EFFECTIVE DATE

The Department's policy on Processing New Arrestee(s) / New Confinee(s) became effective on **May 10, 2020**.

XI. REVIEWS, REVISIONS AND CANCELLATIONS

- A.** This General Order will be reviewed each year by the Office of the Deputy Director or designee and, when necessary, revised or cancelled in accordance with the procedures for reviewing written directives established in General Order 1.01 – Written Directives.
- B.** This order is a rescinds and supersedes Special Order 07-002 – *Processing Procedures for New Arrestee(s)/New Confinees (s) for Hagatna/Federal Detention Facility*.
- C.** This policy is a living document that is subject to constant change. New laws, court decisions, new methodologies, emergencies, and other factors dictate the need for a continual review of this policy. Everyone in this organization have the ability to influence our policies and procedures, and are encouraged to provide feedback at any time by submitting a memorandum, via channels, with their ideas to the Deputy Director of Corrections or designee.
- D.** No policy, no matter how complete, can address all the situations we may encounter in performing our duties. There will be situations that occur that must be left to good judgement and discretion of the person(s) involved. This judgement and discretion must be employed with sound reason and promotes the interests of the citizens we serve, the department, and people who make-up this organization.
- E.** It is every employee's responsibility and duty to become thoroughly familiar with the contents of this policy. Employees are further responsible for the upkeep and maintenance of their individual copy, including keeping current as updates or amendments are made.

BY ORDER OF


JOSEPH S. CARBULLIDO
Director of Corrections