	DEPARTMENT OF CORRECTIONS AND REHABILITATION CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES	EFFECTIVE DATE: January 1, 2024	POLICY NO.: COR.16.09
		SUPERSEDES (Policy No. & Date): COR.16.09 of April 22, 2016	
SUBJECT: ADMISSION OF REMANDED PERSONS		Page 1 of 6	

1.0 PURPOSE

To identify the appropriate requirements and procedures related to admitting persons into the custody of the Department of Corrections and Rehabilitation (DCR) Corrections Division.

2.0 SCOPE

This policy applies to all Correctional Facilities, Centers and ISCs within the DCR Corrections Division.

3.0 REFERENCES, DEFINITIONS & FORMS

.1 References

- a. Department of Corrections and Rehabilitation (DCR), Policy & Procedure (P & P), ADM.08.08, Prison Rape Elimination Act.
- b. DCR P & P, COR.05.06, Admissions Documentation.
- c. DCR P & P, COR.08.31, Searches of Inmates.
- d. DCR P & P, COR.08.45, Security and Control of Security Threat Groups.
- e. DCR P & P, COR.16.08, Reporting Requirements for Incarcerated Veterans.
- f. DCR P & P, COR.16.10, Admission of Juveniles.
- g. DCR P & P. COR.17.01, Personal Property, Confiscation and Disposition Of.
- h. DCR P & P, COR.17.02, Personal Property.
- i. DCR P & P, COR.17.03, Inmate Clothing.
- j. DCR P & P, COR.18.01, Inmate Classification System.
- k. DCR P & P, COR.18.03, Inmate Classification and Facility Assignment of Prison Inmates.

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- l. DCR P & P, COR.18.05, Initial Custody Assessment of Jail Inmates.
- m. Hawaii Revised Statutes (HRS) §353-A Director of DCR, powers and duties.
- n. HRS §353-10 Intake Service Center (ISC).
- o. HRS §352-28 Transfer to correctional facility.
- p. HRS §571-2 Definitions.
- q. HRS §571-22 Waiver of jurisdiction; transfer to other courts.
- r. HRS §706-667, Young adult defendants.
- s. Title 38, United States Code, Sections 505, 1682 1780 and 3113. (Consular Notification and Access)

.2 Forms

- a. DCR 8212, Inmate Property Receipt form (attached).
- b. DCR 8224, Notice of Excess Property form (attached).
- c. DCR 8256, Inmate Property Tag form (attached).
- d. DCR 8317, PREA Mandated Reporting form (attached).

.3 Definitions

- a. Consular Officer: A citizen of a foreign country employed by a foreign government and authorized to provide assistance on behalf of that government to that government's citizens in a foreign country. Consuls are generally assigned to consular offices (consulates) maintained by the foreign government in the United States.
- b. Consulate: The physical office or residence where the consul works and/or lives.

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- c. Foreign National: Any person who is not a citizen of the United States of America.
- d. Jail Inmate – Any inmate sentenced to serve up to one (1) year (probation felons, sentenced misdemeanants, sentenced petty misdemeanants), pre-trial defendants, federal/other state holds. Also includes probation violations pending violation hearing adjudication.
- e. Juvenile: A person less than eighteen (18) years of age.
- f. Offender: A person incarcerated or detained in a prison or jail (community correctional center).
- g. Prison Inmate: Any inmate convicted to serve a sentence of more than one (1) year, including sentenced misdemeanants with consecutive terms totaling greater than one year, and parole violators.
- h. PREA: Prison Rape Elimination Act.
- i. STG: Security Threat Group.
- j. Waiver of Jurisdiction: A process by which the Family Court waives jurisdiction and orders a juvenile held for criminal proceedings. This action terminates the Famil Court jurisdiction and confers jurisdiction over a minor to a court of competent criminal jurisdiction.
- k. Waived Juvenile: A person greater than sixteen but less than eighteen who is conferred waiver of jurisdiction.
- l. Youthful Adult Defendant: A defendant who was, at the time of the offense, between the age of eighteen (18) years, but less than the age of twenty-two (22) years, and not previously convicted of a felony as an adult or adjudicated as a juvenile for an offense that would have constituted a felony had the young adult defendant been an adult.
- m. Youthful Detainee: Any person under the age of eighteen (18) who is under adult court supervision and detained in a lockup.
- n. Youthful Offender: Any person under the age of eighteen (18) who is under adult court supervision, incarcerated or detained in a prison or jail.

