



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS

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OFFICE OF THE
SECRETARY

April 1, 2024

Senator Kim Hammer, Co-Chair
Arkansas Legislative Council
Administrative Rules Subcommittee
Via Email

Representative Brian Evans, Co-Chair
Arkansas Legislative Council
Administrative Rules Subcommittee
Via Email

Dear Co-Chairs,

Please consider this as the Department of Corrections (DOC) quarterly report on new and revised secretarial directives and administrative directives issued in the first quarter of Calendar Year 2024. Submitted along with this letter are copies of the following directives:

Arkansas Department of Corrections	
Secretarial Directive Summary There were no new or revised Secretarial Directives issued during this time.	Beginning Page #

Division of Correction	
Administrative Directive Summary	Beginning Page #
AD 2024-01 Inmate Field Ministry Program (Effective 02/01/2024) This policy is new in its entirety. It was created to outline purpose of the Inmate Field Ministry Program (mentoring, tutoring, counseling, preaching, or other support services for the inmate population) and create forms for inmates to apply to the program.	Clean: 1
AD 2024-02 Restrictive Housing (Effective 03/15/2024) This policy was updated to clarify when an inmate can be assigned to Restrictive Housing; that inmates assigned to Restrictive Housing due to protective custody or medical concerns can receive privileges, be eligible for class promotion, and earn good time or have it restored; that clothing allowed to male inmates in Restrictive Housing is one jumpsuit on their person during winter months and detailed when those would be issued and removed; that inmates on death row will be allowed to keep their alternate clothing when housed in their normal housing area and can have holiday packages if an exception is made by the Director.	Clean: 7 Markup: 23

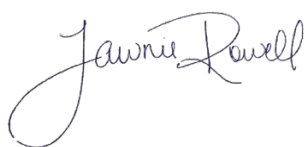
<p>AD 2024-03 Initial Unit of Assignment (Effective 02/12/2024) This policy was updated to clearly state at what units inmates can do their initial assignments and what constitutes an exception to where initial assignments can be done.</p>	Clean: 40 Markup: 43
<p>AD 2024-04 Inmate Disciplinary Manual (Effective 04/01/2024) This policy was updated with language to reflect that inmates assigned to Restrictive Housing, excluding those assigned due to protective custody or medical concerns, will not be eligible for class promotion, to earn meritorious good time, or be considered for the restoration of lost good time. An attachment for inmates with mental health issues needing assistance during a disciplinary hearing was noted in the policy.</p>	Clean: 48 Markup: 79
<p>AD 2024-05 Assignments to Varner Super Max Behavior Modification Incentive Levels Program (Effective 02/16/2024) This policy was updated by changing Assault to Battery with serious injury to align with current disciplinary violations as a reason to be assigned to the program. Language was added to state that inmates in the program are not eligible for class promotions, to earn meritorious good time, or to be considered for the restoration of lost good time.</p>	Clean: 118 Markup: 120
<p>AD 2024-06 Inmate Visitation (Effective 2/16/2024) This policy received many stylistic updates and was updated to reflect current visitation practices. If an inmate provides false information and a person visits under false pretenses during the 30 day initial period, that visitor will be denied future visitation privileges. The inmate will also receive disciplinary action. Guidelines were added for video visitation. The visitation application was updated. <i>After issuance of this policy, subsequent changes were identified, therefore this policy is not the one in effect at this time. See below, AD 2024-11.</i></p>	Clean: 122 Markup: 136
<p>AD 2024-07 Transportation/Escorting of Inmates outside of Units/Centers (Effective 2/16/2024) This policy was updated to reflect current transportation practices. During high security transports, the Arkansas State Police will be advised the route to be taken and may assist in the actual transport. Inmate property and records are to be out of reach of the inmates during transfers. An attachment section was added detailing the guidelines for ADC transport officers.</p>	Clean: 178 Markup: 191
<p>AD 2024-08 Volunteer, Intern, Student Services (Effective 02/16/2024) This policy was updated regarding volunteer requirements and responsibilities and detailing the steps taken before an individual can enter an ADC facility and removed steps that were no longer valid. A section with five attachments was added including the Volunteer Application; Volunteer Guidelines, Release & Waiver of Liability; Volunteer Training Checklist; Volunteer Time Sheet; and Volunteer Evaluation Form.</p>	Clean: 208 Markup: 223
<p>AD 2024-09 Temperature Settings (Effective 03/01/2024) This policy was updated with procedures for hot and cold weather temperature settings. Language was added that inmate living quarters temperatures are checked daily. This was already being done, but now it is in policy.</p>	Clean: 248 Markup: 249

<p>AD 2024-10 Movement of Pregnant Women (Effective 03/05/2024) This policy was updated with the definition of post-partum throughout to align with Act 659. The period for an inmate to be medically unassigned after delivery was increased to a six-week period to cover abdominal surgery recovery time in the case of C-sections. If restraints are used during labor the duty warden must notify the Medical Administrator and duty Director who will report the use of restraints to the Secretary of Corrections who will notify the Board of Corrections and the Attorney General.</p>	Clean: 251 Markup: 255
<p>AD 2024-11 Inmate Visitation (Effective 03/14/2024) This policy was revised from the earlier release and updated further to redefine immediate family & visitor. After twenty approved visitors on an inmate’s visitation list has been reached, no further applications will be retained until a visitor is removed to allow an addition to the list. Class restrictions for certain days of the week visits were removed, but inmates cannot exceed their monthly allowed number of visits. Visitation visits are to be scheduled through Telegov.egov/docrequest and must be vetted and finalized by unit visitation staff. Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation, will result in cancellation of all visitation privileges for one (1) year. Information related to Attorney visits, which is covered in a separate Secretarial Directive, was removed to eliminate any duplicative or conflicting information. Visitation Form was updated.</p>	Clean: 259 Markup: 272

Division of Community Correction	
Administrative Directive Summary	Beginning Page #
<p>AD 2024-01 Weapons and Security Equipment (Effective 2/7/2024) Training requirements for the issue & use of weapons and security equipment were updated. Portable firearm lockboxes will be provided to each certified officer and provisions regarding the use of firearms in and on Center grounds were outlined. Other changes included reorganizing the sections of provisions within the policy to promote clarity, and other general grammatical and formatting revisions.</p>	Clean: 287 Markup: 303
<p>AD 2024-02 Use of Force (Effective 2/7/2024) Per Act 537 of 2023, employees who experience a traumatic event while in the course of duty will be offered up to twelve (12) counseling sessions per year with a licensed counselor other than the State’s EAP program. The counseling sessions will be paid for by the ACC. Guidance regarding SDs “Incident Notification Procedures,” and “Personnel Drug Testing” was updated. The “Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge,” was updated to reflect required procedures. Other changes included reorganizing the sections of provisions within the policy to promote clarity, and other general grammatical and formatting revisions.</p>	Clean: 322 Markup: 328
<p>AD 2024-03 Use of Restraints (Effective 2/7/2024) The “Checklist for Restraint Chair Use” and SD “Incident Notification Procedures” were outlined to reflect required procedures. Handcuffing instructions were made to provide clarity. The use of restraints during labor will be reported to the Board of Corrections, Secretary of Corrections, and to the Attorney General. Other changes included reorganizing the sections of provisions within the policy to promote clarity, and other general grammatical and formatting revisions.</p>	Clean: 334 Markup: 339

<p>AD 2024-04 Terroristic Threats (Effective 2/7/2024)</p> <p>The National Incident Management System (NIMS) mandatory training & guidelines will be followed. The Arkansas Department of Health has established an Emergency Communication Center to respond to inquiries concerning exposure to or the treatment of bio-chemical threats, lethal substances threats, and other public inquiries. Follow guidance and procedures in the AD “Searches for, Control, and Disposition of Evidence;” policy, the Secretarial Directives “Incident Notification Procedures” and “Internal Investigation and Criminal Evidence Handling.” Other changes included reorganizing the sections of provisions within the policy to promote clarity, and other general grammatical and formatting revisions.</p>	<p>Clean: 344 Markup: 349</p>
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Sincerely,



Tawnie Rowell
Chief Legal Counsel
Department of Corrections

Cc:

Lindsay Wallace, Secretary, Department of Corrections
Wade Hodge, Chief of Staff, Department of Corrections
Rebecca Miller Rice, Administrative Rules Review Section, BLR
Dexter Payne, Director, Division of Correction
Jim Cheek, Director, Community Correction
Benny Magness, Chairman, Board of Corrections
File

Enclosure



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE**

6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Field Ministry Program

NUMBER: 2024-01

SUPERSEDES: New

APPLICABILITY: All Staff and Inmates

REFERENCE: AR 883 Chaplaincy Services

PAGE: 1 of 5

APPROVED BY: Original signed by Dexter Payne

EFFECTIVE DATE: 02/01/2024

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to establish procedures for the selection, assignment, and job functions of those inmates within ADC who are eligible to serve as Field Ministers.

II. DEFINITIONS:

- A. Field Minister. An inmate screened by the Field Ministry Advisory Council, approved by the Director or his designee and assigned the job "Field Minister" by ADC unit Classification to carry out the duties of the assigned position as described in policy.
- B. Field Ministry Advisory Council (FMAC). The group of people jointly responsible for administration of the Field Ministry Program within the ADC.

III. PROCEDURES:

- A. The Field Ministry Advisory Council (FMAC) is composed of five members.
 1. Chairperson: Administrator of Chaplaincy Services
 2. Member: Management Team member designated by ADC Director
 3. Member: Division of Correction Warden/Superintendent/Center Supervisor selected by Director
 4. Non-Voting Advisory Member: Director of seminary program that partners with Division of Correction

5. Non-Voting Advisory Member: A member of a non-profit organization appointed by the ADC Director
- B. The FMAC Chairperson will schedule meetings as necessary.
- C. The Administrator of Chaplaincy Services will review this policy annually and submit requested changes in keeping with the Secretarial Directive on Policy Development and Implementation.
- D. The FMAC is responsible for the following:
1. Recommending Field Ministers to the Director or his designee along with corresponding facility of assignment.
 2. Reviewing concerns impacting status of Field Ministers;
 - a. making removal recommendations as necessary,
 - b. modifying facility assignment, and
 - c. facilitating remedial training or any necessary actions to alleviate concerns.
 3. Completing a report annually regarding program status at each facility and other ad hoc reporting as directed
- E. Inmate eligibility for Field Ministry application and placement:
1. Applicant may not have been found guilty of a Major Disciplinary or more than one Minor Disciplinary within one calendar year of application date.
 2. Applicant must hold a Bachelor of Arts in Ministry/Theology degree from a fully accredited partnering institution. Preference will be given to MAC accredited graduates from Varner.
- F. Approval process for Inmates applying for Field Ministry placement:
1. Applications for Field Ministry assignment shall be submitted to the FMAC Chairperson. The Chairperson will conduct an initial review and screening of basic eligibility. The Chairperson will consult with Division Classification and unit administration about the applicant's eligibility for housing at facilities.
 2. Applicants who meet eligibility requirements shall be considered by the FMAC.
 3. Applicant must be recommended by majority vote of FMAC after review of application, institutional history, academic record, and suitability assessment.
 4. Recommendation must be submitted to the Director or his designee who will have final approval of applicant and facility assignment.
- G. All facilities are subject to placement of Field Ministers.
- H. Assignment:
1. Upon approval of a Field Minister applicant's assignment to a facility, the FMAC will notify the receiving facility's Warden/Superintendent/Center Supervisor and Classification Administrator who will coordinate a transfer.
 2. The Classification Officer at the receiving facility will assign the inmate to Field Minister as a full-time work assignment.

3. The inmate field minister uniform will be emblazoned with “Field Minister” in the upper left quadrant of their shirt. Each respective Field Minister may request an additional religious symbol associated with their personal denomination through the FMAC who will review and make recommendation to the Director regarding approval of the symbol.

I. Official and Informal Duties of Field Ministers:

1. The FMAC will determine official responsibilities, duties, and services for Field Ministers in their formal ministry assignment as deemed necessary.
2. The ranking ADC staff Chaplain of each facility shall administer the Field Minister Program at their respective location.
3. General Official Duties of Field Ministers
 - a. Community Service Ministry - Field Ministers may be assigned to unit community service ministry tasks, including, but not limited to
 - i. Intake/Orientation at Unit of Assignment
 - ii. Mentoring
 - iii. Personal Improvement
 - iv. Tutoring
 - b. Crisis Ministry - Field Ministers may be assigned to crisis ministries for inmates, including, but not limited to
 - i. Geriatric visitation and counseling
 - ii. Grief Counseling
 - iii. Hospice visitation and counseling
 - iv. Support Service roles in the institutional hospital areas as approved by the supervisory hospital staff and the FMAC.
 - c. Peer Counseling Ministry - Field Ministers may be assigned to peer counseling ministries, including, but not limited to
 - i. Bereavement support
 - ii. Tier walking and rounds in general population
 - iii. Restrictive Housing rounds with Warden/Superintendent/Center Supervisor approval
 - d. Faith-Based Ministry -Field Ministers may be assigned to faith-based ministries, programs, and initiatives operating under the sponsorship of the Chaplaincy Division, including, but not limited to
 - i. Principles & Applications of Life (PAL) & Advanced Principles and Applications of Life (APAL) class facilitation
 - ii. Preaching
 - iii. Worship service planning and coordination
 - iv. Leadership of scheduled group prayer gatherings
 - v. Leadership of approved faith-based study courses
 - e. Graduate Assistants - The MAC College, or any future entity filling the same role, at the Varner Unit may retain up to four (4) graduates per graduating class as graduate assistants and up to a total of sixteen (16) graduates to remain at the Varner Unit as Field Ministers in support of the educational and internship training programs of the college program. These assignments shall be in

addition to any Field Ministers assigned to the Varner Unit at the request of the Warden/Superintendent/Center Supervisor and Chaplain.

4. Informal Duties - Unit/Center Supervisors and Chaplains may propose other ways of using Field Ministers to the FMAC. Once assigned to a unit, Field Ministers may be permitted to propose new ministry activities to the facility chaplain and Unit/Center Supervisor for initial approval. If acceptable at the unit level, the facility chaplain will submit the request to the FMAC for review and the FMAC will make recommendation to the Director or his designee for final approval.

J. Computer Usage

1. Field Ministers are permitted to use computers approved for Field Ministry use.
2. Under no circumstance shall a Field Minister be permitted to use a computer that has internet access or access to Division records.
3. Permitted tasks for Field Ministers to perform on approved computers include use of electronic study resources, sermon and lesson preparation, storage and completion of required reports, and storage and completion of ministerial records and logs.

K. Teleconferencing - Field Ministers may participate in teleconferences scheduled by the FMAC Chair and supervised by the onsite Chaplains for the purpose of growth and improvement of the Field Ministry program through the sharing of best practices.

L. Resource and Material Storage

1. Field Ministers shall be permitted storage of theological books and ministry materials in the Chapel. Facilities that do not have dedicated Chapel facilities will use another area designated by Unit Administration as the Inmate Field Ministry Resource Library.
2. Field Ministers must not acquire books and materials that exceed what can safely be stored in the assigned storage area. The assigned storage area may not be used as storage for personal items that are not directly useful to Field Ministry tasks.
3. Storage areas are subject to search and inspection as outlined in AD Searches of Inmates, Unit Searches, and Control of Contraband.
4. Publications must adhere to publications size/weight policy as outlined in AD Publications, unless waived by the Warden/Superintendent/Center Supervisor.
5. The FMAC will develop and maintain a list of resources that should be available to Field Ministers at all facilities, work with donors to supply these resources, and distribute donated resources equitably.

M. Removal and Reinstatement of Field Ministers

1. Field Ministers may be removed from their placement in the Field Ministry Program if, at any time, they no longer meet the eligibility as indicated in this policy section titled Inmate eligibility for Field Ministry application and placement or any other policy.
2. Removal can also be recommended by the Warden/Superintendent/Center Supervisor or Chaplain by submitting appropriate documentation (i.e., 005,

disciplinary form) to the FMAC. However, removal from the Inmate Field Ministry Program will ultimately be the decision of the Director or his designee.

3. Field Ministers that were previously removed may be reinstated to the Field Ministry Program once they meet the eligibility criteria and after review and a determination by the FMAC with approval from the Director or his designee.
4. Field Ministers previously removed from the program who are determined by the FMAC as eligible for reinstatement will be transferred to the Varner to be retrained through the MAC College at Varner before being fully reinstated and assigned as a Field Minister with approval from the Director or his designee.

IV. ATTACHMENTS:

Field Ministry Application Form



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602**



ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2024-02

SUPERSEDES: 2022-27

APPLICABILITY: Director, Chief Deputy/Deputy Directors, Wardens, Work Release Center Supervisors, Employees involved in Segregation, and Inmates

REFERENCE: AR 839 Punitive Segregation; AD Disciplinary Court Review; AD Punitive Housing-Restriction; AD Step-Down Program; SD Prison Rape Elimination Act; AD Meritorious Good Time; AD Inmate Disciplinary Manual

PAGE: 1 of 8

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 03/15/24

I. POLICY

It is the policy of the Arkansas Division of Correction (ADC) to provide safe and secure housing to inmates who require a higher degree of physical control, or who staff find necessary to remove from the general population of the facility. The policy is to limit the use of Restrictive Housing to the shortest period of time possible while maintaining a safe environment within the institutions. Restrictive Housing is a form of incarceration that requires an inmate to be confined to his or her cell for 22 hours a day or longer, regardless of the inmate's particular barrack's assignment or the reason an inmate is being held in restrictive housing (i.e. subsequent to a mental health order, medical provider's order, punitive days, etc.).

The use of "segregation" or administrative segregation" in existing policies also applies to inmates in "Restrictive Housing" or "Extended Restrictive Housing" unless such use poses a conflict with this policy. The Institutional Classification Committee or, in an emergency, the Warden or designee may place an inmate in Restrictive Housing if his/her continued presence in the general population poses a direct threat to the safety of other inmates and staff or is a clear threat to the safe and secure operations of the facility.

II. DEFINITIONS

- A. Administrative Status. Separation from the general population by the classification committee or shift supervisor when the continued presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. Inmates pending investigation by the unit or law enforcement, pending trial on a criminal act, pending disciplinary court review, or pending transfer. While this status may be in restrictive housing, it is a temporary status, and a Release Plan is not required while in this status.
- B. Assignment. A decision by the Institutional Classification Committee that RH is appropriate.

- C. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.
- D. Extended Restrictive Housing. Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day and for longer than thirty (30) days for the safe and secure operation of the facility. A 48-hour relief does not end Extended RH because the inmate is not returned to general population during this time.
- E. Meritorious Good Time. The reduction of an inmate's parole or transfer eligibility date based on good discipline, behavior, work practices, job responsibilities and involvement in rehabilitative activities while under the control and supervision of the Department of Correction.
- F. Placement. Removal of an inmate from general population to a RH Assignment.
- G. Protective Custody. Form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to Protective Custody are not assigned to RH due to this status alone.
- H. Reentry Plan. A pre-release assessment and plan that includes at a minimum a review of parole stipulations and program referrals, transportation to the inmate's closest commercial pick-up point, information on community services available in the area, and information on how to reinstate voting rights upon discharge of their sentence.
- I. Release Plan. The steps the inmate needs to take to be released to general population which may include one or more of the following: a certain number of disciplinary free days, completion of disciplinary sanctions, completion of anger management, thinking errors, and/or a Step-Down Program.
- J. Restrictive Housing (RH). A form of incarceration in which an inmate is required to be confined to his/her cell for 22 hours a day or longer, regardless of the inmate's particular barrack's assignment or the reason an inmate is being held in restrictive housing (i.e., subsequent to a mental health order/physician's order, punitive days, etc.).
- K. Restrictive Recreation. A status Assignment allowing the Classification Committee or Warden to assign an inmate to be kept in full restraints during the inmate's scheduled recreation period if his/her actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to tampering with, or blocking, any lock or locking device; tampering or manipulating any recreation enclosure or RH recreation area; running from, avoiding, or otherwise resisting apprehension; aggravated battery to include attempted battery or battery on staff or inmates; and attempts to remove or manipulate restraints.
- L. Serious Mental Illness. Psychotic, Bipolar, and Major Depressive Disorders and any other diagnosed mental disorder (excluding substance use disorders) associated with serious behavioral impairment as evidenced by examples of acute decompensation, self-injurious behaviors, and mental health emergencies that require an individualized treatment plan by a qualified mental health professional.
- M. Step-Down Program. A system of review that establishes criteria to prepare an inmate for transition from RH to general population or the community. A classification committee made up of a multidisciplinary team (medical, mental health, security, and others determined by the Warden) will determine which individual inmates enter the program.
- N. Warden. Means warden, superintendent, or work release center supervisor.
- O. Youthful Inmate. Any inmate under the age of eighteen (18). Note: Refer to the Youthful Inmate Administrative Directive for procedures pertaining to the housing of Youthful Inmates.

III. PROCEDURES

A. Initial Placement

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in RH.
2. Inmates placed in RH must be transferred out of RH within three (3) business days when Placement is due to Protective Custody status alone unless approved by the appropriate Deputy Director.
3. When a PREA incident (sexual abuse/assault) has occurred or is alleged to have occurred, victims shall be separated from the accused as soon as possible. If the victim is placed in RH, the Placement should not exceed 24 hours, unless necessary to protect the victim from further harm or other security concerns. For further guidance in post-allegation housing of victims of sexual abuse/assault, refer to Secretarial Directive Prison Rape Elimination Act (PREA).
4. Any inmate Placement in RH will be approved, denied, or modified within twenty-four (24) hours by an appropriate and higher authority who was not involved in the initial Placement. The higher authority shall, after reviewing the inmate's status, either release him/her from the RH area or retain him/her in the RH area and refer the inmate to the next regularly scheduled meeting of the Classification Committee. The inmate will receive written notification of the hearing not less than twenty-four (24) hours prior to the hearing.

B. Institutional Classification Committee Procedures for Assignment to RH

1. The Classification Committee will hold the hearing to determine Assignment within seven (7) days of Placement and after the inmate has received written notice.
2. The inmate will be allowed to appear before the committee to make any relevant statement, and to present related documentary evidence.
3. Assignment to RH will be made by a majority vote of the committee.
4. The inmate will be advised of the reasons for his/her Assignment to RH and the steps he/she needs to take to be released to general population which may include a Step-Down Program. Both the reason for Assignment and the method to earn release will be provided to the inmate in writing and a copy of the reasons will be maintained in the inmate's electronic file. All decisions may be subject to review and approval or disapproval by the Warden or his/her designee.
5. Prior to any other actions (excluding bed assignments) being taken in the electronic offender record, an Incident Report must be entered in the electronic offender record within 24-hours of an inmate being placed in RH.
6. Any inmate who is potentially dangerous to his or her own person shall immediately be placed in RH and evaluated by Mental Health Staff the same business day or within four (4) hours.
7. Any inmate who exhibits chronic unruly behavior shall be evaluated by the Mental Health Staff upon request by the Warden or his/her designee. The results of the evaluation shall be considered by the Classification Committee in determining the RH status of the inmate.
8. Confinement of pregnant inmates or inmates who are Seriously Mentally Ill (SMI) in Extended RH is prohibited.
9. An inmate will not be placed in RH based on gender identity alone.
10. All inmates assigned to RH for thirty (30) days or less will have Restrictive Housing listed as their AM Assignment. This AM Assignment will be automatically generated in the offender electronic record following the entry of the Incident Report and Restrictive Housing Placement Offender Standard Form.

11. Inmates with AM Assignments to 'Restrictive Housing' or 'Extended Restrictive Housing' may have one (1) of the following PM Assignments:
 - a. Direct Threat (Self)
 - b. Direct Threat (Safe/Secure Operations/Others)
 - c. Administrative Review
 - d. Punitive
 - e. Disciplinary Court Review (DCR)
 - f. Investigative Status
 - g. Protective Custody
 - h. PREA
 - i. Quarantine
 - j. Step Down Levels I-II
 - k. Supermax Levels I-V
12. If the Warden or designee decides to move an inmate from RH, but the inmate refuses to leave, the inmate will be moved to Extended RH on the 31st day, unless the RH sanction has expired. The inmate shall be written a major disciplinary for failure or refusal to leave RH and return to population. An incident report must be completed to start the RH sanction over again.
13. Assignment of Youthful Inmates to Extended RH is prohibited.

C. Administrative Status. An inmate that poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, can be placed in RH on Administrative Status due to one (1) of the following:

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one (1) of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or
 - c. The case requires more extensive investigation.
5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.

6. Inmates who have been in restrictive housing for longer than thirty (30) days are to maintain the AM Assignment to “Extended Restrictive Housing” regardless of disciplinary court review or punitive status.

D. Control Precautions and Privileges while in Restrictive Housing

Controls and privileges do not govern inmates serving punitive restriction, participating, or assigned to Step-Down Units, Death Row, and other special housing areas including Residential Programming Unit (RPU), VSM Program, infirmaries, and the hospital.

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.
- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- d. Inmates will have the opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing.
- e. Regularly scheduled meals may be served in cells instead of the chow hall.
- f. Chaplains will visit the RH area at least weekly and upon request.
- g. Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
- h. Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
- i. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include:
 - i. Ice cream;
 - ii. Cups/Tumblers;
 - iii. Razors;
 - iv. Any sharp objects;
 - v. Canned items/drinks;
 - vi. Nail clippers; and
 - vii. Others as designated in writing by unit policies.
- j. Clothing allowed to male inmates in RH while inside their cells are limited to a t-shirt and boxers. All inmates will be allowed to have one (1) jumpsuit in their possession while in the cell during winter months. Jumpsuits will be issued between September 1 and October 15 of each year depending on temperatures. Jumpsuits will be removed from the cells between April 1 and May 15 of each year depending on temperatures. For clothing allowed for females, refer to McPherson Unit policy and Hawkins Unit Policy.
- k. Inmates in RH will be issued jumpsuits prior to exiting his/her cell when being escorted outside of the barracks. Jumpsuits will be taken by staff upon return to the inmate’s cell.
- l. Canvas shoes will be issued. No shoes with strings will be allowed in RH.

- m. A reasonable amount of reading material and educational material approved by the Arkansas Correctional School District.
- n. Bedding is to be changed weekly and weekly laundry services are to be provided.
- o. Access to legal materials upon request and in accordance with unit policy.
- p. Access to attorney of record via legal mail and telephone.
- q. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.
- r. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.
- s. Inmates assigned to RH, excluding those assigned due to protective custody or medical concerns (i.e. quarantine), will not be eligible for class promotion, to earn meritorious good time, or be considered for the restoration of lost good time.

2. Privileges

- a. Inmates in RH will attend institutional activities only with prior written approval from the Warden.
- b. Television, radio, MP4, and/or tablet privileges may be denied only upon documentation of the reason(s) in each inmate's record. Separate documentation is not required when class status required for the privilege does not exist, or a disciplinary restriction is in the inmate's record.
- c. Special projects or holiday packages will not be allowed. Exceptions will be made by the Director for inmates housed on Death Row.

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one (1) member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.
3. The Warden or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional

year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.

5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally, the following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to the specific needs of the inmate. This does not apply to court orders for immediate release.
 - b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.
 - c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.
 - d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

F. Restrictive Recreation

A. Initial Placement

1. Upon determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the shift supervisor will notify the Warden, Deputy Warden, or Chief of Security to recommend an inmate's Placement on Restrictive Recreation Status. The recommendation shall include all pertinent information regarding the request and be forwarded to the Warden for review and approval unless the Warden approved the initial Placement.
2. Once the Warden initially approves the use of Restrictive Recreation for an inmate, the Warden will contact the appropriate Deputy Director or the Duty Director, requesting final authorization. The request for authorization will be made within twenty-four (24) hours of the initial Placement of an inmate on Restrictive Recreation Status and documented.
3. Any inmate placed on Restrictive Recreation Status will be scheduled to appear before the next regularly scheduled meeting of the unit's Classification Committee for review.

