Authority

In accordance with AS 44.28.030, AS 33.30.030, and 22 AAC 05.155, the Department of Corrections shall develop and adopt policies and procedures that are consistent with laws for the guidance, government and administration of correctional facilities, programs and field services.

Purpose

To establish procedures for the intake process for prisoners who are committed for an offense for which bail has been set and release can be accomplished within an hour of completing the Booking process.

Application

To all employees and prisoners.

Definitions

As used in this document, the following definitions shall apply:

None applicable.

Policy

It is the policy of the Department that prisoners able to post bail or other lawful release at the time of booking, or shortly thereafter, be processed ahead of those prisoners committed and unable to attain lawful release.

Procedures

A. Booking Process:

Each Superintendent shall ensure that all institutional staff involved in the booking process are trained in the following procedures:

1. When a prisoner is remanded to custody on an offense for which bail has been set or conditions for rapid release have been established by a Magistrate or on a warrant, the prisoner must be informed of the amount of the bail and/or the conditions for release.

2. Prisoners must be verbally advised that if they have the cash on hand for bail, or if someone can post bail or meet the preconditions for release within one hour, an abbreviated booking process will be completed and the prisoner prepared for release.

3. Prisoners must be advised that the following procedures must be accomplished prior to bail or other release being authorized:
   a. Identity established;
   b. Weapon’s search of person per 811.04, Search Upon Admission;
   c. Booking Record completed per 811.02, Booking;
   d. Fingerprints taken per 811.09, Fingerprinting; and
   e. Photographs taken per 811.10, Photographing.

4. The prisoner must be given an opportunity to make telephone calls per 811.07, Use of Telephone Upon Admission, to contact an attorney, relative or associate to arrange release conditions. Once contact has been made, and verified by the officer in charge,
the officer will record the name of the individual contacted and the time of contact on the Booking Record and the Telephone Log per 803.11, Permanent Record Logs.

5. Pre-Incarceration Search per 811.04, Search Upon Admission:
   a. Weapons Search:
      The prisoner will be pat searched for weapons by a correctional officer and any objects believed to be weapons or capable of being used as a weapon will be seized and recorded in the booking record. If an object seized and recorded is not a weapon, it must be returned to the prisoner at the time of release unless it is a substance or item, the possession of which is prohibited by law.
   b. Discovery of Drugs:
      A Correctional Officer searching for weapons who finds a substance and believes the substance to be a drug that is prohibited by law, shall confiscate the substance and record the seizure in the booking record. If the officer finds a container which is suspected of containing a prohibited drug or other contraband item, the officer must contact the arresting officer or the Alaska State Troopers and either obtain the prisoner's permission to examine the contents or obtain a search warrant. Until a search warrant is obtained, the container will remain unopened and with the prisoner's personal property. If the prisoner is able to make bail before a search warrant is obtained, the property will not be returned. The property may be returned if the law enforcement agency chooses not to seek a search warrant after notification. If the correctional officer has been unable to reach the police, or the police have not arrived at the time of release, the item(s) may be held until the police make a determination of whether or not a search warrant will be sought.
      c. The prisoner's wallet or purse or other potential identification bearing property may be searched only, if, and to the extent necessary, to ascertain the prisoner's identity, when the prisoner does not voluntarily present satisfactory identification. This property may be searched to the extent necessary to obtain identification.
   d. No other property on the person of the prisoner shall be confiscated, searched or inventoried without the prisoner's consent.
   e. A full search including strip search must occur at any time a prisoner is housed beyond the administrative holding and/or booking area of the institution.

6. Securing Property:
   a. Prisoner property other than jewelry items on their person will be secured by the Shift Supervisor or designee and recorded on the Booking Record. The contents of the property items do not need to be inventoried; however, the Shift Supervisor or designee must ask the prisoner if there are items of value that require inventory and receipt. If none, a declaration of no-value shall be entered in the Booking Record. Items identified as valuable shall be inventoried and a receipt given.

7. After prisoners have been searched according to this policy, they will be held in the administrative holding area until booking is completed.

B. When a prisoner processed under this policy fails to meet conditions for release after one hour during which the prisoner has had the opportunity to arrange for release and has been unable to do so, the booking process for admission of a prisoner not eligible for conditional release shall be completed and the prisoner placed into the general population of the institution.
Implementation
This policy and procedure is effective as of the date signed by the Commissioner. Each
Manager shall incorporate the contents of this document into local policy and procedure within
14 days. All local policies and procedures must conform to the contents of this document and
any deviation from the contents of this document must be approved in writing by the
Commissioner or designee.

DATE: February 25, 1985

Roger E. Endell, Deputy Commissioner
Department of Corrections

Applicable forms: