

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Forensic Information

Policy Number: 507.04.90

Effective Date: 02/15/2021

Page Number: 1 of 5

Authority:
Commissioner

Originating Division:
Health Services Division
(Physical Health)

Access Listing:
Level I: All Access

I. Introduction and Summary:

Health care providers will not participate in the collection of Forensic Information or evidence to be used against an offender. This procedure is applicable to all facilities that house Georgia Department of Corrections (GDC) offenders including private and county prisons.

II. Authority:

- A. O.C.G.A. §§16-6-1 through 16-6-7, 16-6-22, 24-4-60 through 24-4-65;
- B. GDC Standard Operating Procedures (SOPs): 226.01 Searches, Security Inspections, and Use of Permanent Logs, 209.10 Offender Drug Testing, 208.04 Collection of Offender Samples for the DNA Database, 208.06 PREA - Sexually Abusive Behavior Prevention and Intervention Program, 211.05 Procedures for Housing Juveniles Sentenced to GDC Custody by the Superior Court, 507.02.01 Health Record Management, Format, and Contents, 503.02 Reentry Pre And Post-Release Planning, and 507.04.91 Medical Management of Suspected Sexual Assault.
- C. NCCHC 2018 Standard for Health Services in Prisons: P-G-04; and
- D. ACA Standard: 5-ACI-3A-20, 5-ACI-6C-14, 4-ACRS-2C-04, 4-ACRS-2C-05, 4-ALDF-2C-05.

III. Definitions:

- A. **DNA** - Any of various nucleic acids that are localized in cell nuclei and are the molecular basis of heredity in many organisms.
- B. **Dry Cell** - Cell without running water.
- C. **Forensic Information** - Physical or psychological data collected from and offender that may be used against him or her in disciplinary or legal proceedings.

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Forensic Information

Policy Number: 507.04.90

Effective Date: 02/15/2021

Page Number: 2 of 5

Authority:
Commissioner

Originating Division:
Health Services Division
(Physical Health)

Access Listing:
Level I: All Access

D. **Outside Medical Facility** - A medical facility **not** operated by the Georgia Department of Corrections, Georgia Correctional Health Care, or by private prisons contracted to house Georgia Department of Corrections, offenders.

IV. Statement of Policy and Applicable Procedures:

A. Health Care personnel will not participate in the collection of Forensic Information or evidence to be used against offenders. This includes:

1. Conducting body cavity searches for contraband;
2. Conducting drug screens or tests;
3. Performing psychological evaluations of offenders for use in adversarial proceedings including disciplinary, court, and probation or parole hearings; and
4. Collecting DNA samples other than those collected for submission to the state DNA database or samples for paternity orders as described in section G below.

B. Body Cavity Searches:

1. When an offender **is suspected of harboring** contraband in a body cavity, the use of a Dry Cell as an initial measure will be encouraged to avoid the need for a body cavity search.
2. Body cavity searches conducted for security reasons will be conducted only when there is reason to do so and when authorized by the Warden/Superintendent.
3. Body cavity searches ordered by the Warden/Superintendent will be conducted by a health care provider at an Outside Medical Facility.
4. The Responsible Health Authority will make arrangements with an Outside Medical Facility to conduct body cavity searches when properly authorized.

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Forensic Information

Policy Number: 507.04.90

Effective Date: 02/15/2021

Page Number: 3 of 5

Authority:
Commissioner

Originating Division:
Health Services Division
(Physical Health)

Access Listing:
Level I: All Access

5. Invasive procedures (i.e., endoscopic) may be done with the written informed consent of the offender.

C. Drug Screens:

1. Periodically, drug screens are conducted on offenders and correctional personnel for security purposes. Urine samples for drug screens will be collected and labeled by security personnel.
2. Health care personnel will not collect body fluid specimens for drug screens. Collection of blood specimens for drug screening, if absolutely required, will be conducted by an Outside Medical Facility when required.
3. On occasion, offenders may test positive to a random drug test, but security personnel may suspect that the positive results may be due to medications prescribed to the offender by medical staff. Medical staff will cooperate with security in eliciting information regarding prescribed medications that may exonerate the offender from false positive test results. The Responsible Health Authority will obtain from security the package inserts that come with the drug testing kit in use and will check the manufacturer's listing of possible test interferences against the medications legitimately prescribed to the offender. If an interference is found, it will be communicated to security, so the appropriate measures are taken in handling the offender's drug testing results. It may be necessary to call the kit manufacturer to ascertain all interferences.

D. Sexual Assault:

1. GDC health care providers will not be directly involved in the collection of Forensic Information or evidence; however, providers will follow SOP's 507.04.91 and 208.06, SANE Procedures, the SANE Nurse protocol and will assist in maintaining the integrity of evidence which may be subsequently collected (i.e., instructing the victim not to shower prior to examination, etc.).

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Forensic Information

Policy Number: 507.04.90

Effective Date: 02/15/2021

Page Number: 4 of 5

Authority:
Commissioner

Originating Division:
Health Services Division
(Physical Health)

Access Listing:
Level I: All Access

E. Information Contained in the Health Record:

1. Information contained in the health record is confidential and will not be released for use in disciplinary hearings or actions against offenders.
2. Confidential health information will be released in accordance with State and Federal Law and departmental policies and procedures.

F. DNA Testing:

1. Collection of buccal samples for DNA testing will be performed as follows:
 - a. Institutional staff designated to perform DNA testing for the purpose of submission to the GBI database will obtain the DNA form from Captiva after the I.D. Section has established positive identification of the offender.
 - b. The Medical Unit will keep a supply of the GBI DNA Database Sample Collection Kits for collection and submission of oral swab DNA samples. Kits may be obtained from the contract supplier using the purchase order posted on Captiva. Swabs in the kit should be replaced if there is an expiration date which indicates they have expired.
 - c. The Medical Section will collect the sample following the procedures described in the GBI's "Instruction for Collection of Samples for DNA Database".
 - d. The DNA form will be completed at the same time the sample is collected thus establishing chain-of-custody. This form must accompany the sample.
 - 1) The person who collects the sample will print his/her name, date and sign the form in the appropriate blanks.
 - 2) The responsible person will establish the offender's identification immediately before the sample is collected.

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Forensic Information

Policy Number: 507.04.90

Effective Date: 02/15/2021

Page Number: 5 of 5

Authority:
Commissioner

Originating Division:
Health Services Division
(Physical Health)

Access Listing:
Level I: All Access

3) The responsible person will print his/her name and explain the identification method in the space provided. Identification may be by cross-matching identifiers on the DNA Form with the offender's I.D. card, by questioning the offender or any other reliable means necessary.

e. A copy of the DNA Form will be maintained in the offender's institutional file.

G. Paternity Orders:

1. Health care providers employed by the Georgia Department of Corrections, or its private prison or health care contractors shall not collect DNA samples to establish paternity. Space will be made available for outside labs to collect samples upon the submission of a legally valid order or for testing with the offender's consent. All such requests should be referred to the Office of Legal Services prior to scheduling.

V. Attachments: None.

VI. Record Retention of Forms Relevant to this Policy: None.