B. Institutional Classification Committee Procedures for Continued Placement on Restrictive Recreation Status

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued placement and the steps the inmate must take to be removed from Restrictive Recreation Status.
4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the placement. The Lieutenant or above restriction will begin with the initial placement.

5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status

1. The Classification Committee or authorized staff, at the rank of Major or above, must review the status of each inmate placed on Restrictive Recreation every sixty (60) days following the initial Classification Committee Review. The status review will be documented in the Classification Committee Action Section of the inmate's electronic record.
2. The Warden or his/her designee will review all recommendations for possible release from Restrictive Recreation status.
3. Upon release from RH an inmate will automatically be released from Restrictive Recreation status.

IV. ATTACHMENTS:

- I. Restrictive Housing Placement
- II. Restrictive Recreation Placement
- III. Restrictive Housing Status Review Record of Release Consideration
- IV. Restrictive Housing Release Plan
- V. Restrictive Housing Classification Committee Waiver
- VI. Restrictive Housing in Cell Recreation Handout

ARKANSAS DIVISION OF CORRECTION
RESTRICTIVE HOUSING PLACEMENT

Any Placement requires a finding that this inmate's continued presence in the general population poses a serious threat to life, property, self, staff, other inmates, or to the security of the Unit.

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC # _____ is/was placed in RH on
_____ at _____ for the following reason(s):

Administrative Status (Temporary):

- pending trial for a criminal act
- pending disciplinary court review
- pending transfer to another unit
- pending investigation (Note: PREA victims cannot be placed in RH for more than twenty-four hours (24) unless necessary to protect the victim from further harm or other security concerns)

Review required within twenty-four (24) Hours of Placement

- I was not involved in the initial Placement and have reviewed the reasons for the Placement. I find the Placement appropriate.
- I find the inmate should be moved to _____ rather than remain in RH.

SIGNATURE

DATE

Note: If the inmate's Placement in RH is approved, he/she shall appear before the Classification Committee for possible Assignment within seven (7) days.

ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE RECREATION PLACEMENT

Any Placement requires a finding that this inmate's continued actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to: tampering with or blocking any lock or locking device; tampering or manipulating any recreation enclosure or Restricted Housing recreation area; running from, avoiding or otherwise resisting apprehension; aggravated battery to include attempted battery/battery on staff or inmate(s); and attempts to remove or manipulate restraints.

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC# _____ is/was placed on Restrictive Recreation on _____ at _____ for the following reason(s):

- Tampering with, or blocking, any lock or locking device.
- Tampering or manipulating any recreation enclosure.
- Running from, avoiding, or otherwise resisting apprehension.
- Aggravated battery to include attempted battery on staff or inmate(s).
- Attempts to remove and/or manipulate restraints.
- Other: _____

Review required within twenty-four (24) hours of placement

I have reviewed the reasons for the Placement and find that the inmate **should** **should not** remain on Restrictive Recreation status.

Warden Signature

Date

I have reviewed the reasons for the Placement and find that the inmate **should** **should not** remain on Restrictive Recreation status.

Deputy/Duty Director

Date

Note: If the inmate's Placement on Restrictive Recreation status is approved, he/she shall appear before the next Classification Committee for review and every sixty (60) days thereafter.

ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING STATUS REVIEW RECORD OF RELEASE CONSIDERATION

Facility: _____

Inmate: _____

ADC #: _____

7 Day Review Warden's Review

30 Day Review Director's Review

60 Day Review Special Consideration

Date of Review _____

Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

- Poses a direct threat to the safety of themselves or other
- Poses a direct threat to the safe and secure operations of the facility
- Administrative Status due to: _____

COMMITTEE MEMBERS	VOTE	
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()

INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

- Continue RH (Describe how the inmate continues to pose a direct threat to safety of persons or a clear threat to the safe and secure operations of the facility):

- Inmate is not a threat to the security of persons or a clear threat to the safe and secure operations of the facility, and should be released from RH
- Release pending completion of RH Restrictive Release Plan

MENTAL HEALTH APPRAISAL REPORT: Completed Yes No

WARDEN'S REVIEW

- I have reviewed the above and agree with the Committee's decision.
- I have reviewed the above and am referring this back to the Committee.

WARDEN OR DESIGNEE SIGNATURE

DATE

ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING RELEASE PLAN

Facility Name: _____ Date: _____

Inmate Name: _____ ADC Number: _____

- Upon completion of the following steps, the above-referenced inmate may be returned to general population from a RH Assignment:
- Upon completion of the following steps, the above-referenced inmate may be removed from a Restrictive Recreation Placement:
 - Complete the sanction(s) imposed by the Disciplinary Court
 - Complete a Step-Down Program
 - Complete a/an _____ program
 - Other (must be specific):

Classification Committee Member Signature

Date

INMATE ACKNOWLEDGEMENT

I have read, or have had read to me, this Release Plan. I understand that I may remain in RH or on Restrictive Recreation until this plan is completed.

Inmate's Signature

Date

WARDEN'S REVIEW

- I have reviewed the above and agree with the proposed Release Plan.
- I have reviewed the above and am referring this proposed Release Plan back to the Classification Committee.

Warden or Designee's Signature

Date

ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Date of Review: _____

I, Inmate _____, ADC# _____

Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

My waiver or refusal to appear before the RHCC is done freely and voluntarily without threat or coercion from any person(s). I understand that my refusal to appear before the RHCC will result in the review of my RH or Restrictive Recreation Status in my absence and a decision without any comments or statements from me.

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

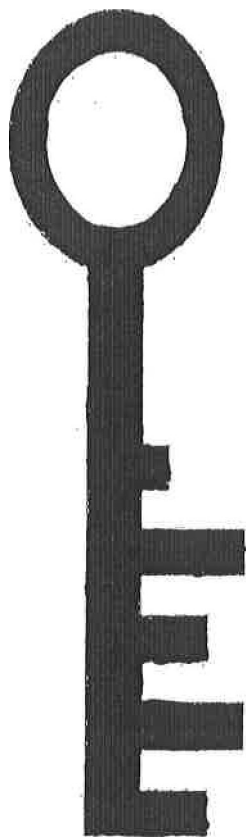
RHCC Member Signature: _____

Date: _____

Witness Name (Please print): _____

Witness Signature: _____

Date: _____



Unlock Your Potential With EXERCISE

Exercise is a key to:

EMOTIONAL WELL BEING

CARDIOVASCULAR HEALTH

WEIGHT MANAGEMENT

MUSCLE TONING

ENHANCED RELAXATION






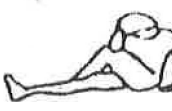

Developed By Medical Training and Continuing Education Texas Department of Criminal Justice
Institutional Division

INTRODUCTION

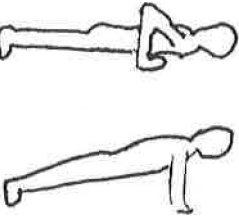
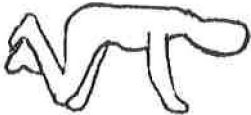
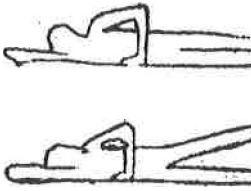

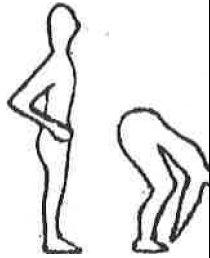
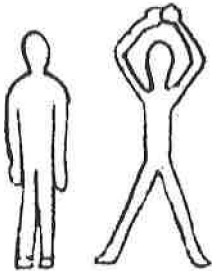
This pamphlet gives a basic in-cell exercise program which will help you maintain strength and endurance. There are three parts of this workout. These include warm-up/stretching, conditioning, and cool down. It is VERY IMPORTANT THAT YOU WORK AT YOUR OWN PACE AND THAT YOU DO NOT PUSH YOURSELF TO THE POINT OF PAIN. It is also a good idea to place your mattress under you to use as padding as this will make you more comfortable and lessen your chance of injury,

WARM-UP/STRETCH (5-8 min.)

It is important to stretch before each workout. This series of exercises will prepare the body for physical exertion. Without proper warm up, soreness, muscle pulls or some other injury may occur. Be safe, and properly go through the warm-up stretch period. Do stretches in the order listed. Do each stretch only to the point before it becomes painful, do not bounce during stretching; instead hold each stretch for 10 seconds. Try to relax the muscles being stretched.

						
Stand erect, balanced on the balls of your feet. Begin walking briskly - around a room will do nicely. The walk is a good warm-up y.	CALF/ACHILLES STRETCH Standing three of your foot lengths from the wall, place your forearms on the wall, Place your forehead on the back of your hands. Keeping one leg straight and the heel on the floor bring the other leg toward the wall and lean in. As you lean in you will feel the stretch. Repeat with the other leg.	BODY BENDER Stand erect with hands locked behind neck, Bend trunk of body from side to	TRUNK TWISTER Stand, feet apart, with arms extended out from sides palms down. Slowly twist from side to side.	ANKLE STRETCH Stand erect with weight on balls of feet. Raise and lower heels repeatedly.	SPINAL STRETCH Sit on the floor with your right leg straight and the left leg crossed over the right leg with the left foot on the floor, Place the right arm so that the right elbow presses against the outside of the left knee, Press against the knee and twist the upper body, Repeat on the other	SHOULDER STRETCH With your arms over your head, hold the elbow of one arm with the hand of the other arm. Slowly pull the elbow behind your head. Do not force. Hold. Repeat on the other side.





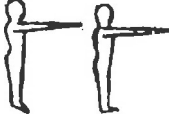


CONDITION (15-20 min.)

					
PUSH-UPS This exercise strains your back, do knee push-ups, See the next frame,) Lie flat on the floor, hands under your shoulders, Keeping the body and legs straight, push up. lower your body until your chest almost touches the floor. Repeat 10 times.	OR KNEE PUSH-UPS Get on your hands and knees, lowering the upper body to the floor by bending the arms, then push back up, (10 times)	LEG RAISER Lie on your side with your head on your arm. Use your other hand to brace yourself, Keep your leg straight and lift it as far 'IS possible, Do 10 times each side,	ABDOMINAL CURL (SIT-UPS) Lie on your back with your feet on the floor, knees bent, arms folded across the chest. Raise head and shoulders off the floor about inches and return to the floor, (ten times)	TOE TOUCH Stand with feet together, arms at side, Keep the knees slightly bent, lean forward and gently stretch hands toward the toes or floor return and repeat, Do 10 times.	JUMPING JACKS Stand with arms at sides, jump spreading feet to the side and at the same time swing the arms overhead, then swing the arms down and Jump back to the start position. Do 10 times.

This series of exercises will increase one's strength, flexibility, agility, tone, and endurance. Major muscles can be toned through the conditioning period. Do each set of exercises ten times, and then repeat at your own pace, for a total time of fifteen to twenty minutes.

COOL DOWN (5-8 min.)

The cool down exercises help your body to gradually return to its resting state. They also help to stretch out muscles and tendons which may have been tightened during conditioning exercises. Please note that the cool down phase of the workout is simply a repetition of the warmup/stretch phase.

						
<p>WALK</p> <p>Walk slowly in place to cool down.</p>	<p>CALF/ACHILLES STRETCH</p> <p>Standing three of your foot lengths from the wall, Place your forehead on the back of your hands. Keeping ones leg straight and the heel on the floor bring the other leg toward the wall and lean in. As you lean in you will feel the stretch. Repeat with the other leg.</p>	<p>BODY BENDER</p> <p>Stand erect with hands locked behind neck. Bend trunk of body from side to side.</p>	<p>TRUNK TWISTER</p> <p>Stand, feet apart, with arms extended out from sides palms down. Slowly twist from side to side</p>	<p>ANKLE STRETCH</p> <p>Stand erect with weight on balls of feet. Raise and lower heels repeatedly.</p>	<p>SPINAL STRETCH</p> <p>Sit on the floor with your right leg straight and the left leg crossed over the right leg with the left foot on the floor. Place the right arm so that the right elbow presses against the outside of the left knee. Press against the knee and twist the upper body, Repeat on the other</p>	<p>SHOULDER STRETCH</p> <p>With your arms over your head, hold the elbow of one arm with the hand of the other arm. Slowly pull the elbow behind your head. Do not force. Hold. Repeat on the other side.</p>



**ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office**

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Office of the Director
Phone: (870) 267-6200 | Fax: (870) 267-6200
DEXTER PAYNE



6814 Princeton Pike
Pine Bluff, AR 71602

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: ~~2022-25~~2024-02

SUPERSEDES: ~~2021-15~~2022-25

APPLICABILITY: Director, Chief Deputy/Deputy Directors, Wardens, Work Release Center Supervisors, Employees involved in Segregation, and Inmates

REFERENCE: AR 839 Punitive Segregation; AD Disciplinary Court Review; AD Punitive Housing-Restriction; AD Step-Down Program; ~~and~~ SD Prison Rape Elimination Act; ~~—~~ AD Meritorious Good Time; AD Inmate Disciplinary Manual

PAGE: 1 of 78

APPROVED: Original signed by Dexter Payne

EFFECTIVE

DATE: 10/13/2022

I. POLICY

It is the policy of the Arkansas Division of Correction (ADC) to provide safe and secure housing to inmates who require a higher degree of physical control, or who staff find necessary to remove from the general population of the facility. The policy is to limit the use of Restrictive Housing to the shortest period of time possible while maintaining a safe environment within the institutions. Restrictive Housing is a form of incarceration that requires an inmate to be confined to his or her cell for 22 hours a day or longer, regardless of the inmate’s particular barrack’s assignment or the reason an inmate is being held in restrictive housing (i.e. subsequent to a mental health order, medical provider’s order, punitive days, etc.).

The use of “segregation” or administrative segregation” in existing policies also applies to inmates in “Restrictive Housing” or “Extended Restrictive Housing” unless such use poses a conflict with this policy. The Institutional Classification Committee or, in an emergency, the Warden or designee may place an inmate in Restrictive Housing if his/her continued presence in the general population poses a direct threat to the safety of other inmates and staff or is a clear threat to the safe and secure operations of the facility.

II. DEFINITIONS

- A. Administrative Status. Separation from the general population by the classification committee or shift supervisor when the continued presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. Inmates pending investigation by the unit or law enforcement, pending trial on a criminal act, pending disciplinary court

review, or pending transfer. While this status may be in restrictive housing, it is a temporary status, and a Release Plan is not required while in this status.

- B. Assignment. A decision by the Institutional Classification Committee that RH is appropriate.
- C. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.
- D. Extended Restrictive Housing. Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day and for longer than thirty (30) days for the safe and secure operation of the facility. A 48-hour relief does not end Extended RH because the inmate is not returned to general population during this time.
- E. Meritorious Good Time. The reduction of an inmate's parole or transfer eligibility date based on good discipline, behavior, work practices, job responsibilities and involvement in rehabilitative activities while under the control and supervision of the Department of Correction.
- F. Placement. Removal of an inmate from general population to a RH Assignment.
- G. Protective Custody. Form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to Protective Custody are not assigned to RH due to this status alone.
- H. Reentry Plan. A pre-release assessment and plan that includes at a minimum a review of parole stipulations and program referrals, transportation to the inmate's closest commercial pick-up point, information on community services available in the area, and information on how to reinstate voting rights upon discharge of their sentence.
- I. Release Plan. The steps the inmate needs to take to be released to general population which may include one or more of the following: a certain number of disciplinary free days, completion of disciplinary sanctions, completion of anger management, thinking errors, and/or a Step-Down Program.
- J. Restrictive Housing (RH). A form of incarceration in which an inmate is required to be confined to his/her cell for 22 hours a day or longer, regardless of the inmate's particular barrack's assignment or the reason an inmate is being held in restrictive housing (i.e., subsequent to a mental health order/physician's order, punitive days, etc.).
- K. Restrictive Recreation. A status Assignment allowing the Classification Committee or Warden to assign an inmate to be kept in full restraints during the inmate's scheduled recreation period if his/her actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to tampering with, or blocking, any lock or locking device; tampering or manipulating any recreation enclosure or RH recreation area; running from, avoiding, or otherwise resisting apprehension; aggravated battery to include attempted battery or battery on staff or inmates; and attempts to remove or manipulate restraints.
- L. Serious Mental Illness. Psychotic, Bipolar, and Major Depressive Disorders and any other diagnosed mental disorder (excluding substance use disorders) associated with serious behavioral impairment as evidenced by examples of acute decompensation, self-injurious behaviors, and mental health emergencies that require an individualized treatment plan by a qualified mental health professional.
- M. Step-Down Program. A system of review that establishes criteria to prepare an inmate for transition from RH to general population or the community. A classification committee made up of a multidisciplinary team (medical, mental health, security, and others determined by the Warden) will determine which individual inmates enter the program.
- N. Warden. Means warden, superintendent, or work release center supervisor.
- O. Youthful Inmate. Any inmate under the age of eighteen (18). Note: Refer to the Youthful Inmate Administrative Directive for procedures pertaining to the housing of Youthful Inmates.

III. PROCEDURES

A. Initial Placement

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in RH.
2. Inmates placed in RH must be transferred out of RH within three (3) business days when Placement is due to Protective Custody status alone unless approved by the appropriate Deputy Director.
3. When a PREA incident (sexual abuse/assault) has occurred or is alleged to have occurred, victims shall be separated from the accused as soon as possible. If the victim is placed in RH, the Placement should not exceed 24 hours, unless necessary to protect the victim from further harm or other security concerns. For further guidance in post-allegation housing of victims of sexual abuse/assault, refer to Secretarial Directive Prison Rape Elimination Act (PREA).
4. Any inmate Placement in RH will be approved, denied, or modified within twenty-four (24) hours by an appropriate and higher authority who was not involved in the initial Placement. The higher authority shall, after reviewing the inmate's status, either release him/her from the RH area or retain him/her in the RH area and refer the inmate to the next regularly scheduled meeting of the Classification Committee. The inmate will receive written notification of the hearing not less than twenty-four (24) hours prior to the hearing.

B. Institutional Classification Committee Procedures for Assignment to RH

1. The Classification Committee will hold the hearing to determine Assignment within seven (7) days of Placement and after the inmate has received written notice.
2. The inmate will be allowed to appear before the committee to make any relevant statement, and to present related documentary evidence.
3. Assignment to RH will be made by a majority vote of the committee.
4. The inmate will be advised of the reasons for his/her Assignment to RH and the steps he/she needs to take to be released to general population which may include a Step-Down Program. Both the reason for Assignment and the method to earn release will be provided to the inmate in writing and a copy of the reasons will be maintained in the inmate's electronic file. All decisions may be subject to review and approval or disapproval by the Warden or his/her designee.
5. Prior to any other actions (excluding bed assignments) being taken in the electronic offender record, an Incident Report must be entered in the electronic offender record within 24-hours of an inmate being placed in RH.
6. Any inmate who is potentially dangerous to his or her own person shall immediately be placed in RH and evaluated by Mental Health Staff the same business day or within four (4) hours.
7. Any inmate who exhibits chronic unruly behavior shall be evaluated by the Mental Health Staff upon request by the Warden or his/her designee. The results of the evaluation shall be considered by the Classification Committee in determining the RH status of the inmate.

~~78~~. Confinement of pregnant inmates or inmates who are Seriously Mentally Ill (SMI) in Extended RH is prohibited.

~~89~~. An inmate will not be placed in RH based on ~~G~~gender ~~i~~Identity alone.

910. All inmates assigned to RH for thirty (30) days or less will have Restrictive Housing listed as their AM Assignment. This AM Assignment will be automatically generated in the offender electronic record following the entry of the Incident Report and Restrictive Housing Placement Offender Standard Form.

101. Inmates with AM Assignments to 'Restrictive Housing' or 'Extended Restrictive Housing' may have one (1) of the following PM Assignments:

- a. Direct Threat (Self/~~Others~~)
- b. Direct Threat (Safe/Secure Operations/Others)
- c. Administrative Review
- d. Punitive
- e. Disciplinary Court Review (DCR)
- f. Investigative Status
- g. Protective Custody
- h. PREA
- i. Quarantine
- j. Step Down Levels I-II
- k. Supermax Levels I-V

142. If the Warden or designee decides to move an inmate from RH, but the inmate refuses to leave, the inmate will be moved to Extended RH on the 31st day, unless the RH sanction has expired. The inmate shall be written a major disciplinary for failure or refusal to leave RH and return to population. An incident report must be completed to start the RH sanction over again.

13. Assignment of Youthful Inmates to Extended RH is prohibited.

C. Administrative Status. An inmate that poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, can be placed in RH on Administrative Status due to one (1) of the following:

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one (1) of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or

- c. The case requires more extensive investigation.
- 5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.
- 6. Inmates who have been in restrictive housing for longer than thirty (30) days are to maintain the AM Assignment to “Extended Restrictive Housing” regardless of disciplinary court review or punitive status.

D. Control Precautions and Privileges while in Restrictive Housing

Controls and privileges do not govern inmates serving punitive restriction, participating, or assigned to Step-Down Units, Death Row, and other special housing areas including Residential Programming Unit (RPU), VSM Program, infirmaries, and the hospital.

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.
- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- d. Inmates will have ~~opportunity~~the opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing.
- e. Regularly scheduled meals may be served in cells instead of the chow hall.
- f. Chaplains will visit the RH area at least weekly and upon request.
- g. Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
- h. Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
- i. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include:
 - i. Ice cream;
 - ii. Cups/Tumblers;
 - iii. Razors;
 - iv. Any sharp objects;
 - v. Canned items/drinks;
 - vi. Nail clippers; and
 - vii. Others as designated in writing by unit policies.
- j. Clothing allowed to male inmates in RH while inside their cells are limited to a t-shirt and boxers. All inmates will be allowed to have one (1) jumpsuit in their possession while in the cell during winter months. Jumpsuits will be issued between September 1 and October 15 of each year depending on temperatures. Jumpsuits will be removed from the cells between April 1 and May 15 of each year depending on temperatures. For clothing allowed for females, refer to McPherson Unit policy and Hawkins Unit Policy. ~~Thermal undergarments will be issued when appropriate.~~

- k. Inmates in RH will be issued jumpsuits prior to exiting his/her cell when being escorted outside of the barracks. Jumpsuits will be taken by staff upon return to the inmate's cell.
- l. Canvas shoes will be issued. No shoes with strings will be allowed in RH.
- m. A reasonable amount of reading material and educational material approved by the Arkansas Correctional School District.
- n. Bedding is to be changed weekly and weekly laundry services are to be provided.
- o. Access to legal materials upon request and in accordance with unit policy.
- p. Access to attorney of record via legal mail and telephone.
- q. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.
- r. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.

~~ts.~~ Inmates assigned to Restrictive Housing RH, excluding those assigned due to protective custody or medical concerns (i.e. quarantine), will not be eligible for class promotion, to earn meritorious good time, or be considered for the restoration of lost good time.

~~All inmates assigned to RH, excluding those inmates assigned due to protective custody or medical concerns (e.g. quarantine), will keep any Meritorious Good Time that they have upon placement but will not earn any more for the duration of their confinement in Restrictive Housing.~~

2. Privileges

- a. Inmates in RH will attend institutional activities only with prior written approval from the Warden.
- b. Television, radio, MP4, and/or tablet privileges may be denied only upon documentation of the reason(s) in each inmate's record. Separate documentation is not required when class status required for the privilege does not exist, or a disciplinary restriction is in the inmate's record.
- ~~b.c.~~ Special projects or holiday packages will not be allowed.

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one (1) member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.

3. The Warden or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.
5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally, the following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to ~~specifi~~the specific needs of the inmate. This does not apply to court orders for immediate release.
 - b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.
 - c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.
 - d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

F. Restrictive Recreation

A. Initial Placement

1. Upon determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the shift supervisor will notify the Warden, Deputy Warden, or Chief of Security to recommend an inmate's Placement on Restrictive Recreation Status. The recommendation shall include all pertinent information regarding the request and be forwarded to the Warden for review and ~~approval, unless~~approval unless the Warden approved the initial Placement.
2. Once the Warden initially approves the use of Restrictive Recreation for an inmate, the Warden will contact the appropriate Deputy Director or the Duty Director, requesting final authorization. The request for authorization will be made within twenty-four (24) hours of the initial Placement of an inmate on Restrictive Recreation Status and documented.
3. Any inmate placed on Restrictive Recreation Status will be scheduled to appear before the next regularly scheduled meeting of the unit's Classification Committee for review.

B. Institutional Classification Committee Procedures for Continued Placement on Restrictive Recreation Status

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued placement and the steps the ~~inmate~~inmate must take to be removed from Restrictive Recreation Status.

4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the placement. The Lieutenant or above restriction will begin with the initial placement.
5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status

1. The Classification Committee or authorized staff, at the rank of Major or above, must review the status of each inmate placed on Restrictive Recreation every sixty (60) days following the initial Classification Committee Review. The status review will be documented in the Classification Committee Action Section of the inmate's electronic record.
2. The Warden or his/her designee will review all recommendations for possible release from Restrictive Recreation status.
3. Upon release from RH an inmate will automatically be released from Restrictive Recreation status.

IV. ATTACHMENTS:

- I. Restrictive Housing Placement
- II. Restrictive Recreation Placement
- III. Restrictive Housing Status Review Record of Release Consideration
- IV. Restrictive Housing Release Plan
- V. Restrictive Housing Classification Committee Waiver
- VI. Restrictive Housing in Cell Recreation Handout



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING PLACEMENT

Any Placement requires a finding that this inmate’s continued presence in the general population poses a serious threat to life, property, self, staff, other inmates, or to the security of the Unit.

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC # _____ is/was placed in RH on _____ at _____ for the following reason(s):

Administrative Status (Temporary):

- pending trial for a criminal act
- pending disciplinary court review
- pending transfer to another unit
- pending investigation (Note: PREA victims cannot be placed in RH for more than twenty-four hours (24) unless necessary to protect the victim from further harm or other security concerns)

Review required within twenty-four (24) Hours of Placement

- I was not involved in the initial Placement and have reviewed the reasons for the Placement. I find the Placement appropriate.
- I find the inmate should be moved to _____ rather than remain in RH.

SIGNATURE

DATE

Note: If the inmate’s Placement in RH is approved, he/she shall appear before the Classification Committee for possible Assignment within seven (7) days.



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE RECREATION PLACEMENT

Any Placement requires a finding that this inmate’s continued actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to: tampering with or blocking any lock or locking device; tampering or manipulating any recreation enclosure or Restricted Housing recreation area; running from, avoiding or otherwise resisting apprehension; aggravated battery to include attempted battery/battery on staff or inmate(s); and attempts to remove or manipulate restraints.

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC# _____ is/was placed on Restrictive Recreation on _____ at _____ for the following reason(s):

- Tampering with, or blocking, any lock or locking device.
- Tampering or manipulating any recreation enclosure.
- Running from, avoiding, or otherwise resisting apprehension.
- Aggravated battery to include attempted battery on staff or inmate(s).
- Attempts to remove and/or manipulate restraints.
- Other: _____

Review required within twenty-four (24) hours of Placement

I have reviewed the reasons for the Placement and find that the inmate should should not remain on Restrictive Recreation status.

Warden Signature

Date

I have reviewed the reasons for the Placement and find that the inmate should should not remain on Restrictive Recreation status.

Deputy/Duty Director

Date

Note: If the inmate’s Placement on Restrictive Recreation status is approved, he/she shall appear before the next Classification Committee for review and every sixty (60) days thereafter.



