

**DEPARTMENT OF CORRECTIONS**  
**Government of Guam**  
**Mangilao, Guam**

Page 1 of 3

<b>UNIT DIRECTIVE</b>	<b>Date of Issue:</b> <b>01-04-2021</b>	<b>Effective Date:</b> <b>IMMEDIATELY</b>	<b>No:</b> <b>20.02-01</b>
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**To:** All Personnel  
All Inmates

**From:** Director

**Subject:** Additional Guidelines for Attorney-Client Communication

**Reference:** General Order 20.02; Inmate Telephone System  
Section VI. Attorney/Client Calls

**Purpose**

The purpose of this Unit Directive is to ensure that DOC is taking all reasonable actions to adhere to attorney-client privileges and the assistance of counsel clause as mandated by the 6<sup>th</sup> amendment by providing additional guidelines to supplement General Order 20.02: Inmate Telephone System as it relates to inmates communicating with their attorney via phone or video conference while taking extra precautionary measures to avoid or minimize the risk of COVID-19 infection within our facilities

1. There shall be a dedicated telephone at both the Hagatna Detention Facility and Adult Correctional Facility in Mangilao specifically for Attorney-Client Privilege and Assistance of Counsel calls. This telephone shall be available for usage by indigent inmates/detainees who don't have access (an account) or no funds in their Inmate Telephone account. A "Remedy Request" must be made by the inmate/detainee for this option to be utilized for accountability and security purposes.
2. There shall be a remote private area at both Hagatna Detention Facility and Adult Correctional Facility in Mangilao equipped with a table and plexiglass for attorneys and their clients to meet "In Person." This must be pre-arranged at least 24 hours in advance to ensure the inmate/detainee is available and that staffing and security requirements are met. Refer to No. 10 for details.
3. There shall be a remote room at both Hagatna Detention Facility and Adult Correctional Facility in Mangilao equipped with a computer and internet access for attorneys and their clients to conduct a virtual meeting. This must be pre-arranged at least 24 hours in advance to ensure the inmate/detainee is available and that staffing and security requirements are met. Refer to No. 10 for details.

4. The Inmate Telephone System (ITS) with a specific policy, the ITS shall be utilized as the preferred primary option. If the client doesn't have an Inmate Telephone account due to affordability (indigent), then the client shall be allowed to use the dedicated telephone line as specified above.
5. However, all other options as specified in No. 2 and 3 shall still be made available to ensure no disruption or delays occur with attorneys and their clients to speak or meet. Refer to G. O. 20.02 Inmate Telephone System VI. Attorney-Client Calls for details.
6. Upon receiving a call and request from an attorney to speak or meet with an inmate/detainee, the Unit Officer (s) shall make arrangements for the detainee/inmate to either speak on the phone, in person, or via zoom. The unit officer shall validate the caller as an attorney by requesting their business number. The officer will then cross check through the phone book or Public Defender's telephone directory and call the attorney back for verification. Once verification is made, the inmate will then be allowed to talk/meet his attorney.
7. The Unit officer shall record/document in a running log as well as the central control blotter each call/request made and any issues by any attorney to ensure accountability and future reference.
8. Any issues brought up by any attorney shall require the unit officer to report the matter up the chain of command and must be resolved/remedied ASAP at the lowest level of supervision or management. If it can't be resolved at the lowest level then it must continue up the chain of command until it can be resolved. The on-duty Platoon Commander shall make every effort to resolve the issue and report the issue to upper management if needed.
9. All requests for either phone calls, zoom conference or in-person visitation by an attorney shall be accommodated to the fullest extent possible to avoid any misunderstanding or allegations on 6<sup>th</sup> amendment rights violation.
10. In-person and zoom video conference meetings shall be arranged/scheduled in advance via email to Major Antone Aguon via email at [antone.aguon@doc.guam.gov](mailto:antone.aguon@doc.guam.gov) or by calling, 734-4050/735-5170/71/74/76. In-Person and Zoom Video Conference shall be dependent on the availability of both manpower for security purposes based on the number of court hearings scheduled for that particular day and other activities happening at the same time requiring the attention of officers.

11. There shall be a sanitation station at all attorney client locations to ensure proper hygiene is conducted before and after each meeting to avoid cross contamination and spread of the virus.
12. All Attorneys from the Guam Bar, Guam Public Defender's Office and affected stakeholders shall be notified and provided a copy of this protocol to ensure situational awareness and better understanding of DOC's policy.

BY ORDER OF



JOSEPH S. CARBULLIDO  
Director of Corrections