



**EXECUTIVE SUMMARY**  
**Department of Corrections Prison Capacity Planning**  
**Report No. 14-06, December 2014**

The Department of Corrections (DOC) lacks a prison capacity plan to effectively manage its growing prisoner (inmates and detainees) population. This occurred due to the lack of priority and lack of qualified individuals tasked to perform it. As a result, the department's facilities compromise the guard, prisoner, and community welfare, which may result in potential civil lawsuits and federal receivership.

Due to the lack of capacity planning, we found that:

- DOC facilities are dilapidated and in need of constant repairs;
- Some prisoners are housed in temporary canvas-like structures, where during inclement weather, the transfer of prisoners is needed;
- To house influxes of prisoners, spaces, such as the library, classrooms, and offices, were converted into an open-bay system;
- Additional structures were added to the original facility with different designs that do not provide optimal security;
- DOC stated that they may be above the Adult Correctional Facility (ACF)'s operational capacity by 192% as of December 2013 with an overall population of 706 prisoners. However, this number is not verifiable due to the lack of reliable data for its prisoner populations counts;
- For potential influx of overnighters/detainees at the ACF or Hagatna Detention Facility (HDF), management responded that they would need to shuttle prisoners back and forth or bring out cots and temporarily convert the HDF into an open-bay area; and
- As of April 2013, Guam had the highest detention rate in the world with 272 pre-trial/remand population per 100,000 of the island's population wherein DOC's prison population comprised of 449 detainees (65% of approximately 690 total prisoners).

Best practices depicts that it is essential a proper assessment and planning process take place before any construction is started to ensure that valuable resources are not wasted in the long run. A Master Plan should be drawn up to guide the overall construction and development of the prison system. It should describe all prison facilities, including their capacity, security level, and the state of existing infrastructure as well as the purpose of the prison system, its core values and any gaps in the system. In other words, proper planning is needed to ensure that DOC is in line with its mission of operating a safe, secure, humane and efficient corrections system. However, we found that DOC lacked design plans, standards, and a management strategy to address forecasted growth, reduce recidivism, and help with reintegration of prisoners to our island community.

***Design Plans and Official Capacity Rates are Lacking for DOC Facilities***

DOC was unable to provide original design plans of existing facilities (or official capacity rates) to show the architectural certification supporting its prisoner capacity per housing unit. Data reported by the NaviLine in regards to the prisoner population at any given point in time is unreliable. As a result, management cannot:

- Ascertain the number of prisoners their facilities were originally intended to house nor prisoner population thresholds wherein operational capabilities are not compromised in fundamental areas, such as health, safety, and security;

- Accurately calculate the rate at which they are operating over or under the established capacity levels; and
- Prepare reasonable forecasts to allow DOC to make sound decisions on when a course of action, such as the expansion of a facility or construction of a new facility, should take place.

### ***DOC Does Not Follow Standards and Has No Effective Management Strategy***

As mentioned previously, in response to the growing population, DOC converted classrooms, offices, other buildings, and outside space in order to provide additional accommodation. At the HDF, we found that cells originally for one prisoner were converted to accommodate up to four prisoners. When we inquired as to the basis for these conversions, we found that DOC does not follow any standards (e.g. Department of Justice standards) relative to open-bay dormitory conversions and managing prisoner traffic. Instead, authorized bed space and prisoner capacity per housing unit is driven by the Warden's directives and guidance. Since the Warden of 22 years retired, information was not passed on and the basis for his directives were not documented. DOC continues to default to makeshift arrangements for influxes of prisoners because it lacks short-term as well as less long-term strategies.

To effectively address the growth in prison numbers, DOC needs to develop proactive strategies to determine when to build efficient and appropriate facilities, to address forecasted prisoner increases, and to reduce the growth in their current prison population. This would include measures to implement various approaches including social reintegration, rehabilitation programs, and home detention systems.

### ***Guam has Highest Pre-trial Detention Rate in the World***

According to the International Centre for Prison Studies (ICPS) *World Pre-Trial/Remand Imprisonment List*, as of April 2013, Guam had the highest rate in the world with 272 pre-trial/remand population per 100,000 of the island's population. There were 449 detainees (individuals awaiting judicial disposition) or 65% of DOC's approximate 690 prisoner population. According to the ICPS Director, this raises fundamental questions about the use of imprisonment and the need to focus our attention on alternatives, thereby reducing overcrowding in order to devote resources to improving the conditions in which prisoners are held. Besides often being unnecessary, with prisoners frequently being held for exceptionally long periods, such inappropriate use of detention is maintained at a great cost to the state. DOC should begin discussions with the Attorney General's Office and other pertinent officials of the criminal justice system to determine and implement strategies to help reduce the detainee population.

### **Conclusion and Recommendations**

Given its present infrastructure, the growth in DOC prisoner numbers maybe unsustainable in the immediate future. It is imperative that DOC develop and maintain a Master Plan to guide the overall construction and development of its prison system. We recommend the DOC Director work with the Governor to reestablish a DOC task force to develop a well-documented management strategy with short-term and long-term measures to address capacity utilization for its current facility as well as the design capacity of a potential new ACF both intended to reduce the prisoner population housed at DOC. The task force should take into consideration reliable forecasting models and the potential use of non-custodial sanctions and rehabilitation needs of offenders and prisoners in an effort to reduce the prison population. We also urge senators, policymakers, and law enforcement officials to participate in an in-depth site visit of DOC's multi-satellite facilities to observe the adverse conditions.

On December 18, 2014, OPA met with DOC officials to discuss the audit report. DOC management concurred with the findings and recommendations and provided their official response on December 24, 2014.

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