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING STATUS REVIEW RECORD OF RELEASE CONSIDERATION

Facility: _____
 Inmate: _____
 ADC #: _____

- 7 Day Review Warden's Review
 30 Day Review Director's Review
 60 Day Review Special Consideration

Date of Review _____

Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

- Poses a direct threat to the safety of themselves or other
 Poses a direct threat to the safe and secure operations of the facility
 Administrative Status due to: _____

COMMITTEE MEMBERS	VOTE	
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()
	REMAIN ()	RELEASE ()

INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

- Continue RH (Describe how the inmate continues to pose a direct threat to safety of persons or a clear threat to the safe and secure operations of the facility):

- Inmate is not a threat to the security of persons or a clear threat to the safe and secure operations of the facility, and should be released from RH
- Release pending completion of RH Restrictive Release Plan

MENTAL HEALTH APPRAISAL REPORT: Completed Yes No

WARDEN'S REVIEW

- I have reviewed the above and agree with the Committee's decision.
 I have reviewed the above and am referring this back to the Committee.

WARDEN OR DESIGNEE SIGNATURE

DATE



ARKANSAS DIVISION OF CORRECTION

Attachment IV

RESTRICTIVE HOUSING RELEASE PLAN

Facility Name: _____ Date: _____

Inmate Name: _____ ADC Number: _____

- Upon completion of the following steps, the above-referenced inmate may be returned to general population from a RH Assignment:
- Upon completion of the following steps, the above-referenced inmate may be removed from a Restrictive Recreation Placement:

~~Achieve Class II status or better~~

- Complete the sanction(s) imposed by the Disciplinary Court
- Complete a Step-Down Program
- Complete a/an _____ program
- Other (must be specific):

Classification Committee Member Signature

Date

INMATE ACKNOWLEDGEMENT

I have read, or have had read to me, this Release Plan. I understand that I may remain in RH or on Restrictive Recreation until this plan is completed.

Inmate's Signature

Date

WARDEN'S REVIEW

- I have reviewed the above and agree with the proposed Release Plan.
- I have reviewed the above and am referring this proposed Release Plan back to the Classification

Committee.

Warden or Designee's Signature

Date



Attachment V

ARKANSAS DIVISION OF CORRECTION

~~Attachment V~~

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Date of Review: _____

I, Inmate _____, ADC# _____

Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

My waiver or refusal to appear before the RHCC is done freely and voluntarily without threat or coercion from any person(s). I understand that my refusal to appear before the RHCC will result in the review of my RH or Restrictive Recreation Status in my absence and a decision without any comments or statements from me.

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

RHCC Member Signature: _____

Date: _____

Witness Name (Please print): _____

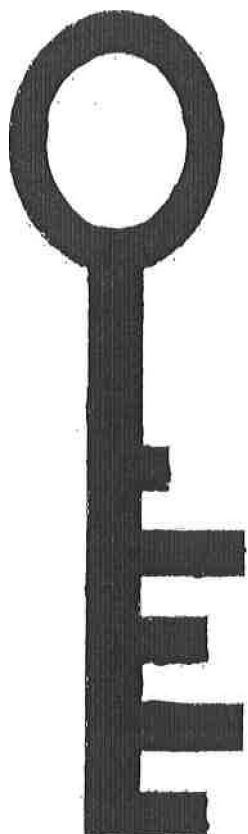
Witness Signature: _____

Date: _____

Attachment VI

Unlock Your Potential With

EXERCISE



Exercise is a key to:

EMOTIONAL WELL BEING

CARDIOVASCULAR HEALTH

WEIGHT MANAGEMENT

MUSCLE TONING

ENHANCED RELAXATION

Developed By Medical Training and Continuing Education Texas Department of Criminal Justice Institutional Division





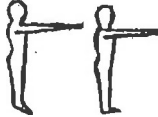


INTRODUCTION

This pamphlet gives a basic in-cell exercise program which will help you maintain strength and endurance. There are three parts of this workout. —These include warm-up/stretching, conditioning, and cool down. It is VERY IMPORTANT THAT YOU WORK AT YOUR OWN PACE AND THAT YOU DO NOT PUSH YOURSELF TO THE POINT OF PAIN. It is also a good idea to place your mattress under you to use as padding as this will make you more comfortable and lessen your chance of injury,

WARM-UP/STRETCH (5-8 min.)

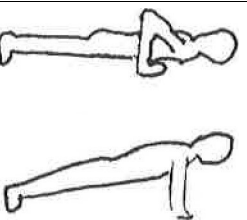
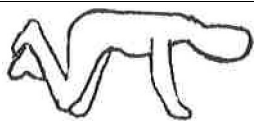
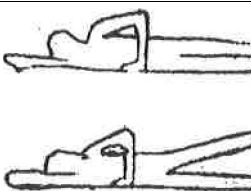
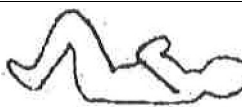
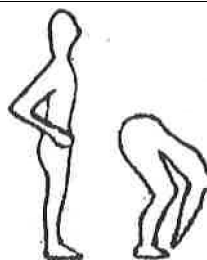
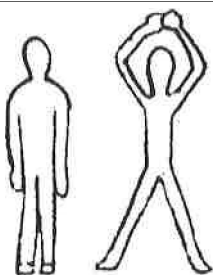
It is important to stretch before each workout. This series of exercises will prepare the body for physical exertion. Without proper warm up, soreness, muscle pulls or some other injury may occur. Be safe, and properly go through the warm-up stretch period. Do stretches in the order listed. Do each stretch only to the point before it becomes painful, do not bounce during stretching; instead hold each stretch for 10 seconds.

Try to relax the muscles being stretched.

						
Stand erect, balanced on the balls of your feet. Begin walking briskly - around a room will do nicely. The walk is a good warm-up.	CALF/ACHILLES STRETCH Standing three of your foot lengths from the wall, place your forearms on the wall, Place your forehead on the back of your hands. Keeping one leg straight and the heel on the floor bring the other leg toward the wall and lean in. As you lean in you will feel the stretch.	BODY BENDER Stand erect with hands locked behind neck, Bend trunk of body from side to	TRUNK TWISTER Stand, feet apart, with arms extended out from sides palms down. Slowly twist from side to side.	ANKLE STRETCH Stand erect with weight on balls of feet. Raise and lower heels repeatedly.	SPINAL STRETCH Sit on the floor with your right leg straight and the left leg crossed over the right leg with the left foot on the floor, Place the right arm so that the right elbow presses against the outside of the left knee, Press against the knee and twist the upper body,	SHOULDER STRETCH With your arms over your head, hold the elbow of one arm with the hand of the other arm. Slowly pull the elbow behind your head. Do not force. Hold. Repeat on the other side.

	Repeat with the other leg.				Repeat on the other	
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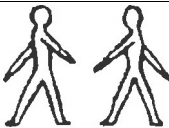
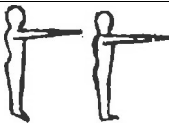
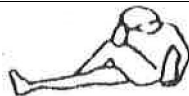

CONDITION (15-20 min.)

					
PUSH-UPS	OR KNEE PUSH-UPS	LEG RAISER	ABDOMINAL CURL (SIT-UPS)	TOE TOUCH	JUMPING JACKS
This exercise strains your back, do knee push-ups, See the next frame,) Lie flat on the floor, hands under your shoulders, Keeping the body and legs straight, push up. lower your body until your chest almost touches the floor. Repeat 10 times.	Get on your hands and knees, lowering the upper body to the floor by bending the arms, then push back up, (10 times)	Lie on your side with your head on your arm. Use your other hand to brace yourself, Keep your leg straight and lift it as far 'IS possible, Do 10 times each side,	Lie on your back with your feet on the floor, knees bent, arms folded across the chest. Raise head and shoulders off the floor about Inches and return to the floor, (ten times)	Stand with feet together, arms at side, Keep the knees slightly bent, lean forward and gently stretch hands toward the toes or floor return and repeat, Do 10 times.	Stand with arms at sides, jump spreading feet to the side and at the same time swing the arms overhead, then swing the arms down and Jump back to the start position. Do 10 times.

This series of exercises will increase one's strength, flexibility, agility, tone, and endurance. Major muscles can be toned through the conditioning period. Do each set of exercises ten times, and then repeat at your own pace, for a total time of fifteen to twenty minutes.

COOL DOWN (5-8 min.)

The cool down exercises help your body to gradually return to its resting state. They also help to stretch out muscles and tendons which may have been tightened during conditioning exercises. Please note that the cool down phase of the workout is simply a repetition of the warmup/stretch phase.

						
<p>WALK</p> <p>Walk slowly in place to cool down.</p>	<p>CALF/ACHILLES STRETCH</p> <p>Standing three of your foot lengths from the wall, Place your forehead on the back of your hands. Keeping ones leg straight and the heel on the floor bring the other leg toward the wall and lean in. As you lean in you will feel the stretch. Repeat with the other leg.</p>	<p>BODY BENDER</p> <p>Stand erect with hands locked behind neck. Bend trunk of body from side to side.</p>	<p>TRUNK TWISTER</p> <p>Stand, feet apart, with arms extended out from sides palms down. Slowly twist from side to side</p>	<p>ANKLE STRETCH</p> <p>Stand erect with weight on balls of feet. Raise and lower heels repeatedly.</p>	<p>SPINAL STRETCH</p> <p>Sit on the floor with your right leg straight and the left leg crossed over the right leg with the left foot on the floor. Place the right arm so that the right elbow presses against the outside of the left knee. Press against the knee and twist the upper body, Repeat on the other</p>	<p>SHOULDER STRETCH</p> <p>With your arms over your head, hold the elbow of one arm with the hand of the other arm. Slowly pull the elbow behind your head. Do not force. Hold. Repeat on the other side.</p>



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Initial Unit of Assignment

NUMBER: 2024-03

SUPERSEDES: 17-35

APPLICABILITY: To all employees, especially those involved in the classification/assignment of inmates, and inmates

REFERENCE: AR 802-Classification of Inmates

PAGE 1 of 3

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 02/12/24

I. POLICY:

It shall be the policy of the Arkansas Division of Correction (ADC) to establish criteria for initial unit assignments for male/female inmates.

II. PURPOSE:

Upon arrival to the ADC, inmates are initially assigned to designated units in a way that assures public safety, while providing a safe and humane environment for inmates, strengthening their work ethic through the teaching of good habits, and providing opportunities for them to improve spiritually, mentally, and physically. This directive applies to initial assignments only and does not preclude a transfer to another unit.

III. PROCEDURE:

A. Initial Units of Assignment

1. The Cummins, East Arkansas Regional, Grimes, Ouachita River and Varner Units are designated units at which male inmates shall do their initial assignments. Females will do their initial assignment at the McPherson Unit. Any deviation from these initial assignment facilities must be approved by the Director or his designee.

2. Male inmates under the age of eighteen (18) shall be assigned to the Randall L. Williams Unit.
3. Male inmates who are serving sentences of Death shall only be assigned to the Varner Super Max Unit.
4. Male inmates who are serving sentences of Life without Parole, or Life shall only be assigned to the following units for their initial and permanent assignment: Cummins, Varner, East Arkansas Regional, or Maximum Security. Any exception to the housing of these designated inmates must be approved by the appropriate Deputy Director or Assistant Director and documented on the Custody Classification Screen in the electronic offender management information system (eOMIS) consistent with the administrative directive on Custody Classification.
5. Female inmates who are serving sentences of Death, Life without Parole, or Life shall only be assigned to the McPherson Unit for their initial and permanent assignment.

B. Exceptions

1. Routine exceptions to address medical or mental health needs, and assignments to Death Row do not require the Director's approval.
2. Inmates who require protective custody (PC) may be assigned to any facility with single-cell housing if they cannot be housed in the designated open barracks for PC inmates.
3. Inmates who are at risk of sexual victimization, but not to the extent of requiring protective custody, should be sent to a unit that best suits the inmate's individual needs, and staff should consider Grimes or Ouachita River.
 - a. Factors that could indicate an inmate might be at risk of victimization include the following factors as set forth in the Prison Rape Elimination ACT (PREA) policy:
 - i. Whether the inmate has a mental, physical, or developmental disability;
 - ii. The physical build of the inmate/small stature;

- iii. Whether the inmate has previously been incarcerated;
 - iv. Whether the inmate is homosexual, bisexual, transgender, or intersex;
 - v. Whether the inmate has previously experienced sexual victimization; and
 - vi. The inmate's own perception of vulnerability.
- b. Inmates who have a propensity to be sexually abusive toward other inmates should be considered for facilities with single cell housing. Factors that could indicate an inmate may have a propensity for sexual abuse include the following factors as set forth in the PREA policy:
- i. Inmate's violent criminal history;
 - ii. Inmate's convictions for sex offenses;
 - iii. Inmate's prior history of institutional violence or sexual abuse;
 - iv. Inmate's gang affiliation; and
 - v. Inmate's aggressive attitude at intake.
4. All other exceptions except stated herein must be approved by the Director/Designee. For example, assignment of inmates to interstate compact, assignment of former employees, former law enforcement officers, etc.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DI

PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6999
Fax: 870-267-6345
www.adc.arkansas.gov

SUBJECT: Initial Unit of Assignment

NUMBER: ~~20-17-35~~ 234

SUPERSEDES: ~~17-1517-35~~

APPLICABILITY: To all staffemployees, especially those involved in the classification/assignment of inmates, and inmates

REFERENCE: AR 802-Classification of Inmates PAGE 1 of 3

APPROVED: - Original signed by Wendy Kelley Dexter Payne
EFFECTIVE DATE: ~~12/29/17~~

I. POLICY:

It shall be the policy of the Arkansas Department ~~Division~~ of Correction (ADC) to establish criteria for initial unit assignments for male/female inmates.

II. PURPOSE:

Upon reception by the Division ~~Department of Correction~~ arrival to the ADC, inmates are initially assigned to designated units in a way that assures public safety, while providing a safe and humane environment for inmates, while strengthening their work ethic through the teaching of good habits, and providing opportunities for them to improve spiritually, mentally, and physically. This

directive applies to initial assignments only and does not preclude a transfer to another unit.

III. PROCEDURE:

A. Initial Units of Assignment

1. ~~Assignment of inmates to parent units will be made commensurate with the custody level of the facility. The Cummins, East Arkansas Regional, Grimes, Ouachita River and Varner Varner, East Arkansas Regional, Cummins, Grimes, Ouachita River, North Central, Delta Regional, Wrightsville, Randall L. Williams and Tucker Units are designated units at which male inmates may shall do their initial assignments. Females may will do their initial assignment at either the McPherson or Hawkins Units. Any deviation from these initial assignment facilities must be approved by the Director or his designee.~~
2. ~~Male inmates under the age of of eighteen (18) shall be assigned to the Randall L. Williams Unit.~~
3. ~~Male inmates who are serving sentences of Death shall only be assigned to the Varner Super Max Unit.~~
4. ~~Male inmates who are serving sentences of, Life without Parole, or Life shall only be assigned to the following units for their initial and permanent assignment: Cummins, Varner, East Arkansas Regional, or Maximum Security. Any exception to the housing of these designated inmates at a different facility must be approved by the Warden and the appropriate Deputy Director or Assistant Director and documented on the Custody Classification Screen in the electronic offender management information system (eOMIS) consistent with the administrative directive on Custody Classification.~~
5. ~~Female inmates who are serving sentences of Death, Life without Parole, or Life shall only be assigned to the McPherson Unit for their initial and permanent assignment.~~

B. Exceptions

- a. ~~Routine exceptions to address medical or mental health _____ needs, and assignments to Death Row do not require the _____ Director's approval.~~

1. _____

____ Inmates who require protective custody (PC) may be assigned to ____
 _____ any facility with single-cell housing if they cannot be housed in the
 designated open barracks for PC inmates.

2. _____

1. _____ Inmates who are at risk of sexual victimization, but not to the _____
 _____ extent of requiring protective custody, should be sent to a unit that
 _____ best suits the inmate's individual needs, and staff should consider
 _____ Delta, North Central, Wrightsville, Grimes or Ouachita River;
Fueller, or Ester.

3. _____

a. _____ Factors that could indicate an inmate might be at risk of
victimization include the following factors as set forth in
the Prison Rape Elimination ACT (PREA) policy:

_____ Factors that could indicate an inmate might be at risk of
victimization include the following factors as set forth in the PREA policy:

i. _____ Whether the inmate has a mental, physical, or
developmental or _____ developmental
 i. _____ disability;

ii. _____ The physical build of the inmate/small stature; The
age of the inmate, including whether the inmate is a _____ juvenile
(Note: any inmate under 21 years of age with a history of special
education who has not obtained a high school diploma or a GED
shall be assigned to Varner, Grimes, or McPherson unless the
Correctional School District approves a different assignment);

ii. _____

iii. _____ The physical build of the inmate/small stature;

~~iv-iii.~~ _____ Whether the inmate has previously been _____
 _____ incarcerated;

~~v-iv.~~ _____ Whether the inmate is homosexual, bisexual, _____
 _____ transgender, or intersex;

~~vi-v.~~ _____ Whether the inmate has previously experienced _____
 _____ sexual _____ victimization; and

~~vii-vi.~~ _____ The inmate's own perception of vulnerability.

b. _____ Inmates who have a propensity to be sexually abusive toward other
 _____ inmates should be considered for facilities with single cell housing.
 _____ Factors that could indicate an inmate may have a propensity for

___ sexual abuse include the following factors as set forth in the PREA ___ policy:

~~2.~~

- a. i. ___ -Inmate's violent criminal history;
- b. ii. ___ -Inmate's convictions for sex offenses;
- c. iii. ___ Inmate's prior history of institutional violence or sexual ___ abuse;
- d. iv. ___ Inmate's gang affiliation; and
- e. v. ___ Inmate's aggressive attitude at intake.

- ___
- ___
4. All other exceptions except stated herein must be approved by the Director/Designee. (For example, assignment of inmates to interstate compact, assignment of former employees, former law enforcement officers, etc.)



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
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ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Disciplinary Manual

NUMBER: 2024-04

SUPERSEDES: 22-12

APPLICABILITY: Inmates, All Employees, and Contractors

PAGE: 1 of 24

REFERENCE: AR 831 Disciplinary Rules and Regulations; AR 834 Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates; SD Prison Rape Elimination Act

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 04/01/24

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to ensure that the institutional rules and regulations are enforced through an unbiased and prudent fact finder and to provide appropriate due process throughout the disciplinary process. The behavior of offenders committed to the custody of the ADC shall be controlled in an impartial and consistent manner. Prior to the adoption of any changes to this policy, the proposed changes shall be posted in prominent locations (employee bulletin boards, inmate bulletin boards and electronic distribution) throughout ADC institutions at least thirty (30) days prior to the adoption of the changes. Inmates in Restrictive Housing will be provided a copy of the proposed changes by the Unit Disciplinary Officer. All comments shall be considered prior to adoption and shall be kept as part of the appropriate policy file documentation.

II. PURPOSE:

The ADC shall establish and designate authority to Major and Minor Disciplinary Officers who shall hear and adjudicate all reports of infractions of institutional rules and regulations. When inmate behavior requires discipline, the following procedures shall be followed to ensure that no unnecessary disciplinarys are written and that:

- A. There is no bias in favor of the charging officer;
- B. There is no presumption of guilt;
- C. There is a reliable method of determining whether an infraction has in fact occurred;
- D. Blatant forms of partiality which can result from prior knowledge, involvement, bias, or personal interest in a particular case are minimized; and

- E. Sanctions are imposed to discourage further Rule Violations with the use of Restrictive Housing only when the presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility.

III. **DEFINITIONS:**

- A. Assault. A willful attempt or threat(s) to inflict injury upon the person of another.
- B. Battery. The actual use of physical force upon the person of another.
- C. Business Day. Monday through Friday, excluding legal State recognized holidays.
- D. Counsel Substitute. Staff appointed by the Warden to assist eligible inmates through the disciplinary process including the appeal process if necessary.
- E. Disciplinary Appeal. The process an inmate must follow if he or she does not agree with the verdict of their disciplinary hearing by using the Major Disciplinary Appeal Form 831-4 (Attachment 4).
- F. Disciplinary Hearing Administrator (DHA). The Internal Affairs Administrator is the DHA and is responsible for ensuring that Disciplinary Hearing Officers are trained. The DHA will review the hearings conducted by these hearing officers regularly.
- G. Disciplinary Hearing Officer (DHO). The DHO conducts Major Disciplinary Court Hearings on Major Disciplinaries.
- H. Disciplinary Report (DR). The factual basis for the charge of Rule Violation(s) and the rule(s) violated.
- I. Disciplinary Extension. To extend the time period to allow for further investigation or additional information before holding a disciplinary hearing. If an Extension is needed, Extension form, F-831-5 must be completed.
- J. Indecent Exposure. Public exposure of one's genitals for gratification or pleasure.
- K. Introduction. Introduction shall be established through investigation that the charged inmate assisted in the article being brought on ADC property, moved about on ADC property, or stored in any manner on ADC property.
- L. Masturbation. Manipulating one's genitals to arouse or gratify a sexual desire; does not require exposure.
- M. Minor Disciplinary Officer (MDO). The MDO is designated by the Warden to conduct hearings on minor disciplinary charges referred to as Minor Disciplinary Court.
- N. Modified. If the major disciplinary is Modified, the sanctions will be adjusted or changed to reflect the decision of the person modifying the infractions. A written explanation will be provided to the inmate; and a copy will be saved in the inmate's electronic file.
- O. PREA Charge. Any Rule Violation that is connected to the Prison Rape Elimination Act (PREA) and requires a response directed by the Department's PREA Policy. The outcome for a PREA violation may direct a precaution to be entered into the electronic offender file indicating predator or victim identifications. This would include incidents of:
1. Sexual misconduct;
 2. Rape or forced sexual act;
 3. Masturbation in the presence of another;
 4. Sexual threats;

5. Sexual harassment;
 6. Demanding sexual acts in trade; and
 7. Aiding or abetting in any of the above.
- P. Punitive Housing. A separate housing used for inmates, who have been found guilty of a rule violation as a result of a disciplinary hearing.
- Q. Restitution. To reimburse or pay back for loss or damages.
- R. Restrictive Housing. A placement that requires an inmate to be confined to a cell for at least twenty-two (22) hours per day.
- S. Reversed. If the disciplinary is reversed, it is voided, and privileges are restored back to what they were before the major disciplinary infractions/sanctions were entered. The disciplinary will remain in the inmate's electronic file as a record.
- T. Rule Violation. The details of the wrongdoing contained in the DR..
- U. Serving Officer/Notifying Officer. The Officer who serves charges on the inmate(s), may appoint a Counsel Substitute and receives the inmate's list of Witnesses regarding the charge(s) and provides the inmate with a copy of the DHO's report.
- V. Staff. Any employee of the ADC, the Correctional School System, and any employee or contractor providing services within an ADC facility through contract or agreement with the ADC.
- W. Video Conferencing System. Telecommunication in the form of video conference.
- X. Warden. For the purpose of this policy, means Warden, Superintendent, or Work Release Center Supervisor.
- Y. Witness. Employees, inmates, or free world person(s) who have first-hand knowledge of an infraction, event or incident.

IV. GENERAL RULES FOR MAJOR DISCIPLINARIES:

- A. Reasonable effort should be made to first counsel the inmate about his/her behavior to prevent the filing of unnecessary disciplinaries.
- B. Each Major Disciplinary Court Hearing shall consist of one (1) DHO, who shall have singular authority for determining guilt or innocence and assessment of appropriate punishment.
- C. The DHO(s) are located at the Randall L. Williams Correctional Facility and will conduct hearings at all units.
- D. The Serving Officer/Notifying Officer who serves the DR shall have the authority to appoint a Staff Counsel Substitute at the time the DR is served.
- E. Disciplinary action(s) shall be determined by a schedule of punishments that are based on the seriousness of the Rule Violation(s) as outlined in this policy.
- F. The appeal process shall be directed to the Warden, then to the DHA and then to the Director.

V. TRAINING:

- A. The DHA will be responsible for maintaining an instructional folder containing information on the proper procedures for holding Major Disciplinary Court Hearings and Minor Disciplinary Court Hearings, serving disciplinaries, rules and regulations of each unit, plus other pertinent

information which could be helpful in implementing these policies and procedures. The folders will be available for training and review. The DHA is responsible for training all DHOs.

- B. DHOs will be required to review and be knowledgeable on all policies and procedures, including but not limited to:
1. The use of the electronic offender filing system for processing disciplinary records;
 2. Inmate Handbook;
 3. Employee Handbook;
 4. Applicable state and federal laws;
 5. Administrative Rules (AR) of the ADC;
 6. Secretarial Directives (SD);
 7. Administrative Directives (AD); and
 8. Unit Operating Procedures.
- C. Each Warden will designate Serving Officer/Notifying Officer(s) and ensure they are trained on ADC policies including the Inmate Disciplinary Manual and procedures for serving disciplinaries.
- D. Each Warden will designate one (1) or more MDO's and ensure that such officers are trained on ADC policies including the Inmate Disciplinary Manual and procedures for conducting Minor Disciplinary Court.

VI. BEHAVIOR RULES AND REGULATIONS:

The following rules and regulations shall govern inmate behavior at all units. Note that some rule numbers are not in order as categories were combined, but historical information will be maintained; numbers reserved for historical purposes are not listed in this policy. The “**bold**” words below indicate what should display on the ADC website for major Rule Violations; in some instances it will be the category listed (e.g. POSSESSION/MANUFACTURE OF CONTRABAND).