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4.0 POLICY

Upon arrival to the facility, all offenders shall be accepted based on having legal jurisdiction of the individual. Having the legal jurisdiction for detention, the individual will be subject to the process of being admitted to the facility. All persons remanded to a DCR Facility shall undergo a thorough screening and assessment at admission and receive an orientation to the institutions/centers procedures, rules, programs and services. All facilities shall provide the necessary resources and staff to process the committed person upon any admission and release.

ADMISSIONS

- .1 Assure that the proper legal commitment documents are received and properly filed for each committed person. Refer to COR.05.06.
- .2 Ascertain that the admitted person is not a juvenile or if less than 18 years old, is a waiver case from the Family Court.
 - a. If the admitted person is a youthful offender or youthful detainee, he/she shall not be housed in a housing unit in which the youthful offender or detainee shall have sight, sound and physical contact with an adult offender through the use of a shared dayroom or other common space, shower area, or sleeping quarters.
 - b. DCR staff shall maintain sight, sound, and physical separation between the youthful offenders and adult offenders in areas outside of the housing units, or shall provide direct staff supervision, when youthful offenders and adult offenders have sight, sound and physical contact.
 - c. DCR staff shall document the exigent circumstances for each event in which a youthful offender's access to large-muscle exercise, legally required educational services, other programs and work opportunities are denied in order to separate them from adult offenders, by utilizing the PREA Mandated Reporting Form, DCR 8317. The completed DCR 8317 shall be submitted to the Department PREA coordinator via email, fax or mail within three (3) days.
- .3 Open/initiate electronic records in the Offendertrak, as soon as possible upon admission to the facility.

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- .4 Offenders and their possessions shall be thoroughly searched in accordance with COR.08.31.
- .5 Offender shall be conscious and not experiencing a serious medical condition requiring immediate diagnosis and treatment during the intake process.
- .6 Check offender for any injuries. If there are any visible injuries assure that there is a medical report with the admission documents.
- .7 If there is no medical report, contact the agency that the custody came from and request the medical report.
- .8 The offender shall be showered and provided clean laundered clothing as needed.
- .9 Assure properties are inventoried and recorded in accordance with COR.17.01 and COR.17.02. Assure offender signs Form DCR 8256 Notice of Excess Property for disposing of personal property that is not permitted for retention by the facility. Label personal clothing with Form DCR 8224 and list inventory on Form DCR 8212.
- .10 Assure the offender is photographed and fingerprinted, including notation of identifying marks, tattoos, or other unusual physical characteristics. If any STG tattoos are found, contact the STG Facility Intelligence Officer in accordance with COR.08.45.
- .11 Assure offenders receive medical/mental health, and PREA screening.
- .12 Assure the offender is interviewed by Intake Service Personnel to gather and document personal data information, including next of kin and emergency notice information and file the information.
- .13 Classify and appropriately designate the offender and determine if there is a legitimate need to segregate or separate an offender for medical, safety, security, order, discipline or control.
- .14 Determine if the offender is a veteran of any branch of the United States Armed Services or a beneficiary of a veteran. If either, the admission shall be subject to COR.16.08.
- .15 Determine if the offender is a foreign national, or one who is not a citizen of the United State of America. Determine if the offender's consulate must be notified as applicable with Federal Laws.

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- .16 Assign the offender to an appropriate housing unit pursuant to PREA and classification scoring.
- .17 Open a hard file record within 24 hours, which will include all legal documents with a chronological page and ensure that all active charges are in the Offendertrak.

5.0 PROCEDURE

All respective Branches shall be responsible to promulgate procedures to assure implementation of the designated requirements of this policy.

APPROVAL RECOMMENDED:




Deputy Director for Corrections

JAN 0 1 2024

Date

APPROVED:



DIRECTOR

JAN 0 1 2024

Date

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