<u>Group Disruption Category</u>	<u>Penalty Class</u>
1-1. Banding together for any reason which disrupts unit operations which may include taking over any part of the unit or property of the ADC, seizing one (1) or more persons as hostages, or interrupting operations. Rule Violation may result in loss of all good time.	A
1-6. Direct involvement in writing, circulating or signing a petition, letter, or similar declaration that poses a threat to the security of the facility.	B
1-7. Any Rule Violation that is found to be related to recruitment or participation in a security threat group, or is motivated by racial, religious, or gender discrimination. Rule Violation may result in the loss of all good time.	A

Individual Disruptive Behavior Category

2-2. Under the influence of and/or any use of illicit drugs, alcohol, intoxicating chemicals or any medication in an unauthorized	A
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- manner (e.g. includes but are not limited to, slurred speech, incoherent speech, redness of the eyes, vomiting, cannot stand on his/her own, etc.).
- 2-3. **Monetary Misconduct.** Entering into unauthorized contractual agreements, failure to turn in all checks or monies received, obtaining money through fraud or misrepresentation (examples include, but are not limited to, buying articles on a payment plan, failure to turn in tips received on work release, or misleading someone to obtain money). A
- 2-4. **Employment Misconduct.** Work Release inmates who quit a job without prior approval, get fired for misconduct, tardiness, or shirking duties, or fail to notify ADC staff when too ill to work. B
- 2-5. **Unauthorized use of mail or telephone.** B
Includes passing unauthorized messages, three-way communication(s), calling on another's phone code, posing as another person, and telephone communications with unauthorized persons.
- 2-11. Tattooing, piercing, and **self-mutilation** intended to change oneself or another's appearance; this does not include attempts to commit suicide or injure oneself unless solely for manipulation. See AR 834 Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates. B
- 2-12. **Failure to keep one's person or quarters** in accordance with regulations, or failure to wear ADC-issued ID, or clothing according to center/unit policy. C
- 2-13. Breaking into, or causing disruption of an inmate line or **interfering with operations.** B
- 2-15. **Tampering with,** or blocking, any lock or **locking device.** A
- 2-16. **Refusal to submit to substance abuse testing** or submitting a diluted sample. A
- 2-17. Creating **unnecessary noise,** including disruptive **or** aggressive **play** in areas other than designated recreation areas. C
- 2-20. **Unauthorized communication,** contact, or conduct with a visitor or any member of the public or staff. B
- 2-21. Running from, avoiding, or otherwise **resisting apprehension.** A
- 2-22. **Interfering with** the taking of **count.** A
- 3-3. **Unexcused absence** from work/school assignment or other program activity. B
- 3-5. **Out of place of assignment.** B
- 5-5. **Provoking or agitating a fight.** B
- 11-1. **Insolence to a Staff member.** A
- 12-2. **Refusal of job assignment** including participating in a treatment program, or class assignment, or violating program rules that results in dismissal from a program. B

- 12-3. **Failure or refusing to obey** verbal and/or written **order(s)** of staff. B
- 12-4 **Refusing a direct verbal order** to leave or enter any area of the institution or ADC property including, but not limited to, a cell, barracks, chow hall, transportation vehicle, hallway or work site. A
- 12-5 **Failure or refusal to leave** Restrictive Housing and return to population A
- 13-2. **Lying to a staff member**, including omissions, and providing misinformation. B
- 13-3. **Malingering**, feigning an illness (see page 17 for further explanation). B

BATTERY CATEGORY

- 4-4. **Battery on Staff.** Use of physical force upon Staff (examples include, but are not limited to, Staff, volunteers, vendors and/or contractors). A
- 4-5. **Aggravated Battery.** Use of a weapon, or injury resulting in victim(s) having to go to the Emergency Room and/or hospital, in Battery upon another person. This Rule Violation will result in loss of all good time and the loss for one (1) calendar year of the privilege to purchase or possess any item which was used as a weapon. A
- 4-8. **Battery.** Use of physical force upon an inmate. A
- 4-17. **Throwing or attempting to throw substances** known or unknown, toward or upon another person. Rule Violation may result in loss of all good time. A

ASSAULT CATEGORY

- 5-3. Assault. Any willful attempt or **threat(s) to inflict injury** upon another, directly or indirectly, verbally or in writing. A
- 5-4. Making **sexual threat(s)** to another person, directly or indirectly, verbally or in writing. A

THEFT, DESTRUCTION OF PROPERTY OR EXTORTION CATEGORY

- 6-1. **Demanding/receiving money or favors** or anything of value in return for an offer/promise of protection from others, or to keep information secret. A
- 7-1. **Unauthorized use of state property/supplies.** B
- 7-4. **Theft or possession of stolen property.** A
- 8-4. **Destruction** or intentional misplacement **of property** of another or the ADC. Restitution may be ordered based on replacement cost, or the value of lost, intentionally misplaced, or destroyed property. A
- 8-6. **Adulteration of any food(s) or drink(s)** with intent to harm others. Rule Violation may result in the loss of all good time. A
- 8-7. **Setting a fire** or destruction **or tampering with fire detection** or suppression device. A

POSSESSION/MANUFACTURE OF CONTRABAND CATEGORY

- | | | |
|-------|---|---|
| 9-1. | Possession/Introduction of any firearm, ammunition, weapon, fireworks, explosive, unauthorized combustible substance, or unauthorized tool. Rule Violation may result in loss of all good time. | A |
| 9-3. | Possession/Introduction/manufacture of any drug, narcotic intoxicant, tobacco, chemical, or drug paraphernalia not prescribed by medical staff. | A |
| 9-4. | Possession or movement of money or currency, unless specifically authorized. | A |
| 9-5. | Possession/Introduction of clothing or property not issued to inmate nor authorized by the center/unit. | C |
| 9-9. | Counterfeiting, forging, or unauthorized possession/introduction of any document, article of identification, money, security, or official paper. | A |
| 9-14. | Possession/Introduction/use of unauthorized electronic device(s): Examples include, but are not limited to, flash drive, MP player, Tablet, DVD player, etc. | A |

Rule violation will result in the loss of all good time and will result in the loss of the Inmate Telephone System privileges for one (1) year. Possession of a cell phone is a crime which may result in criminal prosecution for a felony.

- | | | |
|------|---|---|
| 9-15 | Possession/Introduction/Use of a cell phone or any cell phone component: Examples include, but are not limited to, sim cards, charger, battery, etc. or an unauthorized messaging device. | A |
|------|---|---|

Rule violation will result in the loss of all good time and will result in the loss of the Inmate Telephone System privileges for one (1) year. Possession of a cell phone is a crime which may result in criminal prosecution for a felony.

- | | | |
|-------|--|---|
| 9-16. | Use of internet or social media. | A |
| 9-17. | Preparing, conducting, or participating in a gambling operation. | B |

SEXUAL ACTIVITY CATEGORY

- | | | |
|-------|---|---|
| 10-1. | Engaging in non-abusive sexual activity with another consenting person. | A |
| 10-2. | Making sexual proposals to another person. (PREA) | A |
| 10-3. | Indecent Exposure and/or Masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures). | A |
| 10-4. | Bestiality. | A |
| 10-5. | Masturbation in the presence of another inmate. | A |
| 10-7. | Demanding sexual contact in trade or for protection from physical | A |

harm or mental anguish, or other victimization.

- 4-10. **Rape or forced sexual act** with/on an inmate. Rule Violation may result in the loss of all good time. (PREA) Rape is a crime and may result in criminal prosecution for a Class Y Felony. If convicted, may result in a life sentence. A
- 4-19. **Rape or forced sexual act** on staff, volunteer, contractor or other individual not incarcerated at the time of the incident. Rule Violation may result in the loss of all good time. Rape is a crime and may result in criminal prosecution for a Class Y Felony. If convicted, may result in a life sentence. A

TRAFFICKING AND TRADING CATEGORY

- 15-2. Asking, coercing, or offering inducement to anyone to violate ADC policy or procedure, inmate rules and regulations, center/unit operating procedures, this also includes extortion. A
- 15-3. The purchase or exchange of unauthorized articles or authorized articles obtained through unauthorized channels. B

ESCAPE CATEGORY

- 16-1. Escape from custody of the ADC; May result in the loss of all good time and/or result in referral for criminal prosecution. A
- 16-2. Failure to return from any approved activity or furlough at the designated time. A
- 16-3. Attempted escape, including leaving a Work Release job Site or work detail, while in the custody of the ADC. This includes but is not limited to, written notes regarding escape, phone call recordings advising escape plans, and verbal threats to escape, etc. A

B. Determination of Charges Only one (1) Rule Violation may be charged for a given behavior. The violation cited should be that which most accurately categorizes the behavior. However, a DR may cover an incident which is made up of a sequence of several distinct behaviors, each of which is a rule violation.

1. Example of several Rule Violations in one (1) sequence: An inmate stays in the barracks, missing work call (Rule 3-3, Unexcused absence from work); a correctional officer finds him/her in the barracks and gives him/her a direct order to join his/her work detail which the inmate refuses (Rule 12-3, Failure to obey an order); and the inmate stands up and threatens to punch the officer if the officer doesn't leave him/her alone (Rule 5-3, Assault).
2. Example of several Rule Violations for a given behavior that should result in one (1) rule charge, the one that most accurately categorizes the behavior: While exposing himself, an inmate is masturbating at his cell door with all his clothes off while watching an officer in front of the dayroom of inmates (Rule 10-3, Indecent Exposure, and Rule 10-5, Masturbation in the presence of another inmate; this should result in one (1) charge of 10-3).

VII. MAJOR DISCIPLINARY COURT:

- A. Establishment of Court The Major Disciplinary Court Hearing shall be composed of a single DHO who will be directed in the performance of those duties by the DHA.

B. Responsibilities of the Major Disciplinary Hearing Officer

1. The Major DHO is charged with the responsibility of ensuring that all rules promulgated by the ADC regarding major disciplinary hearings are followed.
2. In all major disciplinary proceedings, the DHO shall fully explain the charges and inform the inmate of the possible consequences if found guilty. The DHO shall further ensure that there is no undue air of hostility in the proceedings and that the proceedings and deliberations are not conducted in a perfunctory manner. The DHO will be vigilant in averting any racial, religious or gender discrimination during the proceedings or in the assessment of punishment. Any such signs of discrimination will be immediately reported to the Warden, DHA and the Director.
3. The DHO shall hear all of the facts of the case and shall have singular authority for deciding guilt or innocence and the punishment assessed, except as outlined in the AD on Evaluations for Disciplinary Court Proceedings for Seriously Mentally Ill and Mentally Deficient Inmates regarding punishment, and AR 834, Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates.
4. Regarding guilty pleas, the DHO must ensure that the inmate understands the charge to which he/she is pleading guilty. Guilty pleas will be monitored to determine whether the inmate offers any supporting evidence indicating innocence of the charge as written.
5. Responsibilities of the DHO regarding Counsel Substitutes are enumerated under Section VII (J) (1).

C. Responsibilities of the Building or Field Chief Security Officer (CSO)

1. Prior to the Major Disciplinary Court Hearing, the CSO will review all disciplinaries and may do one (1) of the following:
 - a. Forward the disciplinary to the DHO with his or her initials on the report;
 - b. Reduce it to a Minor Disciplinary;
 - c. Dismiss the charges and file the DR as a matter of record; or
 - d. Convert the Minor Disciplinary to a Major Disciplinary.

Regarding provision (b) and (c) above, the CSO will consult with the charging person on any decision which results in dismissal or reduction. In the event the CSO dismisses the DR(s), a copy of the dismissed disciplinary shall be scanned into the electronic offender file. Reasons for such dismissals should be documented on the face of the DR(s). The CSO will notify the Warden or designee for final review of the dismissed disciplinary in the electronic offender file. Copies of these reports are not to be included in the inmate's permanent file.

2. The CSO may set reasonable limitations on the number of inmate Witnesses. The CSO will document the reason(s) for the limitation on the Major Disciplinary Form (F-831-1) under "Witness Statements." In the event that a limit (usually five) is placed upon inmate Witness statements, the same limit must be applied to statements taken from Staff.
3. May exclude any Witness(es) who were not present at the time of the incident and inquire from the offender what testimony from that Witness would reveal.

D. General Considerations

1. The Major Disciplinary Form (F-831-1) will be completed for Major Disciplinary Reports against an inmate and will include specific details of the rule infraction alleged against the inmate. At a minimum, the details shall include who, what, when, where, how, and why the charge is brought. The charging person should be the Staff with the most knowledge of the event. Once the DR is

written, the charging person may seek assistance from others for purposes of correcting any mistakes in grammar or punctuation; however, the actual content of the DR must not be changed.

2. The Major Disciplinary Form (F-831-1) must be signed by the charging person, affirming that the information in the report is true and correct. Any relevant supporting documents (such as incident reports) should be attached to the major disciplinary form. The completed form with any attachments should be forwarded immediately to the CSO. This process will be completed electronically in the the electronic offender file when that system is available.
3. Any Witness(es) to the infraction shall prepare statement(s) to be attached to the charging person's report of the incident. Witnesses include any inmates, employees, and/or free world persons who have firsthand knowledge of the infraction. Witnesses who appear to testify before the Disciplinary Court will have their statements recorded. If written Witness statements are submitted to the Disciplinary Court, those will be reviewed by the DHO and documented in the electronic offender file. In the event a Witness requested by an inmate is denied, that request may be submitted to the inmate in writing.
4. It will be the responsibility of the DHO to thoroughly review all available documents concerning the Major Disciplinary Reports. He/she will determine whether or not additional information is necessary and may grant an Extension of time pursuant to these guidelines if necessary.

E. Hearings

1. The Major Disciplinary Court Hearing shall meet or be held by Video Conference as often as necessary at a convenient place and time between the hours of 6:00 a.m. and 6:00 p.m., in order to administer the institutional disciplinary functions as expeditiously as possible. It is recommended that hearings be held at least weekly. The court should avoid convening on weekends and holidays to minimize interference with inmate visitation; however, if security or administrative necessity as determined by the Warden dictates, then the hearings may be held on a weekend or holiday. Any weekend or holiday hearings will be limited to business as necessary to alleviate the concerns expressed by the Warden.
2. A charged inmate must be given at least twenty-four (24) hours prior notice of a disciplinary proceeding. The inmate may call Witnesses by giving the Serving Officer/Notifying Officer the names of the individuals he/she wishes to call. The manner in which the Witnesses' statements are presented to the court shall be within the discretion of the DHO.
3. No disciplinary will be heard after seven (7) Business Days from the date it was written except pursuant to an authorized Extension. For example, an inmate receiving a disciplinary on Tuesday at 9:00 a.m. or 10:00 p.m. should be tried no later than 6:00 p.m. the following Thursday assuming there were no holidays. **The day the disciplinary is written is not to be counted in calculating the seven (7) Business Days.**
4. Upon convening to consider cases of inmate violations of rules and regulations, the DHO shall call the inmate to appear before him/her for their Major Disciplinary Court Hearing, unless the inmate waives in writing or through behavior (e.g., acts absurd at hearing, walks out before hearing is over). In the event that an inmate wishes to waive his/her appearance, a waiver form will be completed and a copy provided to the charged inmate and must be reviewed by the Deputy Warden. If the inmate waives his/her right to appear and is found guilty, he/she cannot appeal the decision.

5. Once the inmate is present before the DHO for the Major Disciplinary Court Hearing, the recorder will be turned on, the reading noted, the time and date entered, and the charged inmate identified by name and ADC number.
6. The DHO will identify himself/herself in the presence of the inmate and inform the inmate that this is, in fact, a Major Disciplinary Court Hearing.
7. The DHO will scrutinize the DR to determine whether all time limits and procedural requirements have been met.
8. It must be determined whether all allowed Witness statements requested by the inmate and all other items of physical or documentary evidence are present before the court. The court may summon any additional Witnesses it deems necessary. Witness statements may be taken in writing, orally in person, or by telephone.

All written Witness statements, whether taken prior to the hearing or obtained at the request of the court, will be reviewed and a copy included in the disciplinary record. The choice of how the Witness statement will be taken is left to the discretion of the DHO. If more information or clarification is needed from the charging person or other Witnesses, such information may be obtained through the means described above (written, oral, or telephone). In the event that such testimony is obtained with the Witness appearing before the court, the charged inmate is not to be allowed in the room during testimony and the inmate does not have a right to cross-examine Witnesses. The inmate will receive a statement of fact(s) from the DHO if provided by the charging officer. The DHO may grant an Extension to the inmate if the Witness is not readily available to provide additional testimony.

9. The inmate should be informed that he/she has been charged with a specific offense, the possible consequences of a finding of guilt including possible loss of privileges, loss of Good Time, loss of Class Status, assignment to Restrictive Housing, additional duty, change in assignment/unit, Restitution, or any combination.
10. The inmate should then be asked whether the nature of the proceeding and the possible consequences are understood. If it appears that the inmate does not understand, the policy regarding Counsel Substitutes (see Section VII-J and 1) must be followed.
11. The Rule Violation(s) and the charging person's report will then be read to the inmate.
12. The inmate will be asked to enter a plea of guilty or not guilty. Guilty pleas must be explored to determine whether the inmate is certain of the charge being admitted. Any refusal to enter a plea shall be construed as a plea of not guilty.
13. The inmate must be afforded an opportunity to speak on his/her own behalf and submit any documentary evidence excluding Witness statements. All documentary evidence presented will become a part of the disciplinary packet. All Witness statements are to be gathered by ADC employees after the inmate has submitted a Witness list to the serving officer. Inmates will not be allowed to gather and submit Witness statements on their own.
14. After the inmate has made a statement and/or presented a defense, the recorder will be muted and Witness statements will be reviewed and documented.
15. The DHO must carefully weigh all evidence with special emphasis upon individual pieces of "primary evidence." Rumor or suspicion about an inmate's behavior shall not be taken into account.
16. After the DHO has weighed all of the evidence, a decision shall be made regarding guilt or innocence.

17. In the event that the inmate is found guilty, punishment must be imposed within the guidelines established by this policy.
18. The Video Conferencing System will then be un-muted. The inmate must then be informed as to the finding of guilt or innocence on each particular Rule Violation and must be informed of the punishment, if any, imposed.
19. The inmate must be informed of his or her right to appeal and to obtain Staff assistance in the fashioning of an appeal if needed.
20. The inmate will receive an oral statement detailing the reason for the finding of guilt or innocence at the time the DHO informs the inmate of the verdict. The DHO will reduce these reasons to writing prior to the conclusion of that Business Day and the Serving Officer/Notifying Officer will provide a typed copy or ISSR 100 (electronic generated disciplinary hearing results form) generated by the electronic offender file to the inmate within twenty-four (24) hours.

If the inmate refuses to sign, one (1) employee must Witness the refusal. It is sufficient to indicate that the inmate signed (or refused to sign) the original copy.
21. When the DHO has completed his or her work for the day, the DHO shall complete the disciplinary court report.
22. Once the DHO's report has been completed, the disciplinary action shall not be altered in any way except as provided herein.

F. Disciplinary Actions

1. Upon determining that an inmate is guilty of violating institutional rule(s), the DHO may apply any or all of the sanctions from the penalty class of the most serious rule violated. Additional sanctions may be applied from the penalty class corresponding to the additional rule(s) violated. However, sanctions defined in terms of days (e.g, loss of good time, loss of privileges, and extra duty) may not be applied to more than one Punitive Housing per disciplinary action. The punishment rendered should not be more than the DHO finds necessary to discourage repeated rule violations in the future.
2. Any or all sanctions may be suspended for up to six (6) months.
3. DHOs may not amend an inmate's level in the Varner Super Maximum (VSM) Program, but those actions can be considered by the Classification Committee when reviewing that inmate.
4. Inmates who violate the following rules may be placed on Non-Contact Visitation and restricted from Video Visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one (1) year restriction period to start over from the date of conviction of the new violation.
 - a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
 - b. Refusal to submit to substance abuse testing.
 - c. Possession or Introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical Staff.
 - d. Possession or movement of money or currency, unless specifically authorized.
 - e. Possession of clothing or property not issued or authorized by the Center/Unit.

- f. Correspondence/conduct with a visitor in violation of regulations.
 - g. Possession/Introduction/use of a cell phone or unauthorized messaging device.
 - h. Possession/Introduction/use of unauthorized electronic devices or parts of one, such as a charger or sim card.
 - i. Indecent Exposure
 - j. Social media
5. Inmates assigned to Restrictive Housing, excluding those assigned due to protective custody or medical concerns (i.e. quarantine) will not be eligible for class promotion, to earn meritorious good time, or be considered for the restoration of lost good time.

G. Range of Allowable Sanctions

1. Penalty Class "A"*

- a. Punitive Housing up to thirty (30) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned good time up to 365 days (loss of all earned good time is allowable for offenses listed that include the statement “may result in loss of all good time”).
- c. If the use of the Inmate Telephone System is involved, it shall result in the loss of telephone privileges for one (1) year.
- d. Loss of designated privileges, up to sixty (60) days, or the loss of a commissary item(s) up to three hundred sixty five (365) days if such commissary item(s) were used in the commission of the disciplinary infraction.
- e. Restitution based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.
- f. Reduction of up to three (3) steps in class.
- g. Extra duty up to two (2) hours per day for up to thirty (30) days.
- h. Possession/Introduction/use of a cell phone will result in the loss of Inmate Telephone System privileges for one (1) year.
- i. For PREA related violations, referral to the Classification Committee for consideration of precautions based on the findings of the investigation and outcome of the Disciplinary Hearing. The Classification Committee will consider PREA status in housing and job assignments and potential placement in programming based on the outcome.
- j. An inmate found guilty of escape or attempted escape, felonious battery, homicide or attempted homicide, possession/manufacture of contraband, throwing or attempting to throw substances, and third or subsequent guilty verdict for Indecent Exposure and/or Masturbation that carries a Class A penalty will not be eligible for class promotion and/or reclassification for one (1) year unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.

2. Penalty Class "B"*

- a. Punitive Isolation up to fifteen (15) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.

- b. Loss of earned good time up to one hundred fifty (150) days.
- c. Loss of designated privileges up to forty-five (45) days.
- d. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
- e. Extra duty up to two (2) hours per day for up to fifteen (15) days.
- f. Formal reprimand and/or warning.
- g. Reduction of up to two (2) steps in class.

3. Penalty Class "C"*

- a. Punitive Isolation up to ten (10) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned credits up to sixty (60) days.
- c. Loss of designated privileges up to thirty (30) days.
- d. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
- e. Extra duty up to two (2) hours per day for up to ten (10) days.
- f. Formal reprimand/warning.
- g. Reduction of one (1) step in class.

4. **Loss of all earned good time is allowable for offenses listed that include the statement "may result in loss of all good time".**

- 5. In addition to any other punishment authorized under this AD, the use of any commissary item in connection with the violation of any of these rules may result in the loss of the privilege to acquire that type of item for up to twelve (12) months.

H. Major Disciplinary Appeal Process

1. At the time of notification of the verdict in a disciplinary proceeding, the inmate will be notified that he/she has the right to appeal any decision of, or disciplinary action taken by, the DHO, directly to the Warden of the unit/center involved. This notification will be documented by having the inmate sign the front of the disciplinary indicating that he/she understands the right to appeal. If the inmate waives his/her right to appear before the Major Disciplinary and is found guilty, he/she cannot appeal the decision. In the event the inmate is illiterate, the DHO shall, at the request of the inmate, direct the inmate's Counsel Substitute (Section VII (J) (1) to assist him/her in writing the letter of appeal.
2. The appeal must be written within the space provided on the Appeal Form. All grounds for appeal should be briefly stated and include the reasons why the conviction or punishment should be Reversed or Modified. This statement will be considered at all levels of appeal and may not be re-written at each stage. If the inmate fails to receive responses in the time frame set forth below, he/she may appeal to the next level.
 - a. The appeal shall be submitted in writing and must be submitted within fifteen (15) Business Days after a copy of the DHO's report is given to the inmate and shall set forth in detail the grounds for any appeal. The Warden has thirty (30) business days from receipt of the appeal

to respond, except that if the inmate is serving punitive time as a result of the disciplinary, the Warden should answer the appeal within ten (10) Business Days.

- b. If the Warden upholds the original decision of the DHO's verdict and the inmate is not satisfied with the response, he/she has fifteen (15) Business Days from receipt of the Warden's decision, to appeal to the DHA, who has thirty (30) Business Days to respond.
 - c. If the DHA upholds the decision of the original verdict, and the inmate disagrees with the response, he/she has fifteen (15) Business Days from receipt of the DHA's decision, to appeal to the Director. The Director has (30) Business Days to respond. The written appeal must set forth in detail the grounds for such an appeal. The Director's decision is final.
 - d. During any stage of the appeal, the reviewer may affirm the action of the DHO or modify it as he/she deems just and proper; except at no point in the appeal process shall the penalty be increased.
3. In cases where a DR is written by a Warden, the inmate may bypass the appeal to the Warden and appeal to the DHA.

I. Disciplinary Extensions

1. Limited Disciplinary Extensions of time may be granted by the respective Warden in the following circumstances:
 - a. The charged inmate has escaped;
 - b. The inmate is out to court, hospital or otherwise off the unit/center;
 - c. The case requires more extensive investigation;
 - d. The inmate is on Treatment Precautions;
 - e. The inmate is on Quarantine;
 - f. An emergency situation exists at the unit/center; or
 - g. Volume of disciplinaries scheduled for hearing is excessive and more time is needed to ensure a fair determination in each case.
2. The DHO may grant an Disciplinary Extension if additional information or investigation is needed in order to arrive at a fair decision.
3. In the event that an Disciplinary Extension is granted, a copy of the Disciplinary Extension Form shall be forwarded to the charged inmate. A Disciplinary Extension may be granted for a period of up to five (5) additional Business Days. If a greater length of time is needed, then the Disciplinary Extension must be renewed and will not exceed five (5) Business Days per Disciplinary Extension. Any Disciplinary Extension over thirty (30) days must be approved by the Director. The Warden may give an indefinite Disciplinary Extension while the inmate is absent from the Unit/Center.
4. Regarding escapes, the time limit will not begin to run until the inmate is returned to the unit where the disciplinary hearing will be held. The Warden should check the appropriate box on the Disciplinary Extension Form and enter the time and date when the inmate was returned to the unit/center. The time and date entered will serve as the starting point for the time limit.

J. Special Cases

1. Counsel Substitutes

- a. The following inmates shall be entitled to a Counsel Substitute in disciplinary proceedings:
 - i. Those inmates designated by the CSO, or the investigating officer.
 - ii. Those inmates who the DHO believes are illiterate, or incompetent, including any inmate with an IQ of sixty (60) or below, or a reading level below fourth (4th) grade (records of School District and/or Mental Health will be checked).
 - iii. Inmates facing disciplinary proceedings where the issues involved are so complex that he/she is not likely to understand the nature of the charges.
 - iv. Any inmate not able to understand and speak the English language.
 - v. Inmates assigned a Mental Health Classification of 3 or 4 if indicated by Mental Health Form "Disciplinary Processing of Mentally Disordered Inmates" pursuant to AR 834.
 - b. Counsel Substitutes shall consist of Staff members as designated by the Warden. These individuals will be on notice that they are the Counsel Substitutes and should be prepared to be of service at the Major Disciplinary Court Hearings. The Warden shall prepare a list of approved Counsel Substitutes who shall be immediately available to the investigating officer, the CSO, and the DHO on request. When it is determined that an inmate is in need of a Counsel Substitute by the Serving Officer/Notifying Officer, who serves the disciplinary, and/or the CSO, the Counsel Substitute should be notified in advance so that he/she can be on notice of which inmate is involved and the nature of the disciplinary. When the Counsel Substitute determination is made by the DHO at the hearing, he/she shall immediately recess or postpone the disciplinary hearing so the Counsel Substitute may have an opportunity to meet with the accused inmate prior to the entering of a plea. The DHO should then proceed with the next disciplinary, having noted the starting and stopping place on the recording prior to the recess and further noting the starting and stopping place on the recording when the disciplinary hearing is reconvened with the Counsel Substitute present.
 - c. Counsel Substitutes have no voice in the decision making of the court. When the Counsel Substitute performs the required duties for an inmate in a disciplinary hearing, the Counsel Substitute shall not remain in the disciplinary hearing room during deliberation.
 - d. All inmates have the right to refuse a Counsel Substitute. Any refusal is a waiver of the Counsel Substitute, and the refusal by the inmate must be noted on the recording and the disciplinary form, and the disciplinary should proceed without any Counsel Substitute.
 - e. In the event that a Counsel Substitute requires more time to prepare the necessary information for a fair determination of the disciplinary, the DHO may grant an Disciplinary Extension of time for further investigation.
 - f. Once the DHO has made a decision and advised the inmate of the appeal procedure, the Counsel Substitute will be responsible for aiding the inmate in the appeal process. The responsibility of the Counsel Substitute to the inmate shall be restricted to the presentation of evidence on the inmate's behalf at the disciplinary hearing and any subsequent proceedings, and providing an adequate explanation of the charges and consequences to the inmate both before and after the hearing.
2. Use of Confidential Information and Confidential Informants
 - a. If the charging person does not have firsthand knowledge of the event, the charge may be brought based upon information received from a confidential informant(s); however,

no disciplinary shall be based solely upon information received from a confidential informant(s). There must be corroborating evidence that supports the information received from the confidential informant(s) for the disciplinary to proceed.

- b. The charged inmate has no right to confront and cross-examine an informant against him/her or to know the informant's identity or statement. It is mandatory that any time confidential informant information is provided; the DHO shall ensure that the confidential information does not become known to other inmates. This information shall be marked confidential and entered into the electronic offender file.
- c. In cases where a disciplinary is written primarily upon information from a confidential informant, the record must contain the informant's signed statement in language that is factual rather than subjectively conclusive and must establish that the confidential informant had personal knowledge of the matter.
- d. In cases where the charging person is able to verify information obtained from a confidential informant, and the charging person has obtained independent corroborating evidence of the event, it is not necessary to provide the confidential informant's name and statement to the DHO.
- e. In the event that the DHO uses as evidence an investigative report which is classified as confidential, the DHO is responsible for ensuring that the confidential report is safely returned to the DHA without becoming known to inmates or unauthorized Staff. When describing the report under "Evidence Relied Upon," it is sufficient to use the phrase "Confidential Report," and state the conclusion of the report without detailing any of the specifics contained in the report.

3. Contraband and Other Physical Evidence

- a. If physical evidence is involved in or crucial to the determination to be made by the DHO such as weapons or contraband, then photographs and/or written reports of that evidence will be presented to and considered by the DHO.
- b. Following the hearing, any contraband may be disposed of pursuant to the Inmate Property Control AD, but must be described in great detail under "Evidence Relied Upon."
- c. Photographs and written reports should be entered into the electronic offender file and made a part of the inmate's permanent file.

4. Malingering

- a. Certain DRs may require testimony from healthcare Staff such as when the inmate's defense is that he/she was too ill to abide by an institutional rule. Whenever a charged inmate's defense is illness, unit healthcare Staff must be contacted to determine whether the inmate was examined for a complaint of illness and whether, in the opinion of the person(s) who examined the inmate, the inmate was feigning illness or not sufficiently ill to justify a lay-in.
- b. A statement from healthcare Staff will be obtained either in writing or by telephone. If written, the statement will be attached to the DR, noted under "Evidence Relied Upon" and made a part of the inmate's permanent file. If by telephone, the statement should be recorded and, if necessary, repeated for the recording device, and quoted on the Disciplinary Hearing Action Form (F-831-3) and, when available, in the electronic offender file under "Evidence Relied Upon." If the proper entry is not made under

"Evidence Relied Upon," indicating the source and content of the testimony from healthcare Staff, the disciplinary action will be deemed invalid and expunged from the inmate's records.

- c. Where an inmate's defense for failure to work is illness and healthcare staff reports that the inmate did not report to medical or submit a sick call on the date of the infraction, the defense shall be found without merit as it is the responsibility of the inmate to go to the healthcare Staff for treatment of an illness. If the inmate did solicit treatment from medical Staff, but was cleared to report to work, the healthcare report should be entered under "Evidence Relied Upon" and considered in conjunction with any other evidence available to the court. If healthcare Staff reports that the inmate was in fact too ill to perform his/her designated work task, the inmate shall be found not guilty.
- d. When an inmate is already performing his/her work assignment, and complains of illness, the inmate should be sent or escorted to medical. If the inmate receives a "lay-in," then there should be no DR. If the inmate is cleared by medical and is ordered to go to work but refuses, a DR may be written. If the inmate is sent back to work and returns to work, he should only be given a DR when the officer has concrete evidence that the entire episode was contrived to harass Staff or to temporarily avoid work. In such case, the healthcare Staff must be contacted to determine whether, in the opinion of the person(s) who examined the inmate, the inmate was feigning illness. If any illness was determined to be present, even though not sufficient to warrant a lay-in, the inmate should be found not guilty when the inmate returned to work after being seen by medical Staff.
- e. Upon contacting the healthcare Staff for information, the name and statement of the person contacted must be entered under "Evidence Relied Upon."

5. Damaging Property

- a. Any inmate who is found guilty of destroying, damaging, or intentionally misplacing property may be ordered to make Restitution in the amount of the replacement costs or the value of the property, depending upon individual circumstances as found by the DHO.
- b. The DHO shall levy against the institutional account of the inmate for the reasonable value of the property intentionally destroyed, misplaced, or the reasonable value to repair intentionally damaged property after making inquiry to determine such values. The levy against the inmate account shall continue until the obligation is fully paid.
- c. In cases where the DHO finds destruction or damage was caused by negligence as opposed to willfulness, the DHO should determine whether the inmate knew or should have known that the behavior in question would likely cause damage or destruction of the property, whether the inmate acted in direct contravention of written or verbal orders, or any other circumstances which reflect upon the appropriateness of levying against the inmate account.
- d. The reasoning supporting any decision to order restitution for damaged property must be fully detailed under "Reasons for Punishment" on the Disciplinary Hearing Action Form (F-831-3) and electronically when available in the electronic offender file.
- e. The DHO shall not, under any circumstances, order Restitution between inmates, or between inmates and Staff. Restitution shall only be used as a tool to discourage the destruction or damage of property by causing inmates to take fiscal responsibility for such destruction, damage, or intentional misplacement.

K. Specific Prohibitions

1. No DHO shall conduct hearings when that officer is the charging person or has firsthand knowledge of a particular disciplinary episode.
2. No Staff shall communicate to a DHO, by way of suggestion or order, the finding or punishment that the DHO should find. An exception is Mental Health Staff completing a written 834 Form (Mental Health Form).
3. A DHO should make his/her decision based solely upon the evidence presented to them in disciplinary court and is not to be influenced by Staff or a supervisor about an inmate's guilt or innocence.
4. If the DHO is instructed as to making a finding on a disciplinary or on the punishment to assess, he/she shall disqualify himself/herself from hearing that disciplinary and will report the communication to the DHA.
5. Any DHO who believes that he/she is unable to render an objective decision in a particular case should request disqualification from that case. In the case of the DHA, the request will be made to the Director.
6. When the use of indecent or vulgar language is used by an inmate in the grievance process or there is a malicious use of the grievance procedure, disciplinary action may be filed against the inmate. Under such circumstances, the CSO or Warden, or their designee, will determine if a DR is warranted. If so, only the CSO or Warden, or their designee, may write and submit the report for processing. Under no circumstances shall the employee, who may be the subject of a grievance, write and submit a DR against the inmate submitting the grievance.
7. PREA Considerations. Inmates involved in sexual contact with ADC Staff, or any employees, volunteers, contractors and vendors of another law enforcement/correctional agency that have taken temporary custody of an ADC inmate for the purposes of transport, holding for court, contractual bed space, or other requirements, cannot be charged with a Rule Violation for this conduct. Under the Guidelines of the PREA, inmates cannot consent to such contact and are considered victims of a crime. In order to bring charges for sexual contact with any employee or other above categorized individual, the investigation must show that forcible rape or forced sexual contact occurred by the inmate towards the employee or agent. This does not include visitors or citizens not acting in some official capacity such as co-workers at a work release site.

L. Records

1. Not Guilty Verdicts. DRs which result in a finding of not guilty shall not be made a part of the inmate's permanent file although such finding will be documented in the electronic offender file.
2. Expungements. DRs which indicate a finding of guilt and which are Reversed by the Warden, DHA, or Director are to be expunged from the inmate's permanent file, but will remain a part of the offender's electronic record, and will be forwarded to the Warden or designee for filing as a matter of record. Such reversals shall also restore good time or class status which may have been reduced by the DHO.
3. Suspended Sentence. Inmates who are found guilty of Rule Violations and assessed punishment may receive a suspended imposition of the sentence. In such cases, the DR will become a part of the inmate's permanent file. If the inmate is found guilty of another Rule Violation during the period of a previously imposed suspended sentence, the suspended punishment must be revoked

and imposed and additional punishment pursuant to the subsequent disciplinary episode may also be imposed. The punishment may be made consecutive.

4. Guilty Verdicts. All disciplinary hearing report forms which render a verdict of guilty shall be transmitted and entered into the electronic offender file by the DHO. The Unit Records Supervisor shall make whatever changes are required regarding statutory good time, meritorious good time, parole interview date, and institutional status as part of the inmate's permanent file.

M. Major Disciplinary Forms. The Major Disciplinary Forms consist of six (6) separate forms. The Major Disciplinary Form (F-831-1), the Disciplinary Hearing Action Form (F-831-2), and the Disciplinary Hearing Action Form (F-831-3) must be completed entirely pursuant to every Major Disciplinary Hearing, regardless of the verdict. Data related to each form should be entered and maintained electronically when available in the electronic offender file. The ISSR 100 electronic printed form shall contain all data found in F-831-1, F-831-2, and F-831-3 after data entry.

1. The Major Disciplinary Form (F-831-1)

- a. The charging person is responsible for providing the DHO with accurate reports of Rule Violations. All information pertaining to the charge(s) must be detailed by the charging person. The charging person must sign an affirmation regarding the accuracy of the charges.
- b. The Serving Officer/Notifying Officer must indicate his/her name and the time and date the inmate was notified of the impending major disciplinary action. The inmate may call Witnesses at the time of notification by informing the notification officer of those individuals he/she wishes to call as Witnesses. The Serving Officer/Notifying Officer should then list the Witnesses called and instruct the inmate to sign the form under "Witness Statements." If the inmate refuses to sign, such refusal should be noted with the initials of the Serving Officer/Notifying Officer.
- c. The CSO (Building or Field Majors or their designees) must review each DR prior to a hearing for screening purposes. After indicating the appropriate decision, the CSO must initial and date the form under "C.S.O. Review."
- d. There must be an indication of whether an Extension was granted and, if so, whether the Extension Form was completed.
- e. The DHO is reminded of the policy on Counsel Substitutes. When assigned, it should be so indicated and the name of the Counsel Substitute entered. When not assigned, the appropriate space should be marked.
- f. A copy of the Major Disciplinary Form (F-831-1 or ISSR 100) shall be forwarded to the inmate.

2. The Disciplinary Action Form (F-831-2)

- a. The DHO must ensure that all information at the top of the Disciplinary Action Form (F-831-2) is correct. Care should be taken to note the time when the hearing starts and stops. If the inmate refuses to attend, there is a reminder that the waiver form must be completed. In all cases, the inmate's plea will be entered accurately.
- b. Statements made by inmates in their defense or otherwise should be entered in as great detail as possible under "Inmate's Statement."
- c. Under "Questions," the DHO should indicate the general line of questioning pursued. The DHO should probe for any and all additional information which could aid in reaching a fair determination of fact.

- d. The DHO must indicate the verdict reached and, if applicable, the punishment assessed, and shall indicate the class that the inmate may be placed in.
- e. Under "Factual Basis for Decision," the DHO must give a short statement of the facts as the DHO perceives them after reviewing all of the evidence. This section should not be confused with "Evidence Relied Upon" or "Reasons for Punishment." This should include a summary of the reasons for finding the inmate guilty or not guilty. In fulfilling this function, it is not sufficient to adopt and copy the exact wording of the DR.
- f. The inmate must be given a copy of the Disciplinary Action form.

3. The Disciplinary Action Form (F-831-3)

- a. Under "Evidence Relied Upon," the DHO must include a list of the individual pieces of evidence that were relied upon in reaching a disposition. Shorthand phrases such as "Officer's Statement" will not be sufficient to perform this function. The evidence must not only be described, but must be explained. The content of any evidence relied upon should be given. Thus, if a charging person's report is to be relied upon, the DHO should so state and then proceed to explain exactly what it was in the person's report that the DHO relied upon. In cases where weapons or contraband are involved, a notation should be made in the proper slot indicating the form in which it was observed and further describing the item with particularity.
- b. In any case where the DHO makes a finding of guilty notwithstanding the fact that there was some evidence which purported to exonerate the inmate, the DHO must include a statement indicating the reason why such evidence was discounted.
- c. Under "Reasons for Assessment of Punishment," the DHO must state why he/she felt the particular disciplinary warranted the punishment assessed.

It is not sufficient to state, "nature and seriousness of offense and past history." It is important that the DHO keep in mind that the purpose served is that of providing an independent reviewing authority with an adequate basis from which to determine why a particular inmate received the particular punishment imposed. Special care should be given to document reasons for differences in punishments given to different inmates in the same incident. Factors to be weighed in assessing the punishment should include, but not be limited to:

1. The seriousness of the offense and the extent to which the offense threatened institutional security;
2. The number of major disciplinaries received by the inmate for similar offenses, the overall institutional record of the inmate;
3. The attitude of the inmate including his/her willingness to cooperate fully with the DHO;
4. Personal factors which may have influenced the inmate to behave poorly (e.g., death in the family);
5. Inmate's willingness or lack thereof to return to work and perform as expected; any hostility which the inmate may have exhibited toward the DHO;
6. Any remorse the inmate may show regarding his/her behavior; any effect a contemplated punishment may or may not have in impressing upon the inmate the need for behavior modification;
7. Any effect a contemplated punishment may have in terms of rewarding the inmate with a second chance if the DHO believes behavior will improve as a result thereof;

8. The class status of the inmate should be kept in mind when assessing the punishment (punitive time may not be necessary for a Class I inmate if the DHO feels that a class reduction would sufficiently impress upon the inmate the prohibition against the particular behavior).

As mentioned, the above are suggested factors to take into consideration when assessing punishment and are by no means exhaustive. The DHO should stay alert to any mitigating or aggravating circumstances associated with a particular disciplinary episode. The DHO must initial the "Reason for Punishment" in the appropriate space.

- d. The DHO must credit the inmate with any time spent in Restrictive Housing as a result of the behavior which is the subject of the disciplinary against any assessed Punitive Isolation sanction. For example, an inmate assigned to Punitive Housing when the behavior occurred does not get any credit; but an inmate who is assigned to Restrictive Housing from general population as a result of the behavior that result in the disciplinary being written will be given credit for the number of days in Restrictive Housing at the time the sanctions are issued. This credit does not extend the number of days of Punitive Housing that may be assessed. (Nor does the lack of Punitive Housing days determine whether an inmate may be assigned to Restrictive Housing pursuant to that policy.)
- e. A reminder is included regarding the proper procedures for informants and alleged malingers.
- f. The inmate, having been informed of the right to appeal, is instructed to sign the form indicating that he/she understands the right to appeal. If a Counsel Substitute has been assigned, he/she should also sign. If an inmate refuses to sign, the DHO should indicate by initialing the slot reserved for the inmate's signature.
- g. The DHO must sign and date the disciplinary form.
- h. The inmate must be provided a copy of Disciplinary Action Form (F-831-3).

4. The Major Disciplinary Appeal Form (F-831-4)

- a. The Major Disciplinary Appeal Form is self-explanatory. The inmate is to check yes beside "Punitive Housing" if the appeal is in reference to a finding of guilty on a particular disciplinary episode which resulted in the imposition of Punitive Housing as a disciplinary measure. This is designed to aid the inmate who has been sentenced to a relatively lengthy isolation period and who may have a valid appeal pertaining to guilt and/or punishment. The Warden should prioritize these appeals.
- b. Inmates serving short periods of punitive time should not be discouraged from utilizing the procedure, as their appeals will be expedited by the procedure. Inmates not serving punitive time are not permitted to mark yes beside "Punitive Appeal".

Appeal Forms will be available with carbon copies, and the original shall be submitted for the appeal. The copies remain with the inmate and will be submitted if the original is not returned within the policy's timeframes.

5. The Disciplinary Extension Form (F-831-5)

The Disciplinary Extension Form enumerates six (6) legitimate reasons for granting an Extension. If the DHO or Warden grants the Extension, a copy of the signed Form F-831-5 must be forwarded to the inmate.

6. The Waiver of Disciplinary Hearing Form (F-831-6)

Physical force shall not be used to secure the presence of the inmate before the DHO. All inmates shall be afforded the opportunity to be present before the DHO unless they waive that right in writing or through behavior. In the event an inmate refuses to appear, the "Waiver of Disciplinary Hearing Form" must be filled out. The inmate will not be subjected to any further DRs as a result of availing himself/herself of the waiver procedure.

VIII. MINOR DISCIPLINE:

- A. Minor Discipline should be used as a tool to discourage less serious misconduct. The purpose of Minor DRs (Form F-831-7 and Electronic Form ISSR 102) is to sufficiently impress upon the inmate the need for behavior modification without burdening the inmate with the stigma that attaches to Major DRs. The Rule Violations for which an inmate may receive a Minor DR are identical to those violations for which a Major DR may be written. Minor DRs are within the discretion of the charging person.
- B. Due process considerations inherent in the major disciplinary process shall not apply to minor disciplinaries; however, the inmate shall be allowed to be present and to make a statement on his/her behalf.
- C. Minor Disciplinaries
 - 1. Each Unit Warden shall establish and designate a MDO to hear and dispose of any and all minor infractions of institutional rules and regulations.
 - 2. The MDO at each unit shall be nominated by the CSO of the Building or Field and approved by the Warden. The charging officer cannot serve as the MDO on any charges he/she initiated or witnessed.
 - 3. An officer must have attained the rank of Lieutenant with at least three (3) years of experience as a correctional officer to serve as a MDO.
 - 4. The MDO will hear charges as often as necessary and at a place and a time convenient to expeditiously administer the institutional minor disciplinary functions. These hearings will be conducted within seven (7) Business Days of the incident.
 - 5. Upon hearing the charges against the inmate, the inmate's defense and testimony, the MDO shall render his/her decision as to guilt or innocence and the appropriate action to be taken.
 - 6. The MDO, upon determining that an inmate is guilty of a minor violation of institutional rules and regulations, may take any or all of the following actions:
 - a. Warn, reprimand, or excuse the inmate.
 - b. Revoke privileges for up to twenty (20) days.
 - c. Assign extra duty (extra duty will be useful work that is not intended as harassment). No inmate shall be worked past his/her regular bedtime nor will be allowed to do any extra duty assessed by the MDO in lieu of his/her regular work assignment. Extra duties must not exceed two (2) hours per day and a maximum of ten (10) days.
 - 7. At no time shall an inmate be put in Restrictive Housing by the decision of the MDO. Good Time and Class Status shall not be reduced by the MDO.
 - 8. Disciplinary action should be taken by the MDO as soon as possible after the discovery of the violation. Any minor disciplinary action which has not been heard after seven (7) Business Days shall be dismissed.

9. The Minor Disciplinary Form (F-831-7) shall be filled out in its entirety for each infraction and entered electronically when available in the electronic offender file.
10. Minor DRs will not be made a part of the inmate's permanent file, but will be recorded in the Offender's electronic record. After the MDO has completed his/her daily functions, the minor DR shall be forwarded to the CSO for separate filing as a matter of record.
11. Once the MDO has disposed of a minor disciplinary, the decision shall not be changed or altered in any manner by the MDO.
12. Findings of the MDO may be appealed to the CSO. The CSO may affirm, reverse or modify the decision of the MDO. The CSO's decision is final. The CSO may not uphold a sanction that imposes Punitive Isolation, or a reduction of Good Time or Class Status of an inmate.
13. The CSO must submit to the Warden a monthly report of the minor disciplinary actions. The Warden must maintain a file of these reports and have them available for review by the DHA. The Warden and DHA must ensure that each inmate is treated fairly and equitably.

IX. ATTACHMENTS:

1. Major Disciplinary F-831-1
2. Disciplinary Hearing Action F-831-2
3. Disciplinary Hearing Action F-831-3
4. Major Disciplinary Appeal Form
5. Disciplinary Extension Form
6. Waiver Of Disciplinary Hearing
7. Minor Disciplinary Report

X. SANCTIONS:

Any employee who violates this policy will be subject to disciplinary action which may include termination.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-1

ARKANSAS DIVISION OF CORRECTION
_____ Unit

AR 831

MAJOR DISCIPLINARY

Inmate _____ ADC # _____ Assignment _____
Class _____ is being charged by _____ Title _____
with Rule Violation(s) _____ Time & Date _____

NOTICE OF CHARGES

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

NOTIFICATION: Officer _____ Date & Time Notified _____

Inmate's Signature

Witness: YES ___ NO ___

List of Witness:

C.S.O. REVIEW: Reduce ___ Dismiss ___ To Disc. Court ___ Initial ___ Date _____ EXTENSION:
No ___ Yes ___ ; Has Extension form been completed? _____

Presentation by Counsel Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.

COUNSEL SUBSTITUTE Assigned (Name) _____



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-2

ARKANSAS DIVISION OF CORRECTION

AR 831

_____ UNIT

DISCIPLINARY HEARING ACTION

Inmate _____ ADC # _____ Rule Violation(s) _____
Date of Alleged Offense(s) _____ Time of Alleged Offense(s) _____
Hearing Date _____ Time: Start _____ End _____
Recorder _____ Tape # _____ Side _____ Meter: From _____ To _____
Plea: _____ Attendance Waived: Yes _____
Has waiver form been completed? _____

Inmate's Statement:

Signature of Inmate

Court Questions:

Verdict: _____ Punishment: _____

Factual Basis for Decision: (This is a short synopsis of the facts as the DHO perceives them after reviewing all of the evidence.)

DHO 's Initials _____



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-3

ARKANSAS DIVISION OF CORRECTION

AR 831

_____ UNIT

DISCIPLINARY HEARING ACTION

Inmate _____ ADC # _____ Date _____

Evidence Relied Upon:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

7. If relevant, contraband observed: Actual Item _____ Photo _____ Receipt _____

Describe: _____

Reasons Why Information Purporting to Exonerate Inmate Was Discounted:

Reasons for Assessment of Punishment:

DHO 's Initials _____

The DHO is reminded that if an informant provided firsthand information in the case, then that informant's name and written statement must only be presented to the Disciplinary Court. This information will be retained with the Disciplinary tape by the DHO Administrator, also, if an inmate claimed to have been sick, the opinion of the infirmary examiner must be obtained.

I have read this report and understand that I may appeal to the Warden about any decision made in this matter within fifteen (15) days by completing the "Disciplinary Appeal" form.

Inmate's Signature _____ Counsel Substitute _____

DHO - I affirm that the information is true to the best of my knowledge.

DHO _____

Signature

Date



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-4

Major Disciplinary Appeal Form

Inmate Name _____ ADC# _____

Unit/Center _____ Punitive Housing _____ Yes _____ No

Disciplinary (date) _____ by (charging officer) _____

_____ Appeal to Warden/Deputy Warden. Note, if you do not agree with the decision of the
Date DHO, you have 15 Business Days from receipt of disciplinary action to appeal to the Warden/Deputy
Warden.

Warden's Decision: Affirm _____ Reverse _____ Modify _____ Reject _____

(See attached if Modified or Rejected.)

Signature: _____ Date _____

_____ Appeal to Disciplinary Hearing Administrator (DHA). Note, if you do not agree with the
Date response of the Warden/Deputy Warden, you may appeal to the Disciplinary Hearing Administrator within
15 Business Days of receipt of the Warden/Deputy Warden's response.

DHA's Decision: Affirm _____ Reverse _____ Modify _____ Reject _____

(See attached if Modified or Rejected.)

Signature: _____ Date _____

_____ Appeal to Director. Note, if you do not agree with the Disciplinary Hearing
Date Administrator's response, you may appeal to the Director within 15 Business Days of receipt of the
Disciplinary Hearing Administrator's decision.

Director's Decision: Affirm _____ Reverse _____ Modify _____ Reject _____

(See attached if Modified or Rejected.)

Signature: _____ Date _____

Notice to Inmate: This form is to be used for all appeal levels and responses. Briefly state reasons why conviction or punishment should be Reversed or Modified. This information will be considered at all three levels of appeal. Only information that is contained within this space on this form will be considered:

Inmate's Signature: _____ Date: _____



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-5

ARKANSAS DIVISION OF CORRECTION
_____ Unit
DISCIPLINARY EXTENSION FORM

AR 831

TO:
FROM:

RE: Disciplinary Dated _____ at _____ For Rule Violation(s) _____

DATE:

This is to inform you I am extending your Disciplinary Hearing for a period of _____*additional working days for the following reasons:

- Inmate is out to court/hospital, or otherwise off the Unit/Center.
- Awaiting the decision of the prosecuting attorney regarding the filing of a felony charge.
- The case requires more extensive investigation. The following is needed:

- Volume of Disciplinarys scheduled for hearing is excessive and more time is needed to ensure a fair determination in each case.
- Emergency situation exists at the unit.

Retroactive Extension:

- Escaped inmate, not in custody. Returned to Unit _____
Date Time

Signature Warden/Deputy Warden, DHO Date Time

Copy delivered to inmate by: _____ on _____
Signature Date Time

cc: File

*An Extension may be granted up to five (5) Business Days. If greater length of time is needed, then the Extension must be renewed and will not exceed five (5) days per Extension. The Director must approve any Extension over thirty (30) days total.

Director's Signature Date Length of Extension

This Extension will expire on _____ at _____
Date Time



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-6

Arkansas Division of Correction

AR 831

Unit

WAIVER OF DISCIPLINARY HEARING

Date of Disciplinary _____

Time: _____

Rule Violation(s) _____

I, Inmate _____, ADC # _____,
waive my right to a hearing.

I agree to this of my own free will, without coercion from any employee of the Arkansas Division
of Correction.

Signed: _____ ADC # _____

Note: If the inmate refuses to attend the hearing and refuses to sign, complete section below.

Inmate _____, ADC # _____,
refused to attend the hearing and refuses to sign the waiver form.

Date: _____ Time: _____

Signature of Officer Witnessing refusal: _____

Reviewed by Deputy Warden: _____



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



F-831-7

Arkansas Division of Correction
_____ Unit
MINOR DISCIPLINARY REPORT

AR 831

Date _____ Time _____ Reporting Officer _____
Name of Inmate: _____ Number _____ Job _____

CHARGE OR OFFENSE:

DISPOSITION (Check One)

Extra Duty _____
(Describe Briefly)

Loss of Privilege _____
(Describe Briefly)

Warning & Reprimand _____
(Describe Briefly)

Not Guilty _____
Disciplinary Hearing Officer

Hearing Date/Time _____

Date Penalty Served _____ Shift Supervisor _____



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
 Pine Bluff, Arkansas 71602
 OFFICE OF THE DIRECTOR
 DEXTER PAYNE

6814 Princeton Pike
 Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Disciplinary Manual

NUMBER: ~~2022-122024~~

SUPERSEDES: ~~18-3422-12~~

APPLICABILITY: Inmates, ~~All Employees, and Contractors and Staff~~ **PAGE:** 1 of 24

REFERENCE: AR 831 Disciplinary Rules and Regulations; AR 834 Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates; SD Prison Rape Elimination Act

APPROVED: ~~Original Signature on file~~

EFFECTIVE

DATE:- ~~8/1/2022~~

I. POLICY:

~~To ensure that~~ It is the policy of the Arkansas Division of Correction (ADC) to ensure that the institutional Rules and Regulations are enforced through an unbiased and prudent fact finder and to provide appropriate due process throughout the disciplinary process. The behavior of offenders committed to the custody of the ~~Arkansas Division of Correction (ADC)~~ shall be controlled in an impartial and consistent manner. Prior to the adoption of any changes to this policy, the proposed changes shall be posted in prominent locations (employee bulletin boards, inmate bulletin boards and electronic distribution) throughout ADC institutions at least thirty (30) days prior to the adoption of the changes. Inmates in Restrictive Housing will be provided a copy of the proposed changes by the Unit Disciplinary Officer. All comments shall be considered prior to adoption and shall be kept as part of the appropriate policy file documentation.

II. PURPOSE:

The ADC shall establish and designate authority to Major and Minor Disciplinary Officers who shall hear and adjudicate all reports of infractions of institutional rules and regulations. When inmate behavior requires discipline, the following procedures shall be followed to ensure that no unnecessary disciplinarys are written and that:

- A. There is no bias in favor of the charging officer;
- B. There is no presumption of guilt;
- C. There is a reliable method of determining whether an infraction has in fact occurred;

- D. Blatant forms of partiality which can result from prior knowledge, involvement, bias, or personal interest in a particular case are minimized; and
- E. Sanctions are imposed to discourage further Rule Violations with the use of Restrictive Housing only when the presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility.

WWW.DOC.ARKANSAS.GOV

III. DEFINITIONS:

- A. Assault. A willful attempt or threat(s) to inflict injury upon the person of another.
- B. Battery. The actual use of physical force upon the person of another.
- C. Business Day. Monday through Friday, excluding legal State recognized holidays.
- D. Counsel Substitute. Staff appointed by the Warden to assist eligible inmates through the disciplinary process including the appeal process if necessary.
- E. Disciplinary Appeal. The process an inmate must follow if he or she does not agree with the verdict of their disciplinary hearing by using the Major Disciplinary Appeal Form 831-4 (Attachment 4).
- F. Disciplinary Hearing Administrator (DHA). The Internal Affairs Administrator is the DHA and is responsible for ensuring that Disciplinary Hearing Officers are trained. The DHA will review the hearings conducted by these hearing officers regularly.
- G. Disciplinary Hearing Officer (DHO). The DHO conducts Major Disciplinary Court Hearings on Major Disciplinary.
- H. Disciplinary Report (DR). The factual basis for the charge of Rule Violation(s) and the rule(s) violated.
- I. Disciplinary Extension. To extend the time period to allow for further investigation or additional information before holding a disciplinary hearing. If an Extension is needed, Extension form, F-831-5 must be completed.
- J. Indecent Exposure. Public exposure of one's genitals for gratification or pleasure.
- K. Introduction. Introduction shall be established through investigation that the charged inmate assisted in the article being brought on ADC property, moved about on ADC property, or stored in any manner on ADC property.
- L. Masturbation. Manipulating one's genitals to arouse or gratify a sexual desire; does not require exposure.
- M. Minor Disciplinary Officer (MDO). The MDO is designated by the Warden to conduct hearings on minor disciplinary charges referred to as Minor Disciplinary Court.
- N. Modified. If the major disciplinary is Modified, the sanctions will be adjusted or changed to reflect the decision of the person modifying the infractions. A written explanation will be provided to the inmate; and a copy will be saved in the inmate's electronic file.
- O. PREA Charge. Any Rule Violation that is connected to the Prison Rape Elimination Act (PREA) and requires a response directed by the Department's PREA Policy. The outcome for a

PREA violation may direct a precaution to be entered into the electronic offender file indicating predator or victim identifications. This would include ~~violations-incidents~~ of:

1. Sexual misconduct;
 2. Rape or forced sexual act;
 3. Masturbation in the presence of another;
 4. Sexual threats;
 5. Sexual harassment;
 6. Demanding sexual acts in trade; and
 7. Aiding or abetting in any of the above.
- P. Punitive Housing. A separate housing used for inmates, who have been found guilty of a rule violation as a result of a disciplinary hearing.
- Q. Restitution. To reimburse or pay back for loss or damages.
- R. Restrictive Housing. A placement that requires an inmate to be confined to a cell for at least twenty-two (22) hours per day.
- S. Reversed. If the disciplinary is reversed, it is voided, and privileges are restored back to what they were before the major disciplinary infractions/sanctions were entered. The disciplinary will remain in the inmate's electronic file as a record.
- T. Rule Violation. The details of the wrongdoing contained in the DR..
- U. Serving Officer/Notifying Officer. The Officer who serves charges on the inmate(s), may appoint a Counsel Substitute and receives the inmate's list of Witnesses regarding the charge(s) and provides the inmate with a copy of the DHO's report.
- V. Staff. Any employee of the ADC, the Correctional School System, and any employee or contractor providing services within an ADC facility through contract or agreement with the ADC.
- W. Video Conferencing System. Telecommunication in the form of video conference.
- X. Warden. For the purpose of this policy, means Warden, Superintendent, or Work Release Center Supervisor.
- Y. Witness. Employees, inmates, or free world person(s) who have first-hand knowledge of an infraction, event or incident.

IV. GENERAL RULES FOR MAJOR DISCIPLINARIES:

- A. Reasonable effort should be made to first counsel the inmate about his/her behavior to prevent the filing of unnecessary disciplinaries.
- B. Each Major Disciplinary Court Hearing shall consist of one (1) DHO, who shall have singular authority for determining guilt or innocence and assessment of appropriate punishment.
- C. The DHO(s) are located at the Randall L. Williams Correctional Facility and will conduct hearings at all units.
- D. The Serving Officer/Notifying Officer who serves the DR shall have the authority to appoint a Staff Counsel Substitute at the time the DR is served.
- E. Disciplinary action(s) shall be determined by a schedule of punishments that are based on the seriousness of the Rule Violation(s) as outlined in this policy.

F. The appeal process shall be directed to the Warden, then to the DHA and then to the Director.

V. TRAINING:

- A. The DHA will be responsible for maintaining an instructional folder containing information on the proper procedures for holding Major Disciplinary Court Hearings and Minor Disciplinary Court Hearings, serving disciplinaries, rules and regulations of each unit, plus other pertinent information which could be helpful in implementing these policies and procedures. The folders will be available for training and review. The DHA is responsible for training all DHOs.
- B. DHOs will be required to review and be knowledgeable on all policies and procedures, including but not limited to:
1. The use of the electronic offender filing system for processing disciplinary records;
 2. Inmate Handbook;
 3. Employee Handbook;
 4. Applicable state and federal laws;
 5. ~~Secretarial Directives (SD);~~
 5. Administrative Rules (AR) of the ADC;
 6. ~~Secretarial Directives (SD);~~
 7. Administrative Directives (AD); and
 8. Unit Operating Procedures.
- C. Each Warden will designate Serving Officer/Notifying Officer(s) and ensure they are trained on ADC policies including the Inmate Disciplinary Manual and procedures for serving disciplinaries.
- D. Each Warden will designate one (1) or more MDO's and ensure that such officers are trained on ADC policies including the Inmate Disciplinary Manual and procedures for conducting Minor Disciplinary Court.

VI. BEHAVIOR RULES AND REGULATIONS:

The following rules and regulations shall govern inmate behavior at all units. Note that some rule numbers are not in order as categories were combined, but historical information will be maintained; numbers reserved for historical purposes are not listed in this policy. The “**bold**” words below indicate what should display on the ADC website for major Rule Violations; in some instances it will be the category listed (e.g. POSSESSION/MANUFACTURE OF CONTRABAND).

Group Disruption Category

Penalty Class

- | | | |
|------|--|---|
| 1-1. | Banding together for any reason which disrupts unit operations which may include taking over any part of the unit or property of the ADC, seizing one (1) or more persons as hostages, or interrupting operations. Rule Violation may result in loss of all good time. | A |
| 1-6. | Direct involvement in writing, circulating or signing a petition, letter, or similar declaration that poses a threat to the security of the facility. | B |

- 1-7. ~~Any Rule Violation set forth above that is found to be related to recruitment — or —~~ ~~recruitment or~~ participation in a security threat group, or is ~~motivated by racial,~~ ~~motivated by racial,~~ religious, or gender discrimination. Rule Violation may result in the loss of all good time.

Individual Disruptive Behavior Category

- | | | |
|-------|---|---|
| 2-2. | Under the influence of and/or any use of illicit drugs, alcohol, intoxicating chemicals or any medication in an unauthorized manner (e.g. includes but are not limited to, slurred speech, incoherent speech, redness of the eyes, vomiting, cannot stand on his/her own, etc.). | A |
| 2-3. | Monetary Misconduct. Entering into unauthorized contractual agreements, failure to turn in all checks or monies received, obtaining money through fraud or misrepresentation (examples include, but are not limited to, buying articles on a payment plan, failure to turn in tips received on work release, or misleading someone to obtain money). | A |
| 2-4. | Employment Misconduct. Work Release inmates who quit a job without prior approval, get fired for misconduct, tardiness, or shirking duties, or fail to notify ADC staff when too ill to work. | B |
| 2-5. | Unauthorized use of mail or telephone.
Includes passing unauthorized messages, three-way communication(s), calling on another's phone code, posing as another person, and telephone communications with unauthorized persons. | B |
| 2-11. | Tattooing, piercing, and self-mutilation intended to change oneself or another's appearance; this does not include attempts to commit suicide or injure oneself unless solely for manipulation. See AR 834 Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates. | B |
| 2-12. | Failure to keep one's person or quarters in accordance with regulations, or failure to wear ADC-issued ID, or clothing according to center/unit policy. | C |
| 2-13. | Breaking into, or causing disruption of an inmate line or interfering with operations. | B |
| 2-15. | Tampering with, or blocking, any lock or locking device. | A |
| 2-16. | Refusal to submit to substance abuse testing or submitting a diluted sample. | A |
| 2-17. | Creating unnecessary noise, including disruptive or aggressive play in areas other than designated recreation areas. | C |
| 2-20. | Unauthorized communication, contact, or conduct with a visitor or any member of the public or staff. | B |
| 2-21. | Running from, avoiding, or otherwise resisting apprehension. | A |
| 2-22. | Interfering with the taking of count. | A |
| 3-3. | Unexcused absence from work/school assignment | B |

or other program activity.

- | | | |
|-------|---|---|
| 3-5. | Out of place of assignment. | B |
| 5-5. | Provoking or agitating a fight. | B |
| 11-1. | Insolence to a Staff member. | A |
| 12-2. | Refusal of job assignment including participating in a treatment program, or class assignment, or violating program rules that results in dismissal from a program. | B |
| 12-3. | Failure or refusing to obey verbal and/or written order(s) of staff. | B |
| 12-4. | Refusing a direct verbal order to leave or enter any area of the institution or ADC property including, but not limited to, a cell, barracks, chow hall, transportation vehicle, hallway or work site. | A |
| 12-5. | Failure or refusal to leave Restrictive Housing and return to population | A |
| 13-2. | Lying to a staff member , including omissions, and providing misinformation. | B |
| 13-3. | Malingering , feigning an illness (see page 17 for further explanation). | B |

BATTERY CATEGORY

- | | | |
|-------|---|---|
| 4-4. | Battery on Staff. Use of physical force upon Staff (examples include, but are not limited to, Staff, volunteers, vendors and/or contractors). | A |
| 4-5. | Aggravated Battery. Use of a weapon, or injury resulting in victim(s) having to go to the Emergency Room and/or hospital, in Battery upon another person. This Rule Violation will result in loss of all good time and the loss for one (1) calendar year of the privilege to purchase or possess any item which was used as a weapon. | A |
| 4-8. | Battery. Use of physical force upon an inmate. | A |
| 4-17. | Throwing or attempting to throw substances known or unknown, toward or upon another person. Rule Violation may result in loss of all good time. | A |

ASSAULT CATEGORY

- | | | |
|------|--|---|
| 5-3. | Assault. Any willful attempt or threat(s) to inflict injury upon another, directly or indirectly, verbally or in writing. | A |
| 5-4. | Making sexual threat(s) to another person, directly or indirectly, verbally or in writing. | A |

THEFT, DESTRUCTION OF PROPERTY OR EXTORTION CATEGORY

- | | | |
|------|--|---|
| 6-1. | Demanding/receiving money or favors or anything of value in return for an offer/promise of protection from others, or to keep information secret. | A |
| 7-1. | Unauthorized use of state property/supplies. | B |
| 7-4. | Theft or possession of stolen property. | A |

- | | | |
|------|--|---|
| 8-4. | Destruction or intentional misplacement of property of another or the ADC. Restitution may be ordered based on replacement cost, or the value of lost, intentionally misplaced, or destroyed property. | A |
| 8-6. | Adulteration of any food(s) or drink(s) with intent to harm others. Rule Violation may result in the loss of all good time. | A |
| 8-7. | Setting a fire or destruction or tampering with fire detection or suppression device. | A |

POSSESSION/MANUFACTURE OF CONTRABAND CATEGORY

- | | | |
|-------|---|---|
| 9-1. | Possession/Introduction of any firearm, ammunition, weapon, fireworks, explosive, unauthorized combustible substance, or unauthorized tool. Rule Violation may result in loss of all good time. | A |
| 9-3. | Possession/Introduction/manufacture of any drug, narcotic intoxicant, tobacco, chemical, or drug paraphernalia not prescribed by medical staff. | A |
| 9-4. | Possession or movement of money or currency, unless specifically authorized. | A |
| 9-5. | Possession/Introduction of clothing or property not issued to inmate nor authorized by the center/unit. | C |
| 9-9. | Counterfeiting, forging, or unauthorized possession/introduction of any document, article of identification, money, security, or official paper. | A |
| 9-14. | Possession/Introduction/use of unauthorized electronic device(s): Examples include, but are not limited to, flash drive, MP player, Tablet, DVD player, etc. | A |

Rule violation will result in the loss of all good time and will result in the loss of the Inmate Telephone System privileges for one (1) year. Possession of a cell phone is a crime which may result in criminal prosecution for a felony.

- | | | |
|------|---|---|
| 9-15 | Possession/Introduction/Use of a cell phone or any cell phone component: Examples include, but are not limited to, sim cards, charger, battery, etc. or an unauthorized messaging device. | A |
|------|---|---|

Rule violation will result in the loss of all good time and will result in the loss of the Inmate Telephone System privileges for one (1) year. Possession of a cell phone is a crime which may result in criminal prosecution for a felony.

- | | | |
|-------|--|---|
| 9-16. | Use of internet or social media. | A |
| 9-17. | Preparing, conducting, or participating in a gambling operation. | B |

SEXUAL ACTIVITY CATEGORY

- | | | |
|-------|---|---|
| 10-1. | Engaging in non-abusive sexual activity with another consenting person. | A |
|-------|---|---|

- | | | |
|-------|--|---|
| 10-2. | Making sexual proposals to another person. (PREA) | A |
| 10-3. | Indecent Exposure and/or Masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures). | A |
| 10-4. | Bestiality. | A |
| 10-5. | Masturbation in the presence of another inmate. | A |
| 10-7. | Demanding sexual contact in trade or for protection from physical harm or mental anguish, or other victimization. | A |
| 4-10. | Rape or forced sexual act with/on an inmate. Rule Violation may result in the loss of all good time. (PREA) Rape is a crime and may result in criminal prosecution for a Class Y Felony. If convicted, may result in a life sentence. | A |
| 4-19. | Rape or forced sexual act on staff, volunteer, contractor or other individual not incarcerated at the time of the incident. Rule Violation may result in the loss of all good time. Rape is a crime and may result in criminal prosecution for a Class Y Felony. If convicted, may result in a life sentence. | A |

TRAFFICKING AND TRADING CATEGORY

- | | | |
|-------|--|---|
| 15-2. | Asking, coercing, or offering inducement to anyone to violate ADC policy or procedure, inmate rules and regulations, center/unit operating procedures, this also includes extortion. | A |
| 15-3. | The purchase or exchange of unauthorized articles or authorized articles obtained through unauthorized channels. | B |

ESCAPE CATEGORY

- | | | |
|-------|---|---|
| 16-1. | Escape from custody of the ADC; May result in the loss of all good time and/or result in referral for criminal prosecution. | A |
| 16-2. | Failure to return from any approved activity or furlough at the designated time. | A |
| 16-3. | Attempted escape, including leaving a Work Release job Site or work detail, while in the custody of the ADC. This includes but is not limited to, written notes regarding escape, phone call recordings advising escape plans, and verbal threats to escape, etc. | A |

B. Determination of Charges

Only one (1) Rule Violation may be charged for a given behavior. The violation cited should be that which most accurately categorizes the behavior. However, a DR may cover an incident which is made up of a sequence of several distinct behaviors, each of which is a rule violation.

~~4-~~Example of several Rule Violations in one (1) sequence:

~~1-~~An inmate stays in the barracks, missing work call (Rule 3-3, Unexcused absence from work); a correctional officer finds him/her in the barracks and gives him/her a direct order to join his/her

work detail which the inmate refuses (Rule 12-3, Failure to obey an order); and the inmate stands up and threatens to punch the officer if the officer doesn't leave him/her alone (Rule 5-3, Assault).

~~2.~~ Example of several Rule Violations for a given behavior that should result in one (1) rule charge, the one that most accurately categorizes the behavior:

2. While exposing himself, an inmate is masturbating at his cell door with all his clothes off while watching an officer in front of the dayroom of inmates (Rule 10-3, Indecent Exposure, and Rule 10-5, Masturbation in the presence of another inmate; this should result in one (1) charge of 10-3).

VII. MAJOR DISCIPLINARY COURT:

~~A.~~ Establishment of Court

A. The Major Disciplinary Court Hearing shall be composed of a single DHO who will be directed in the performance of those duties by the DHA.

B. Responsibilities of the Major Disciplinary Hearing Officer

1. The Major DHO is charged with the responsibility of ensuring that all rules promulgated by the ADC regarding major disciplinary hearings are followed.
2. In all major disciplinary proceedings, the DHO shall fully explain the charges and inform the inmate of the possible consequences if found guilty. The DHO shall further ensure that there is no undue air of hostility in the proceedings and that the proceedings and deliberations are not conducted in a perfunctory manner. The DHO will be vigilant in averting any racial, religious or gender discrimination during the proceedings or in the assessment of punishment. Any such signs of discrimination will be immediately reported to the Warden, DHA and the Director.
3. The DHO shall hear all of the facts of the case and shall have singular authority for deciding guilt or innocence and the punishment assessed, except as outlined in the AD on Evaluations for Disciplinary Court Proceedings for Seriously Mentally Ill and Mentally Deficient Inmates regarding punishment, and AR 834, Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates.
4. Regarding guilty pleas, the DHO must ensure that the inmate understands the charge to which he/she is pleading guilty. Guilty pleas will be monitored to determine whether the inmate offers any supporting evidence indicating innocence of the charge as written.
5. Responsibilities of the DHO regarding Counsel Substitutes are enumerated under Section VII (J) (1).

C. Responsibilities of the Building or Field Chief Security Officer (CSO)

1. Prior to the Major Disciplinary Court Hearing, the CSO will review all disciplinaries and may do one (1) of the following:
 - a. Forward the disciplinary to the DHO with his or her initials on the report;
 - b. Reduce it to a Minor Disciplinary;
 - c. Dismiss the charges and file the DR as a matter of record; or
 - d. Convert the Minor Disciplinary to a Major Disciplinary.

Regarding provision (b) and (c) above, the CSO will consult with the charging person on any decision which results in dismissal or reduction. In the event the CSO dismisses the DR(s), a copy of the dismissed disciplinary shall be scanned into the electronic offender file. Reasons for

such dismissals should be documented on the face of the DR(s). The CSO will notify the Warden or designee for final review of the dismissed disciplinary in the electronic offender file. Copies of these reports are not to be included in the inmate's permanent file.

2. The CSO may set reasonable limitations on the number of inmate Witnesses. The CSO will document the reason(s) for the limitation on the Major Disciplinary Form (F-831-1) under "Witness Statements." In the event that a limit (usually five) is placed upon inmate Witness statements, the same limit must be applied to statements taken from Staff.
3. May exclude any Witness(es) who were not present at the time of the incident and inquire from the offender what testimony from that Witness would reveal.

D. General Considerations

1. The Major Disciplinary Form (F-831-1) will be completed for Major Disciplinary Reports against an inmate and will include specific details of the rule infraction alleged against the inmate. At a minimum, the details shall include who, what, when, where, how, and why the charge is brought. The charging person should be the Staff with the most knowledge of the event. Once the DR is written, the charging person may seek assistance from others for purposes of correcting any mistakes in grammar or punctuation; however, the actual content of the DR must not be changed.
2. The Major Disciplinary Form (F-831-1) must be signed by the charging person, affirming that the information in the report is true and correct. Any relevant supporting documents (such as incident reports) should be attached to the major disciplinary form. The completed form with any attachments should be forwarded immediately to the CSO. This process will be completed electronically in the the electronic offender file when that system is available.
3. Any Witness(es) to the infraction shall prepare statement(s) to be attached to the charging person's report of the incident. Witnesses include any inmates, employees, and/or free world persons who have firsthand knowledge of the infraction. Witnesses who appear to testify before the Disciplinary Court will have their statements recorded. If written Witness statements are submitted to the Disciplinary Court, those will be reviewed by the DHO and documented in the electronic offender file. In the event a Witness requested by an inmate is denied, that request may be submitted to the inmate in writing.
4. It will be the responsibility of the DHO to thoroughly review all available documents concerning the Major Disciplinary Reports. He/she will determine whether or not additional information is necessary and may grant an Extension of time pursuant to these guidelines if necessary.

E. Hearings

1. The Major Disciplinary Court Hearing shall meet or be held by Video Conference as often as necessary at a convenient place and time between the hours of 6:00 a.m. and 6:00 p.m., in order to administer the institutional disciplinary functions as expeditiously as possible. It is recommended that hearings be held at least weekly. The court should avoid convening on weekends and holidays to minimize interference with inmate visitation; however, if security or administrative necessity as determined by the Warden dictates, then the hearings may be held on a weekend or holiday. Any weekend or holiday hearings will be limited to business as necessary to alleviate the concerns expressed by the Warden.
2. A charged inmate must be given at least twenty-four (24) hours prior notice of a disciplinary proceeding. The inmate may call Witnesses by giving the Serving Officer/Notifying Officer the names of the individuals he/she wishes to call. The manner in which the Witnesses' statements are presented to the court shall be within the discretion of the DHO.

~~3.~~ No disciplinary will be heard after seven (7) Business Days from the date it was written except pursuant to an authorized Extension.

~~3.~~ For example, an inmate receiving a disciplinary on Tuesday at 9:00 a.m. or 10:00 p.m. should be tried no later than 6:00 p.m. the following Thursday assuming there were no holidays.

Note: The day the disciplinary is written is not to be counted in calculating the seven (7) Business Days.

4. Upon convening to consider cases of inmate violations of rules and regulations, the DHO shall call the inmate to appear before him/her for their Major Disciplinary Court Hearing, unless the inmate waives in writing or through behavior (e.g., acts absurd at hearing, walks out before hearing is over). In the event that an inmate wishes to waive his/her appearance, a waiver form will be completed and a copy provided to the charged inmate and must be reviewed by the Deputy Warden. If the inmate waives his/her right to appear and is found guilty, he/she cannot appeal the decision.
5. Once the inmate is present before the DHO for the Major Disciplinary Court Hearing, the recorder will be turned on, the reading noted, the time and date entered, and the charged inmate identified by name and ADC number.
6. The DHO will identify himself/herself in the presence of the inmate and inform the inmate that this is, in fact, a Major Disciplinary Court Hearing.
7. The DHO will scrutinize the DR to determine whether all time limits and procedural requirements have been met.
8. It must be determined whether all allowed Witness statements requested by the inmate and all other items of physical or documentary evidence are present before the court. The court may summon any additional Witnesses it deems necessary. Witness statements may be taken in writing, orally in person, or by telephone.

All written Witness statements, whether taken prior to the hearing or obtained at the request of the court, will be reviewed and a copy included in the disciplinary record. The choice of how the Witness statement will be taken is left to the discretion of the DHO. If more information or clarification is needed from the charging person or other Witnesses, such information may be obtained through the means described above (written, oral, or telephone). In the event that such testimony is obtained with the Witness appearing before the court, the charged inmate is not to be allowed in the room during testimony and the inmate does not have a right to cross-examine Witnesses. The inmate will receive a statement of fact(s) from the DHO if provided by the charging officer. The DHO may grant an Extension to the inmate if the Witness is not readily available to provide additional testimony.

9. The inmate should be informed that he/she has been charged with a specific offense, the possible consequences of a finding of guilt including possible loss of privileges, loss of Good Time, loss of Class Status, assignment to Restrictive Housing, additional duty, change in assignment/unit, Restitution, or any combination.
10. The inmate should then be asked whether the nature of the proceeding and the possible consequences are understood. If it appears that the inmate does not understand, the policy regarding Counsel Substitutes (see Section VII-J and 1) must be followed.
11. The Rule Violation(s) and the charging person's report will then be read to the inmate.

12. The inmate will be asked to enter a plea of guilty or not guilty. Guilty pleas must be explored to determine whether the inmate is certain of the charge being admitted. Any refusal to enter a plea shall be construed as a plea of not guilty.
13. The inmate must be afforded an opportunity to speak on his/her own behalf and submit any documentary evidence excluding Witness statements. All documentary evidence presented will become a part of the disciplinary packet. All Witness statements are to be gathered by ADC employees after the inmate has submitted a Witness list to the serving officer. Inmates will not be allowed to gather and submit Witness statements on their own.
14. After the inmate has made a statement and/or presented a defense, the recorder will be muted and Witness statements will be reviewed and documented.
15. The DHO must carefully weigh all evidence with special emphasis upon individual pieces of "primary evidence." Rumor or suspicion about an inmate's behavior shall not be taken into account.
16. After the DHO has weighed all of the evidence, a decision shall be made regarding guilt or innocence.
17. In the event that the inmate is found guilty, punishment must be imposed within the guidelines established by this policy.
18. The Video Conferencing System will then be un-muted. The inmate must then be informed as to the finding of guilt or innocence on each particular Rule Violation and must be informed of the punishment, if any, imposed.
19. The inmate must be informed of his or her right to appeal and to obtain Staff assistance in the fashioning of an appeal if needed.
20. The inmate will receive an oral statement detailing the reason for the finding of guilt or innocence at the time the DHO informs the inmate of the verdict. The DHO will reduce these reasons to writing prior to the conclusion of that Business Day and the Serving Officer/Notifying Officer will provide a typed copy or ISSR 100 (electronic generated disciplinary hearing results form) generated by the electronic offender file to the inmate within twenty-four (24) hours.
If the inmate refuses to sign, one (1) employee must Witness the refusal. It is sufficient to indicate that the inmate signed (or refused to sign) the original copy.
21. When the DHO has completed his or her work for the day, the DHO shall complete the disciplinary court report.
22. Once the DHO's report has been completed, the disciplinary action shall not be altered in any way except as provided herein.

F. Disciplinary Actions

1. Upon determining that an inmate is guilty of violating institutional rule(s), the DHO may apply any or all of the sanctions from the penalty class of the most serious rule violated. Additional sanctions may be applied from the penalty class corresponding to the additional rule(s) violated. However, sanctions defined in terms of days (e.g, loss of good time, loss of privileges, and extra duty) may not be applied to more than one Punitive Housing per disciplinary action. The punishment rendered should not be more than the DHO finds necessary to discourage repeated rule violations in the future.
2. Any or all sanctions may be suspended for up to six (6) months.

3. DHOs may not amend an inmate's level in the Varner Super Maximum (VSM) Program, but those actions can be considered by the Classification Committee when reviewing that inmate.
4. Inmates who violate the following rules may be placed on Non-Contact Visitation and restricted from Video Visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one (1) year restriction period to start over from the date of conviction of the new violation.
 - a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
 - b. Refusal to submit to substance abuse testing.
 - c. Possession or Introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical Staff.
 - d. Possession or movement of money or currency, unless specifically authorized.
 - e. Possession of clothing or property not issued or authorized by the Center/Unit.
 - f. Correspondence/conduct with a visitor in violation of regulations.
 - g. Possession/Introduction/use of a cell phone or unauthorized messaging device.
 - h. Possession/Introduction/use of unauthorized electronic devices or parts of one, such as a charger or sim card.
 - i. Indecent Exposure
 - j. Social media
5. Inmates assigned to Restrictive Housing, excluding those assigned due to protective custody or medical concerns (i.e. quarantine) will not be eligible for class promotion, to earn meritorious good time, or be considered for the restoration of lost good time.

All inmates assigned to Restrictive Housing will remain a Class IV inmate and will not receive any good time for the duration of their confinement in Restrictive Housing.

G. Range of Allowable Sanctions

1. Penalty Class "A"*
 - a. Punitive Housing up to thirty (30) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
 - b. Loss of earned good time up to 365 days (loss of all earned good time is allowable for offenses listed that include the statement "may result in loss of all good time").
 - c. If the use of the Inmate Telephone System is involved, it shall result in the loss of telephone privileges for one (1) year.
 - d. Loss of designated privileges, up to sixty (60) days, or the loss of a commissary item(s) up to three hundred sixty five (365) days if such commissary item(s) were used in the commission of the disciplinary infraction.
 - e. Restitution based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.
 - f. Reduction of up to three (3) steps in class.

- g. Extra duty up to two (2) hours per day for up to thirty (30) days.
- h. Possession/Introduction/use of a cell phone will result in the loss of Inmate Telephone System privileges for one (1) year.
- i. For PREA related violations, referral to the Classification Committee for consideration of precautions based on the findings of the investigation and outcome of the Disciplinary Hearing. The Classification Committee will consider PREA status in housing and job assignments and potential placement in programming based on the outcome.
- j. An inmate found guilty of escape or attempted escape, felonious battery, homicide or attempted homicide, possession/manufacture of contraband, throwing or attempting to throw substances, and third or subsequent guilty verdict for Indecent Exposure and/or Masturbation that carries a Class A penalty will not be eligible for class promotion and/or reclassification for one (1) year unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.

2. Penalty Class "B"*

- a. Punitive Isolation up to fifteen (15) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned good time up to one hundred fifty (150) days.
- c. Loss of designated privileges up to forty-five (45) days.
- d. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
- e. Extra duty up to two (2) hours per day for up to fifteen (15) days.
- f. Formal reprimand and/or warning.
- g. Reduction of up to two (2) steps in class.

3. Penalty Class "C"*

- a. Punitive Isolation up to ten (10) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned credits up to sixty (60) days.
- c. Loss of designated privileges up to thirty (30) days.
- d. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
- e. Extra duty up to two (2) hours per day for up to ten (10) days.
- f. Formal reprimand/warning.
- g. Reduction of one (1) step in class.

4. ~~Note~~—Loss of all earned good time is allowable for offenses listed that include the statement “may result in loss of all good time”.

~~5.~~ In addition to any other punishment authorized under this AD, the use of any commissary item in connection with the violation of any of these rules may result in the loss of the privilege to acquire that type of item for up to twelve (12) months.

H. Major Disciplinary Appeal Process

1. At the time of notification of the verdict in a disciplinary proceeding, the inmate will be notified that he/she has the right to appeal any decision of, or disciplinary action taken by, the DHO, directly to the Warden of the unit/center involved. This notification will be documented by having the inmate sign the front of the disciplinary indicating that he/she understands the right to appeal. If the inmate waives his/her right to appear before the Major Disciplinary and is found guilty, he/she cannot appeal the decision. In the event the inmate is illiterate, the DHO shall, at the request of the inmate, direct the inmate's Counsel Substitute (Section VII (J) (1) to assist him/her in writing the letter of appeal.
2. The appeal must be written within the space provided on the Appeal Form. All grounds for appeal should be briefly stated and include the reasons why the conviction or punishment should be Reversed or Modified. This statement will be considered at all levels of appeal and may not be re-written at each stage. If the inmate fails to receive responses in the time frame set forth below, he/she may appeal to the next level.
 - a. The appeal shall be submitted in writing and must be submitted within fifteen (15) Business Days after a copy of the DHO's report is given to the inmate and shall set forth in detail the grounds for any appeal. The Warden has thirty (30) business days from receipt of the appeal to respond, except that if the inmate is serving punitive time as a result of the disciplinary, the Warden should answer the appeal within ten (10) Business Days.
 - b. If the Warden upholds the original decision of the DHO's verdict and the inmate is not satisfied with the response, he/she has fifteen (15) Business Days from receipt of the Warden's decision, to appeal to the DHA, who has thirty (30) Business Days to respond.
 - c. If the DHA upholds the decision of the original verdict, and the inmate disagrees with the response, he/she has fifteen (15) Business Days from receipt of the DHA's decision, to appeal to the Director. The Director has (30) Business Days to respond. The written appeal must set forth in detail the grounds for such an appeal. The Director's decision is final.
 - d. During any stage of the appeal, the reviewer may affirm the action of the DHO or modify it as he/she deems just and proper; except at no point in the appeal process shall the penalty be increased.
3. In cases where a DR is written by a Warden, the inmate may bypass the appeal to the Warden and appeal to the DHA.

I. Disciplinary Extensions

1. Limited Disciplinary Extensions of time may be granted by the respective Warden in the following circumstances:
 - a. The charged inmate has escaped;
 - b. The inmate is out to court, hospital or otherwise off the unit/center;
 - c. The case requires more extensive investigation;
 - d. The inmate is on Treatment Precautions;
 - e. The inmate is on Quarantine;
 - f. An emergency situation exists at the unit/center; or
 - g. Volume of disciplinaries scheduled for hearing is excessive and more time is needed to ensure a fair determination in each case.

2. The DHO may grant an Disciplinary Extension if additional information or investigation is needed in order to arrive at a fair decision.
3. In the event that an Disciplinary Extension is granted, a copy of the Disciplinary Extension Form shall be forwarded to the charged inmate. A Disciplinary Extension may be granted for a period of up to five (5) additional Business Days. If a greater length of time is needed, then the Disciplinary Extension must be renewed and will not exceed five (5) Business Days per Disciplinary Extension. Any Disciplinary Extension over thirty (30) days must be approved by the Director. The Warden may give an indefinite Disciplinary Extension while the inmate is absent from the Unit/Center.
4. Regarding escapes, the time limit will not begin to run until the inmate is returned to the unit where the disciplinary hearing will be held. The Warden should check the appropriate box on the Disciplinary Extension Form and enter the time and date when the inmate was returned to the unit/center. The time and date entered will serve as the starting point for the time limit.

J. Special Cases

1. Counsel Substitutes

- a. The following inmates shall be entitled to a Counsel Substitute in disciplinary proceedings:
 - i. Those inmates designated by the CSO, or the investigating officer.
 - ii. Those inmates who the DHO believes are illiterate, or incompetent, including any inmate with an IQ of sixty (60) or below, or a reading level below fourth (4th) grade (records of School District and/or Mental Health will be checked).
 - iii. Inmates facing disciplinary proceedings where the issues involved are so complex that he/she is not likely to understand the nature of the charges.
 - iv. Any inmate not able to understand and speak the English language.
 - v. Inmates assigned a Mental Health Classification of 3 or 4 ~~if recommended on Form 834~~ if indicated by Mental Health Form "Disciplinary Processing of Mentally Disordered Inmates" pursuant to AR 834.
- b. Counsel Substitutes shall consist of Staff members as designated by the Warden. These individuals will be on notice that they are the Counsel Substitutes and should be prepared to be of service at the Major Disciplinary Court Hearings. The Warden shall prepare a list of approved Counsel Substitutes who shall be immediately available to the investigating officer, the CSO, and the DHO on request. When it is determined that an inmate is in need of a Counsel Substitute by the Serving Officer/Notifying Officer, who serves the disciplinary, and/or the CSO, the Counsel Substitute should be notified in advance so that he/she can be on notice of which inmate is involved and the nature of the disciplinary. When the Counsel Substitute determination is made by the DHO at the hearing, he/she shall immediately recess or postpone the disciplinary hearing so the Counsel Substitute may have an opportunity to meet with the accused inmate prior to the entering of a plea. The DHO should then proceed with the next disciplinary, having noted the starting and stopping place on the recording prior to the recess and further noting the starting and stopping place on the recording when the disciplinary hearing is reconvened with the Counsel Substitute present.
- c. Counsel Substitutes have no voice in the decision making of the court. When the Counsel Substitute performs the required duties for an inmate in a disciplinary hearing, the Counsel Substitute shall not remain in the disciplinary hearing room during deliberation.

- d. All inmates have the right to refuse a Counsel Substitute. Any refusal is a waiver of the Counsel Substitute, and the refusal by the inmate must be noted on the recording and the disciplinary form, and the disciplinary should proceed without any Counsel Substitute.
- e. In the event that a Counsel Substitute requires more time to prepare the necessary information for a fair determination of the disciplinary, the DHO may grant an Disciplinary Extension of time for further investigation.
- f. Once the DHO has made a decision and advised the inmate of the appeal procedure, the Counsel Substitute will be responsible for aiding the inmate in the appeal process. The responsibility of the Counsel Substitute to the inmate shall be restricted to the presentation of evidence on the inmate's behalf at the disciplinary hearing and any subsequent proceedings, and providing an adequate explanation of the charges and consequences to the inmate both before and after the hearing.

2. Use of Confidential Information and Confidential Informants

- a. If the charging person does not have firsthand knowledge of the event, the charge may be brought based upon information received from a confidential informant(s); however, no disciplinary shall be based solely upon information received from a confidential informant(s). There must be corroborating evidence that supports the information received from the confidential informant(s) for the disciplinary to proceed.
- b. The charged inmate has no right to confront and cross-examine an informant against him/her or to know the informant's identity or statement. It is mandatory that any time confidential informant information is provided; the DHO shall ensure that the confidential information does not become known to other inmates. This information shall be marked confidential and entered into the electronic offender file.
- c. In cases where a disciplinary is written primarily upon information from a confidential informant, the record must contain the informant's signed statement in language that is factual rather than subjectively conclusive and must establish that the confidential informant had personal knowledge of the matter.
- d. In cases where the charging person is able to verify information obtained from a confidential informant, and the charging person has obtained independent corroborating evidence of the event, it is not necessary to provide the confidential informant's name and statement to the DHO.
- e. In the event that the DHO uses as evidence an investigative report which is classified as confidential, the DHO is responsible for ensuring that the confidential report is safely returned to the DHA without becoming known to inmates or unauthorized Staff. When describing the report under "Evidence Relied Upon," it is sufficient to use the phrase "Confidential Report," and state the conclusion of the report without detailing any of the specifics contained in the report.

3. 3. Contraband and Other Physical Evidence

- a. a. -If physical evidence is involved in or crucial to the determination to be made by the DHO such as weapons or contraband, then photographs and/or written reports of that evidence will be presented to and considered by the DHO.

- b. Following the hearing, any contraband may be disposed of pursuant to the Inmate Property Control AD, but must be described in great detail under "Evidence Relied Upon."
- c. Photographs and written reports should be entered into the electronic offender file and made a part of the inmate's permanent file.

4. Malingering

- a. Certain DRs may require testimony from healthcare Staff such as when the inmate's defense is that he/she was too ill to abide by an institutional rule. Whenever a charged inmate's defense is illness, unit healthcare Staff must be contacted to determine whether the inmate was examined for a complaint of illness and whether, in the opinion of the person(s) who examined the inmate, the inmate was feigning illness or not sufficiently ill to justify a lay-in.
- b. A statement from healthcare Staff will be obtained either in writing or by telephone. If written, the statement will be attached to the DR, noted under "Evidence Relied Upon" and made a part of the inmate's permanent file. If by telephone, the statement should be recorded and, if necessary, repeated for the recording device, and quoted on the Disciplinary Hearing Action Form (F-831-3) and, when available, in the electronic offender file under "Evidence Relied Upon." If the proper entry is not made under "Evidence Relied Upon," indicating the source and content of the testimony from healthcare Staff, the disciplinary action will be deemed invalid and expunged from the inmate's records.
- c. Where an inmate's defense for failure to work is illness and healthcare staff reports that the inmate did not report to medical or submit a sick call on the date of the infraction, the defense shall be found without merit as it is the responsibility of the inmate to go to the healthcare Staff for treatment of an illness. If the inmate did solicit treatment from medical Staff, but was cleared to report to work, the healthcare report should be entered under "Evidence Relied Upon" and considered in conjunction with any other evidence available to the court. If healthcare Staff reports that the inmate was in fact too ill to perform his/her designated work task, the inmate shall be found not guilty.
- d. When an inmate is already performing his/her work assignment, and complains of illness, the inmate should be sent or escorted to medical. If the inmate receives a "lay-in," then there should be no DR. If the inmate is cleared by medical and is ordered to go to work but refuses, a DR may be written. If the inmate is sent back to work and returns to work, he should only be given a DR when the officer has concrete evidence that the entire episode was contrived to harass Staff or to temporarily avoid work. In such case, the healthcare Staff must be contacted to determine whether, in the opinion of the person(s) who examined the inmate, the inmate was feigning illness. If any illness was determined to be present, even though not sufficient to warrant a lay-in, the inmate should be found not guilty when the inmate returned to work after being seen by medical Staff.
- e. Upon contacting the healthcare Staff for information, the name and statement of the person contacted must be entered under "Evidence Relied Upon."

5. Damaging Property

- a. Any inmate who is found guilty of destroying, damaging, or intentionally misplacing property may be ordered to make Restitution in the amount of the replacement costs or

the value of the property, depending upon individual circumstances as found by the DHO.

- b. The DHO shall levy against the institutional account of the inmate for the reasonable value of the property intentionally destroyed, misplaced, or the reasonable value to repair intentionally damaged property after making inquiry to determine such values. The levy against the inmate account shall continue until the obligation is fully paid.
- c. In cases where the DHO finds destruction or damage was caused by negligence as opposed to willfulness, the DHO should determine whether the inmate knew or should have known that the behavior in question would likely cause damage or destruction of the property, whether the inmate acted in direct contravention of written or verbal orders, or any other circumstances which reflect upon the appropriateness of levying against the inmate account.
- d. The reasoning supporting any decision to order restitution for damaged property must be fully detailed under "Reasons for Punishment" on the Disciplinary Hearing Action Form (F-831-3) and electronically when available in the electronic offender file.
- e. The DHO shall not, under any circumstances, order Restitution between inmates, or between inmates and Staff. Restitution shall only be used as a tool to discourage the destruction or damage of property by causing inmates to take fiscal responsibility for such destruction, damage, or intentional misplacement.

K. Specific Prohibitions

1. No DHO shall conduct hearings when that officer is the charging person or has firsthand knowledge of a particular disciplinary episode.
2. No Staff shall communicate to a DHO, by way of suggestion or order, the finding or punishment that the DHO should find. An exception is Mental Health Staff completing a written 834 Form (Mental Health Form).
3. A DHO should make his/her decision based solely upon the evidence presented to them in disciplinary court and is not to be influenced by Staff or a supervisor about an inmate's guilt or innocence.
4. If the DHO is instructed as to making a finding on a disciplinary or on the punishment to assess, he/she shall disqualify himself/herself from hearing that disciplinary and will report the communication to the DHA.
5. Any DHO who believes that he/she is unable to render an objective decision in a particular case should request disqualification from that case. In the case of the DHA, the request will be made to the Director.
6. When the use of indecent or vulgar language is used by an inmate in the grievance process or there is a malicious use of the grievance procedure, disciplinary action may be filed against the inmate. Under such circumstances, the CSO or Warden, or their designee, will determine if a DR is warranted. If so, only the CSO or Warden, or their designee, may write and submit the report for processing. Under no circumstances shall the employee, who may be the subject of a grievance, write and submit a DR against the inmate submitting the grievance.
7. PREA Considerations. Inmates involved in sexual contact with ADC Staff, or any employees, volunteers, contractors and vendors of another law enforcement/correctional agency that have taken temporary custody of an ADC inmate for the purposes of transport, holding for court, contractual bed space, or other requirements, cannot be charged with a Rule Violation for this

conduct. Under the Guidelines of the PREA, inmates cannot consent to such contact and are considered victims of a crime. In order to bring charges for sexual contact with any employee or other above categorized individual, the investigation must show that forcible rape or forced sexual contact occurred by the inmate towards the employee or agent. This does not include visitors or citizens not acting in some official capacity such as co-workers at a work release site.

L. Records

1. Not Guilty Verdicts. DRs which result in a finding of not guilty shall not be made a part of the inmate's permanent file although such finding will be documented in the electronic offender file.
2. Expungements. DRs which indicate a finding of guilt and which are Reversed by the Warden, DHA, or Director are to be expunged from the inmate's permanent file, but will remain a part of the offender's electronic record, and will be forwarded to the Warden or designee for filing as a matter of record. Such reversals shall also restore good time or class status which may have been reduced by the DHO.
3. Suspended Sentence. Inmates who are found guilty of Rule Violations and assessed punishment may receive a suspended imposition of the sentence. In such cases, the DR will become a part of the inmate's permanent file. If the inmate is found guilty of another Rule Violation during the period of a previously imposed suspended sentence, the suspended punishment must be revoked and imposed and additional punishment pursuant to the subsequent disciplinary episode may also be imposed. The punishment may be made consecutive.
4. Guilty Verdicts. All disciplinary hearing report forms which render a verdict of guilty shall be transmitted and entered into the electronic offender file by the DHO. The Unit Records Supervisor shall make whatever changes are required regarding statutory good time, meritorious good time, parole interview date, and institutional status as part of the inmate's permanent file.

M. Major Disciplinary Forms

The Major Disciplinary Forms consist of six (6) separate forms. The Major Disciplinary Form (F-831-1), the Disciplinary Hearing Action Form (F-831-2), and the Disciplinary Hearing Action Form (F-831-3) must be completed entirely pursuant to every Major Disciplinary Hearing, regardless of the verdict. Data related to each form should be entered and maintained electronically when available in the electronic offender file. The ISSR 100 electronic printed form shall contain all data found in F-831-1, F-831-2, and F-831-3 after data entry.

1. The Major Disciplinary Form (F-831-1)
 - a. The charging person is responsible for providing the DHO with accurate reports of Rule Violations. All information pertaining to the charge(s) must be detailed by the charging person. The charging person must sign an affirmation regarding the accuracy of the charges.
 - b. The Serving Officer/Notifying Officer must indicate his/her name and the time and date the inmate was notified of the impending major disciplinary action. The inmate may call Witnesses at the time of notification by informing the notification officer of those individuals he/she wishes to call as Witnesses. The Serving Officer/Notifying Officer should then list the Witnesses called and instruct the inmate to sign the form under "Witness Statements." If the inmate refuses to sign, such refusal should be noted with the initials of the Serving Officer/Notifying Officer.

- c. The CSO (Building or Field Majors or their designees) must review each DR prior to a hearing for screening purposes. After indicating the appropriate decision, the CSO must initial and date the form under "C.S.O. Review."
 - d. There must be an indication of whether an Extension was granted and, if so, whether the Extension Form was completed.
 - e. The DHO is reminded of the policy on Counsel Substitutes. When assigned, it should be so indicated and the name of the Counsel Substitute entered. When not assigned, the appropriate space should be marked.
 - f. A copy of the Major Disciplinary Form (F-831-1 or ISSR 100) shall be forwarded to the inmate.
2. The Disciplinary Action Form (F-831-2)
- a. The DHO must ensure that all information at the top of the Disciplinary Action Form (F-831-2) is correct. Care should be taken to note the time when the hearing starts and stops. If the inmate refuses to attend, there is a reminder that the waiver form must be completed. In all cases, the inmate's plea will be entered accurately.
 - b. Statements made by inmates in their defense or otherwise should be entered in as great detail as possible under "Inmate's Statement."
 - c. Under "Questions," the DHO should indicate the general line of questioning pursued. The DHO should probe for any and all additional information which could aid in reaching a fair determination of fact.
 - d. The DHO must indicate the verdict reached and, if applicable, the punishment assessed, and shall indicate the class that the inmate may be placed in.
 - e. Under "Factual Basis for Decision," the DHO must give a short statement of the facts as the DHO perceives them after reviewing all of the evidence. This section should not be confused with "Evidence Relied Upon" or "Reasons for Punishment." This should include a summary of the reasons for finding the inmate guilty or not guilty. In fulfilling this function, it is not sufficient to adopt and copy the exact wording of the DR.
 - f. The inmate must be given a copy of the Disciplinary Action form.
3. The Disciplinary Action Form (F-831-3)
- a. Under "Evidence Relied Upon," the DHO must include a list of the individual pieces of evidence that were relied upon in reaching a disposition. Shorthand phrases such as "Officer's Statement" will not be sufficient to perform this function. The evidence must not only be described, but must be explained. The content of any evidence relied upon should be given. Thus, if a charging person's report is to be relied upon, the DHO should so state and then proceed to explain exactly what it was in the person's report that the DHO relied upon. In cases where weapons or contraband are involved, a notation should be made in the proper slot indicating the form in which it was observed and further describing the item with particularity.
 - b. In any case where the DHO makes a finding of guilty notwithstanding the fact that there was some evidence which purported to exonerate the inmate, the DHO must include a statement indicating the reason why such evidence was discounted.
 - c. Under "Reasons for Assessment of Punishment," the DHO must state why he/she felt the particular disciplinary warranted the punishment assessed.

It is not sufficient to state, "nature and seriousness of offense and past history." It is important that the DHO keep in mind that the purpose served is that of providing an independent reviewing authority with an adequate basis from which to determine why a particular inmate received the particular punishment imposed. Special care should be given to document reasons for differences in punishments given to different inmates in the same incident. Factors to be weighed in assessing the punishment should include, but not be limited to:

1. The seriousness of the offense and the extent to which the offense threatened institutional security;
2. The number of major disciplinaries received by the inmate for similar offenses, the overall institutional record of the inmate;
3. The attitude of the inmate including his/her willingness to cooperate fully with the DHO;
4. Personal factors which may have influenced the inmate to behave poorly (e.g., death in the family);
5. Inmate's willingness or lack thereof to return to work and perform as expected; any hostility which the inmate may have exhibited toward the DHO;
6. Any remorse the inmate may show regarding his/her behavior; any effect a contemplated punishment may or may not have in impressing upon the inmate the need for behavior modification;
7. Any effect a contemplated punishment may have in terms of rewarding the inmate with a second chance if the DHO believes behavior will improve as a result thereof;
8. The class status of the inmate should be kept in mind when assessing the punishment (punitive time may not be necessary for a Class I inmate if the DHO feels that a class reduction would sufficiently impress upon the inmate the prohibition against the particular behavior).

As mentioned, the above are suggested factors to take into consideration when assessing punishment and are by no means exhaustive. The DHO should stay alert to any mitigating or aggravating circumstances associated with a particular disciplinary episode. The DHO must initial the "Reason for Punishment" in the appropriate space.

- d. The DHO must credit the inmate with any time spent in Restrictive Housing as a result of the behavior which is the subject of the disciplinary against any assessed Punitive Isolation sanction. For example, an inmate assigned to Punitive Housing when the behavior occurred does not get any credit; but an inmate who is assigned to Restrictive Housing from general population as a result of the behavior that result in the disciplinary being written will be given credit for the number of days in Restrictive Housing at the time the sanctions are issued. This credit does not extend the number of days of Punitive Housing that may be assessed. (Nor does the lack of Punitive Housing days determine whether an inmate may be assigned to Restrictive Housing pursuant to that policy.)
- e. A reminder is included regarding the proper procedures for informants and alleged malingers.
- f. The inmate, having been informed of the right to appeal, is instructed to sign the form indicating that he/she understands the right to appeal. If a Counsel Substitute has been assigned, he/she should also sign. If an inmate refuses to sign, the DHO should indicate by initialing the slot reserved for the inmate's signature.

- g. The DHO must sign and date the disciplinary form.
 - h. The inmate must be provided a copy of Disciplinary Action Form (F-831-3).
4. The Major Disciplinary Appeal Form (F-831-4)
- a. The Major Disciplinary Appeal Form is self-explanatory. The inmate is to check yes beside "Punitive Housing" if the appeal is in reference to a finding of guilty on a particular disciplinary episode which resulted in the imposition of Punitive Housing as a disciplinary measure. This is designed to aid the inmate who has been sentenced to a relatively lengthy isolation period and who may have a valid appeal pertaining to guilt and/or punishment. The Warden should prioritize these appeals.
 - b. Inmates serving short periods of punitive time should not be discouraged from utilizing the procedure, as their appeals will be expedited by the procedure. Inmates not serving punitive time are not permitted to mark yes beside "Punitive Appeal".

Appeal Forms will be available with carbon copies, and the original shall be submitted for the appeal. The copies remain with the inmate and will be submitted if the original is not returned within the policy's timeframes.

5. The Disciplinary Extension Form (F-831-5)

The Disciplinary Extension Form enumerates six (6) legitimate reasons for granting an Extension. If the DHO or Warden grants the Extension, a copy of the signed Form F-831-5 must be forwarded to the inmate.

6. The Waiver of Disciplinary Hearing Form (F-831-6)

Physical force shall not be used to secure the presence of the inmate before the DHO. All inmates shall be afforded the opportunity to be present before the DHO unless they waive that right in writing or through behavior. In the event an inmate refuses to appear, the "Waiver of Disciplinary Hearing Form" must be filled out. The inmate will not be subjected to any further DRs as a result of availing himself/herself of the waiver procedure.

VIII. MINOR DISCIPLINE:

- A. Minor Discipline should be used as a tool to discourage less serious misconduct. The purpose of Minor DRs (Form F-831-7 and Electronic Form ISSR 102) is to sufficiently impress upon the inmate the need for behavior modification without burdening the inmate with the stigma that attaches to Major DRs. The Rule Violations for which an inmate may receive a Minor DR are identical to those violations for which a Major DR may be written. Minor DRs are within the discretion of the charging person.
- B. Due process considerations inherent in the major disciplinary process shall not apply to minor disciplinaries; however, the inmate shall be allowed to be present and to make a statement on his/her behalf.
- C. Minor Disciplinaries
 - 1. Each Unit Warden shall establish and designate a MDO to hear and dispose of any and all minor infractions of institutional rules and regulations.
 - 2. The MDO at each unit shall be nominated by the CSO of the Building or Field and approved by the Warden. The charging officer cannot serve as the MDO on any charges he/she initiated or witnessed.

3. An officer must have attained the rank of Lieutenant with at least three (3) years of experience as a correctional officer to serve as a MDO.
4. The MDO will hear charges as often as necessary and at a place and a time convenient to expeditiously administer the institutional minor disciplinary functions. These hearings will be conducted within seven (7) Business Days of the incident.
5. Upon hearing the charges against the inmate, the inmate's defense and testimony, the MDO shall render his/her decision as to guilt or innocence and the appropriate action to be taken.
6. The MDO, upon determining that an inmate is guilty of a minor violation of institutional rules and regulations, may take any or all of the following actions:
 - a. Warn, reprimand, or excuse the inmate.
 - b. Revoke privileges for up to twenty (20) days.
 - c. Assign extra duty (extra duty will be useful work that is not intended as harassment). No inmate shall be worked past his/her regular bedtime nor will be allowed to do any extra duty assessed by the MDO in lieu of his/her regular work assignment. Extra duties must not exceed two (2) hours per day and a maximum of ten (10) days.
7. At no time shall an inmate be put in Restrictive Housing by the decision of the MDO. Good Time and Class Status shall not be reduced by the MDO.
8. Disciplinary action should be taken by the MDO as soon as possible after the discovery of the violation. Any minor disciplinary action which has not been heard after seven (7) Business Days shall be dismissed.
9. The Minor Disciplinary Form (F-831-7) shall be filled out in its entirety for each infraction and entered electronically when available in the electronic offender file.
10. Minor DRs will not be made a part of the inmate's permanent file, but will be recorded in the Offender's electronic record. After the MDO has completed his/her daily functions, the minor DR shall be forwarded to the CSO for separate filing as a matter of record.
11. Once the MDO has disposed of a minor disciplinary, the decision shall not be changed or altered in any manner by the MDO.
12. Findings of the MDO may be appealed to the CSO. The CSO may affirm, reverse or modify the decision of the MDO. The CSO's decision is final. The CSO may not uphold a sanction that imposes Punitive Isolation, or a reduction of Good Time or Class Status of an inmate.
13. The CSO must submit to the Warden a monthly report of the minor disciplinary actions. The Warden must maintain a file of these reports and have them available for review by the DHA. The Warden and DHA must ensure that each inmate is treated fairly and equitably.

~~IX. SANCTIONS:~~

~~Any employee who violates this policy will be subject to disciplinary action which may include termination.~~

X. ATTACHMENTS:

1. Major Disciplinary F-831-1
2. Disciplinary Hearing Action F-831-2
3. Disciplinary Hearing Action F-831-3
4. Major Disciplinary Appeal Form

- 5. Disciplinary Extension Form
- 6. Waiver Of Disciplinary Hearing
- 7. Minor Disciplinary Report

X. SANCTIONS:

Any employee who violates this policy will be subject to disciplinary action which may include termination.



ARKANSAS DEPARTMENT OF CORRECTIONS
 DIVISION OF CORRECTION
 OFFICE OF THE DIRECTOR
 DEXTER PAYNE
 6814 Princeton Pike
 Pine Bluff, AR 71602



F-831-1 ARKANSAS DIVISION OF CORRECTION AR 831

_____ Unit

MAJOR DISCIPLINARY

Inmate _____ ADC # _____ Assignment _____
 Class _____ is being charged by _____ Title _____
 with Rule Violation(s) _____ Time & Date _____

NOTICE OF CHARGES

(I affirm that the information in this report is true to the best of my knowledge)

 Signature of Charging Officer

NOTIFICATION: Officer _____ Date & Time Notified _____

 Inmate's Signature

Witness: YES ___ NO ___

List of Witness:

C.S.O. REVIEW: Reduce ___ Dismiss ___ To Disc. Court ___ Initial ___ Date ___
EXTENSION: No ___ Yes ___ ; Has Extension form been completed? ___
Presentation by Counsel Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.

COUNSEL SUBSTITUTE Assigned (Name) _____



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 Pine Bluff, AR 71602



F-831-2 ARKANSAS DIVISION OF CORRECTION AR 831

_____ UNIT

DISCIPLINARY HEARING ACTION

Inmate _____ ADC # _____ Rule Violation(s) _____
 Date of Alleged Offense(s) _____ Time of Alleged Offense(s) _____
 Hearing Date _____ Time: Start _____ End _____
 Recorder _____ Tape # _____ Side _____ Meter: From _____ To _____
 Plea: _____ Attendance Waived: Yes _____
 Has waiver form been completed? _____

Inmate's Statement:

 Signature of Inmate

 Court Questions:

Verdict: _____ Punishment: _____

Factual Basis for Decision: (This is a short synopsis of the facts as the DHO perceives them after reviewing all of the evidence.)

DHO 's Initials _____



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 Pine Bluff, AR 71602



F-831-3

ARKANSAS DIVISION OF CORRECTION

AR 831

_____ UNIT

DISCIPLINARY HEARING ACTION

Inmate _____ ADC # _____ Date _____

Evidence Relied Upon:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. If relevant, contraband observed: Actual Item _____ Photo _____ Receipt _____
 Describe: _____

Reasons Why Information Purporting to Exonerate Inmate Was Discounted:

Reasons for Assessment of Punishment:

DHO 's Initials _____

 The DHO is reminded that if an informant provided firsthand information in the case, then that informant's name and written statement must only be presented to the Disciplinary Court. This information will be retained with the Disciplinary tape by the DHO Administrator, also, if an inmate claimed to have been sick, the opinion of the infirmary examiner must be obtained.

 I have read this report and understand that I may appeal to the Warden about any decision made in this matter within fifteen (15) days by completing the "Disciplinary Appeal" form.

AD ~~2022-12-4~~ Inmate Disciplinary Manual

Page 31 of 24

Inmate's Signature _____ Counsel Substitute _____

DHO - I affirm that the information is true to the best of my knowledge.

DHO _____
Signature Date



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Pine Bluff, AR 71602



F-831-4

Major Disciplinary Appeal Form

Inmate Name _____ ADC# _____

Unit/Center _____ Punitive Housing _____ Yes _____ No

Disciplinary (date) _____ by (charging officer) _____

_____ Appeal to Warden/Deputy Warden. Note, if you do not agree with the decision of the
Date DHO, you have 15 Business Days from receipt of disciplinary action to appeal to the
Warden/Deputy Warden.

Warden's Decision: Affirm _____ Reverse _____ Modify _____ Reject _____

(See attached if Modified or Rejected.)

Signature: _____ Date _____

_____ Appeal to Disciplinary Hearing Administrator (DHA). Note, if you do not agree with the
Date response of the Warden/Deputy Warden, you may appeal to the Disciplinary Hearing
Administrator within 15 Business Days of receipt of the Warden/Deputy Warden's
response.

DHA's Decision: Affirm _____ Reverse _____ Modify _____ Reject _____

(See attached if Modified or Rejected.)

Signature: _____ Date _____

_____ Appeal to Director. Note, if you do not agree with the Disciplinary Hearing
Date Administrator's response, you may appeal to the Director within 15 Business Days of
receipt of the Disciplinary Hearing Administrator's decision.

Director's Decision: Affirm _____ Reverse _____ Modify _____ Reject _____

AD 2022-12-4 Inmate Disciplinary Manual
(See attached if Modified or Rejected.)

Page 33 of 24

Signature: _____ Date _____

Notice to Inmate: This form is to be used for all appeal levels and responses. Briefly state reasons why conviction or punishment should be Reversed or Modified. This information will be considered at all three levels of appeal. Only information that is contained within this space on this form will be considered:

Inmate's Signature: _____ Date: _____



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F-831-5

ARKANSAS DIVISION OF CORRECTION
 _____ Unit
 DISCIPLINARY EXTENSION FORM

AR 831

TO:
FROM:

RE: Disciplinary Dated _____ at _____ For Rule Violation(s) _____

DATE:

This is to inform you I am extending your Disciplinary Hearing for a period of _____*additional working days for the following reasons:

- Inmate is out to court/hospital, or otherwise off the Unit/Center.
- Awaiting the decision of the prosecuting attorney regarding the filing of a felony charge.
- The case requires more extensive investigation. The following is needed:

- Volume of Disciplinaries scheduled for hearing is excessive and more time is needed to ensure a fair determination in each case.
- Emergency situation exists at the unit.

Retroactive Extension:

Escaped inmate, not in custody. Returned to Unit _____
 Date Time

 Signature Warden/Deputy Warden, DHO Date Time

Copy delivered to inmate by: _____ on _____
 Signature Date Time

cc: File



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DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602



F-831-7

Arkansas Division of Correction
_____ Unit
MINOR DISCIPLINARY REPORT

AR 831

Date _____ Time _____ Reporting Officer _____
Name of Inmate: _____ Number _____ Job _____

CHARGE OR OFFENSE:

DISPOSITION (Check One)

Extra Duty _____
(Describe Briefly)

Loss of Privilege _____
(Describe Briefly)

Warning & Reprimand _____
(Describe Briefly)

Not Guilty _____
Disciplinary Hearing Officer

Hearing Date/Time _____

Date Penalty Served _____ Shift Supervisor _____



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
 6814 Princeton Pike
 Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Assignments to Varner Super Max Behavior Modification Incentive Levels Program

NUMBER: 2024-05

SUPERSEDES: 10-34

APPLICABILITY: All Staff

REFERENCE: AR 802 – Classification of Offenders

PAGE 1 of 2

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 2/16/24

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to establish criteria for assignment of inmates to the Varner Super Max Behavior Modification Incentive Levels Program.

II. PROCEDURE:

- A. Unless precluded for security or other substantial reasons, all inmates transferred to the Varner Super Max Behavior Modification Incentive Levels Program will have a due process hearing at the sending unit prior to transfer.
- B. A critical incident, the circumstances of, or its impact on the institution's safety, security and good order may warrant immediate removal and transfer of the inmate to the Varner Super Max. In those instances, the due process hearing, and placement consideration procedures will be initiated by the VSM Classification Officer.
- C. This hearing requires twenty-four (24) hour advance notice to the inmate and allows the inmate to call witnesses (statements may be accepted) or introduce other evidence on his behalf.
- D. The sending unit may recommend transfer of the inmate to the Varner Super Max if any of the following criteria are met:
 1. Escape from inside a secure facility.
 2. Battery on staff resulting in injury.
 3. Battery on another inmate with serious injury.
 4. Disciplinary conviction for violent felony.

- 5. Other reason which the warden/superintendent feels may constitute a serious threat to the security and/or good order of the institution.
- E. The decision of the Classification Committee to transfer an inmate to Varner Super Max Behavior Modification Incentive Levels Program may be appealed by the inmate to the Chief Deputy Director within fifteen (15) days after the inmate receives a copy of the decision.
- F. Recommendation for transfer should be submitted to the Classification Administrator for review and any discussion, if appropriate.
- G. Inmates assigned to the Varner Supermax Behavior Modification Incentive Levels Program will not be eligible for class promotion, to earn meritorious good time or be considered for the restoration of lost good time.



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE

6814 Princeton Pike
Pine Bluff, AR 71602



JOE PROFIRI
SECRETARY

ADMINISTRATIVE DIRECTIVE

SUBJECT: Assignments to Varner Super Max Behavior Modification Incentive Levels Program

**NUMBER: ~~2024-10-34~~
~~1910-34~~**

SUPERSEDES: ~~00-~~

APPLICABILITY: ~~All Arkansas Division of Correction Employees Staff~~

REFERENCE: JAR 802 – Classification of Offenders

PAGE 1 of 2

APPROVED: ~~Original signed by Ray Hobbs, Director~~

EFFECTIVE DATE: ~~12/24/2010~~

I. PURPOSEPOLICY:

It is the policy of the Arkansas Division of Correction (ADC) to establish criteria for assignment of inmates to the Varner Super Max Behavior Modification Incentive Levels Program.

II. PROCEDURE:

A. Unless precluded for security or other substantial reason, all inmates transferred to the Varner Super Max Behavior Modification Incentive Levels Program will have a due process hearing at the sending unit prior to transfer.

B. A critical incident, the circumstances of, or its impact on the institution’s safety, security and good order may warrant immediate removal and transfer of the inmate to the Varner Super Max.- In those instances, the due process hearinghearing, and placement consideration procedures will be initiated by the VSM Classification Officer.

- C. — This hearing requires twenty-four (24) hour advance notice to the inmate and allows the inmate to call witnesses (statements may be accepted) or introduce other evidence on his behalf.
- D. — The sending unit may recommend transfer of the inmate to the Varner Super Max if any of the following criteria are met:
- ~~A.~~ 1. — Escape from inside a secure facility.
- ~~B.~~ — 2. — Assault Battery on staff resulting in injury.
- ~~C.~~ 3. — Assault Battery on another inmate with serious injury weapon.
- ~~D.~~ 4. — Disciplinary conviction for violent felony.
- ~~E.~~ 5. — Other reason which the warden/superintendent feels may constitute a — serious threat to the security and/or good order of the institution.
- E. — The decision of the Classification Committee to transfer an inmate to Varner Super Max Behavior Modification Incentive Levels Program may be appealed by — the inmate to the Chief Deputy Director within fifteen (15) days after the inmate — receives a copy of the decision.
- F. — Recommendation for transfer should be submitted to the Classification — Administrator for review and any discussion, if appropriate.
- G. — Inmates assigned to the Varner Supermax Behavior Modification Incentive Levels Program will not be eligible for class promotion, to earn — meritorious good time or be considered for the restoration of lost good — time.

10-34

10Dec17



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

OFFICE OF THE DIRECTOR
DEXTER PAYNE

6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Visitation

NUMBER: 2024-06

SUPERSEDES: 18-31

APPLICABILITY: Employees, Inmates, and Visitors

PAGE: 1 of 10

REFERENCE: AR 865 Inmate Visitation, AD Punitive Segregation, AD Inmate Disciplinary Manual
AD Searches of Inmates, Unit Searches and Control of Contraband, AD Unit Entry Procedures for the Control of
Contraband, SD 22-15 Access to Facilities by Attorneys

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 02/16/2024

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to permit inmates to have visits with family, friends, attorneys, and spiritual advisors under conditions that are consistent with the security and good order of division operations. Visitation privileges for inmates are essential to maintaining good morale, sustaining family life, and ensuring relationships in the community upon release. Due to limited space, staff availability, scheduling considerations and security requirements of correctional facilities, certain rules and guidelines must be established to govern Inmate Visitation. Nothing in this policy shall interfere or restrict the authority of the ADC to determine an inmate's unit of assignment.

II. DEFINITIONS:

1. Contraband. Any item or items determined by the Board of Corrections (Board) or ADC to jeopardize the safety, security, or good order of its institutions, including but not limited to items which are illegal or banned by any relevant policy.
2. Contact Visitation. A visit between an inmate and visitor that is conducted under staff supervision in an open area, allowing for limited physical contact and movement within the area.
3. Immediate Family. For the purpose of this policy, consists of the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as mother-in-law, father-in-law, grandparents, aunts, or uncles, or, whose relationship with the inmate has been verified as that of a child/ward such as a foster child, son-in-law, daughter-in-law, niece, or nephew. This list includes stepfamily members and half siblings.
4. Minor. A person that is 17 or younger.
5. Non-Contact Visitation. The placement of an inmate and visitor in separate locations where no physical contact can be made but visual and auditory communication can occur.
6. Special Visits. Upon approval of the Warden, special visits may be allowed for attorneys, spiritual advisors, ministers of record, and persons residing outside a three hundred (300) mile radius from the facility.

7. Video Visitation. A visual communication system that allows family members and friends (approved for visitation and phone calls) to schedule and participate in pre-paid video sessions with an inmate.
8. Visitor. Any individual who is neither an inmate nor staff, including but not limited to inmate family members, friends, vendors, state officials, law enforcement, members of the media, etc.
9. Warden. For this policy, includes Deputy Warden, Superintendent, and Work Release Center Supervisor or the Administrator of a facility/unit.

III. PROCEDURES:

A. Approval of Visitors

1. Inmates are not allowed visitors during Intake (initial reception and orientation). Inmates will receive general information about visitation during Intake. Inmates will receive an orientation about procedures governing visitation within the first week after arrival at each facility.
2. After the completion of Intake and transfer to their initial Unit of assignment, inmates will be allowed visits only with immediate family members for the first thirty (30) days. Inmates must give accurate and truthful information about immediate family members to establish a temporary visitation list. The family relationship must be validated by the inmate's information on record. If it is determined that an inmate has provided false information and a person has visited under false pretenses during the 30-day period, that visitor will be denied future visitation privileges, and disciplinary action will be taken on the inmate. (i.e., If an inmate lists a female visitor as his sister, and then after the 30-day period is up, the same female applies for visitation as his girlfriend or fiancé).
3. After the expiration of the initial thirty (30) day period, visitors that have gone through the screening process and are on an inmate's approved visitation list will be allowed to visit. Individuals not on the inmate's approved visitation list will no longer be allowed to visit.
 - a. A Visitation/Telephone Authorization Request (application) must be received from all persons wishing to visit before they can be added to the inmate's visitation list.
 - i. The inmate is responsible for mailing applications to all persons who would like to request visitation privileges.
 - ii. All applications must be mailed back into the inmate's unit of assignment to the attention of the Unit Visitation Clerk.
 - b. Applications must be filled out in their entirety. Any incomplete application will be rejected and returned to the applicant for the completion of mandatory information.
 - c. Once the completed application is received, the visitation clerk or designee will perform a criminal history or background check on each applicant.
 - d. The inmate will be advised in writing by the Visitation Clerk of the Unit Warden's decision to either approve or deny the visitation application. It is the responsibility of the inmate to inform family/friends whether they are approved or denied.

B. Visitation Denials

1. The inmate will receive written notification but will not get specific details on the reason for denial;
2. The inmate must inform the applicant of the denial;
3. The applicant may then contact the Unit Visitation Clerk to seek the reason for the denial and any further instructions; and
4. If an applicant does not agree with the reason for the denial, he/she may file an appeal to the Director's Office. The Director or the Director's designee will review the appeal and make the final decision to approve or deny visitation.

C. Visitation Approvals

The visitor's name and address shall be placed on the inmate's approved visitation list; the inmate will receive notification of the approval; and the inmate must inform visitor(s) of their approval, scheduled visitation days and time, and any changes to either.

- a. A maximum of twenty (20) people may be placed on an inmate's approved visitation list. Once this number is reached, the inmate cannot add another visitor without removing one.
- b. Any additional applications that are received when the maximum number of visitors is established will be placed in the inmate's visitation file. If the inmate does not remove an

- approved visitor to add a new applicant, the application will be shredded 120 days from the date of receipt.
- c. Any application that is rejected (other than those that are incomplete) or is for a visitor who has been removed from the visitation list may be shredded, but a copy of the application shall be scanned into Electronic Offender Management Information System (eOMIS).
2. Additions to the approved visitation list may be made at any time. However due to delays caused by excessive submissions, a restriction can be applied after a complete (20 approved visitors) visitation list has been established. Excessive is defined as the addition of five (5) or more visitors in a 30-day period. A warden may restrict an inmate's ability to add visitors for a period of ninety (90) days due to excessive submissions.
 3. Approved visitors may not be listed on more than one inmate's visitation list unless the visitor is confirmed as an immediate family member of each inmate and is approved by the Warden of each facility.
 4. Approved visitors must submit a new application to the Unit Visitation Clerk whenever the visitor has a change of:
 - a. Legal name;
 - b. Address; or
 - c. Telephone number.
 5. A visitor must submit the following to be removed from an inmate's visitation list:
 - a. A letter requesting removal to the Unit Visitation Clerk;
 - b. A copy of his/her Driver's License or State I.D.; and
 - c. The inmate's name and ADC number.
 6. An inmate must submit an Inmate Request Form to the Unit Visitation Clerk to remove a visitor from the approved list.
 7. Visitors with Convictions
 - a. Immediate family members with felony convictions may not apply for visitation until six (6) months after their release from confinement. If the visitor is currently on probation/parole, his/her community supervision officer must submit written approval directly to the Unit. Regardless, approval for visitation must be approved by the Warden.
 - b. Non-immediate family members with a felony conviction may be granted visitation privileges only by the Director or Director's designee.
 - c. Any applicant with a misdemeanor conviction may be granted visitation privileges by the Warden.
 8. Current/Former Employees, Contractors, Interns, or Students
 - a. Current ADC employees and contract employees (working in an ADC facility) shall not be approved for visitation unless, prior to their employment, they were immediate family members of the inmate.
 - b. Former ADC employees and former contract employees shall not be approved for visitation for a period of three (3) years from their last date of employment unless, prior to their employment, they were an immediate family member of the inmate. Waivers of the three (3) year period for former employees, contractors, interns, or students may be granted by the Warden if the employee left in good standing and is an immediate family member and/or an attorney of record for the inmate.
 9. Volunteers/Former Volunteers
 - a. Volunteers, including interns, with the ADC shall not be placed on an inmate's visitation list unless they were immediate family members of the inmate prior to their work or the inmate's incarceration.
 - b. Former volunteers and interns may be placed on an inmate's visitation list eighteen (18) months following their last date as a volunteer. Waivers can be granted by the Warden if the volunteer left in good standing and is an immediate family member and/or an attorney of record for the inmate.
 10. Attorney Visits (Please refer to current Secretarial Directive on Access to Facilities by Attorneys) Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30

p.m. upon prior arrangement (a minimum of twenty-four [24] hours in advance) with the Warden or designee.

- a. An attorney visiting area shall be provided to ensure privileged communications between offenders and their attorneys; however, the area used for these visits is subject to general staff supervision.
 - b. Visiting attorneys must complete a visitation application and will be subject to one (1) criminal background check per year for access to facilities. The date and the facility the background check was conducted at must be noted in their attorney's visitation file in eOMIS and initialed by the employee who facilitated the check. Background checks may be conducted at the first facility visited, and a new background check must be performed if the current background check on file is more than one (1) year old.
 - c. Any assistant or agent to an attorney who is not a licensed attorney will be subject to one (1) background check on the same basis as an attorney, Attorneys wishing to be accompanied by, or to send non-attorney assistants/agents for inmate visits, must also provide a letter on the attorney's letterhead verifying their staff member's name, title, and date of birth. Attorneys are responsible for submitting a list of their staff to the Warden/Center Supervisor every ninety (90) days or as soon as possible when there are any changes to their staff.
 - d. Attorney staff may be denied who have been convicted of or pled nolo contendere to felonies or misdemeanors in federal or state courts or who have pending criminal charges. If an attorney's staff or attorney is denied entry into a facility, the Warden or Center Supervisor must notify in writing the reason(s) for the denial. The Warden or Center Supervisor must also notify the Division General Counsel of the denial as soon as possible.
 - e. Attorneys must adhere to the dress code guidelines and clear all electronic screening devices before entrance into a facility as outlined in this policy. Any metal required for the visit, such as writing instruments, must be cleared through the x-ray machine.
 - f. Attorneys and their staff may use video visitation for visits with offenders when in person visitation is not possible. They must adhere to the applicable provisions for video visitation including the scheduling and registration requirements. Video visitation may be subject to monitoring for security purposes.
11. Spiritual Advisors/Pastoral Visits - Spiritual Advisor Visits and Pastoral Visits by approved ministers of record may be arranged and conducted in accordance with Religious Services Policy and Procedure Policy 425 and Policy 665, respectively, and are arranged through Chaplaincy Services.

D. Visitation Other Than Regular Visitation Days

1. Upon approval of the Warden, visits may be granted for any two (2) business days during a calendar week to approved visitors whose residence has been verified on record to be more than three hundred (300) miles from the unit/center.
2. The visitor must request the visit twenty-four (24) hours in advance during regular business hours.
3. Visitation may be approved for two (2) days at regular visiting hours. These are not extra visits and will count toward the inmate's allowed number of monthly visits. Visits will not be granted if they exceed the inmate's allowed number of monthly visits.

E. Video Visitation

1. Video Visitation is a visual communication service that allows family and friends who are approved for visitation and phone calls the privilege of visiting with inmates from home.
2. Kiosks are provided for video visitation during set hours for use at each unit.
3. Approved visitors are required to create an online account with the Division's approved vendor to register for video visits.
4. Visitors must prepay and schedule all appointments at least 48 hours prior to start time.
5. Visits are 30 minutes in length and will begin promptly at the scheduled time.
6. If an inmate receives a suspension from visitation or telephone privileges, all prior appointments will be cancelled.
7. All regular visitation rules apply including dress code guidelines.
8. Video visits are monitored by staff and can be terminated at any time.

9. Violation of the rules including displaying sexual acts or other prohibited behavior will result in immediate termination of the visit and the removal of the visitor from all visitation and phone lists.
10. The recording or photographing of a video visit is prohibited. Individuals found to be in violation, or facilitating a violation of this policy, will have their visitation privileges suspended for a minimum of one (1) year from the date the Division became aware of the violation. A subsequent violation will result in the permanent loss of the visitation privileges of the violator.
11. Inmates will be ineligible for video visitation privileges if found guilty of a major disciplinary for:
 - a. possession/introduction/use of a cell phone;
 - b. any cell phone component (e.g., sims card, charger, battery, etc.);
 - c. an unauthorized messaging device; or
 - d. social media use.
12. The Warden may deny a visitor the privilege of visiting a facility and restrict a visitor to Video Visitation privileges only, based upon, but not limited to:
 - a. security and safety restrictions;
 - b. space availability;
 - c. disruptive conduct of the offender or visitor;
 - d. abuse of visiting privileges by the offender or visitor; and
 - e. violation of state or federal laws or Division rules by the offender or visitor.

F. News Media

New media requests for inmate visits and interviews are governed by Board of Corrections Administrative Rule 011.

1. Representatives of news organizations wishing to conduct in-person interviews with an inmate in the custody of the ADC shall submit their requests in writing to the Department of Corrections (DOC) Communications Director.
2. Any news media visit can be denied, canceled, or restricted by the Director, DOC Communications Director, or Warden if there are security concerns based on present circumstances, including, but not limited to:
 - a. Pending appeals or legal matters related to the inmate's criminal conviction(s) or charges not yet adjudicated;
 - b. Institutional adjustment;
 - c. A prior escape; or
 - d. Re-victimization if a victim(s) has been registered in eOMIS by the ADC Victim Services Coordinator.
3. Inmates must be Class I or II to be eligible to receive face to face media visits.
4. Requests from an entertainment-based program or publication that would provide, or attempt to provide, compensation to the inmate or which would impose a burden on the agency's limited resources will be denied.
5. Inmates in Intake, punitive/administrative segregation, or restrictive housing are not eligible for in-person news media interviews.
6. Inmates having served sixty (60) days or less of their initial assignment are not eligible for in-person news media interviews.
7. All requests for in-person interviews shall be reviewed by the DOC Communications Director, who will then forward the request and a recommendation to the Director. The Director will approve or deny the requests.

G. Special Status/Assignment

1. Inmates on special status/assignment include, but are not limited to Investigative Status, Restrictive Housing, those in residential Mental Health programs or Protective Custody may be allowed to visit, consistent with good security, as designated by the Warden.
2. Inmates admitted to an ADC infirmary or hospital may be allowed to receive visits after receiving approval of the Warden after concurring with the Unit Health Services Administrator.

H. Outside Medical Facilities

1. Any visits at outside medical facilities will comply with the facilities' visitation rules in addition to those in this policy.

2. Inmates hospitalized in outside facilities may be allowed visitation by the Medical Services Administrator if admission is for a critical condition, or the hospitalization is for an extended period (greater than 7-10 days duration). The visits shall occur on the same days and times as the inmate's approved visitation schedule at their assigned unit and shall not exceed four (4) hours in duration.
3. When visits for surgical procedures are approved:
 - a. Visits will occur prior to surgery or after returning from recovery;
 - b. Visitors will be restricted to immediate family members on the inmate's approved visitation list; and
 - c. These provisions may be modified at the discretion of the Medical Services Administrator in conjunction with the Warden of the inmate's unit/center of assignment.
4. The Medical Services Administrator may approve and coordinate visits for inmates who are hospitalized in outside facilities in cases of terminal illness or critical condition.
 - a. Special arrangements may be made by the Medical Services Administrator with the approval of the Warden of the inmate's assigned unit for individuals not on the inmate's approved visitation list and may include minors; and
 - b. When the Medical Services Administrator cannot be reached, the Warden may approve visits on an emergency basis after consulting with the Division's Hospital Security Coordinator or a Deputy Director consistent with the facility's policies.

I. Department of Human Services - Division of Children and Family Services (DHS-DCFS)

Consistent with the provisions of Arkansas Code Annotated § 9-27-303, the ADC will support the efforts of the DHS-DCFS to "reunify a family after a child is placed out of his or her home" by facilitating special visits between incarcerated parents, their minor child(ren) involved in an active DHS-DCFS case, and DHS-DCFS staff. The DHS-DCFS may identify other individuals to attend the visit who are appropriate to assist the DHS-DCFS in reunification efforts. However, the Warden may deny admission to a visitor, or limit the number of visitors, based upon security considerations or staffing limitations.

1. These visits will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement with the Warden. The DHS-DCFS is entitled to establish initial contact with an incarcerated parent via a prescheduled telephone call arranged through the Unit Chaplain.
2. A request for special visitation shall be submitted in writing to the Warden a minimum of five (5) business days in advance of the requested visit. The request must include a completed visitation form for each person requesting to come to the visit.
3. Visitors involved in these efforts will be subject to a comprehensive background check and must possess valid government issued photo identification. The results of a background check will be valid for twelve (12) months from the date of the verified check on record.
4. Except for waivers granted in this section, visitors involved in these efforts will be subject to the same entrance procedures and conduct guidelines applicable to a regular visitor. Visitors involved in these efforts will adhere to dress code guidelines and be reminded that no metal should be worn. Any metal required for the visit, such as writing instruments, must clear the x-ray machine. Visitors involved in these efforts will be allowed to bring in documents as necessary to involve an incarcerated parent in case planning. All case planning documents must remain in the possession of the visitor during and after the special visit.

IV. VISITATION SCHEDULE

- A. All eligible inmates shall be entitled to visitation privileges only in accordance with the following schedule:
 1. Saturdays and Sundays will be designated visitation days for all routine visits.
 2. There will be no visitation on holidays unless the holiday falls on a regular visitation day.
 3. Hours for visitation will be in two (2), two (2) hour blocks from 11:30 am to 1:30 pm and 2:00 pm to 4 pm, except as authorized by the Director.
 4. All Class I inmates will be permitted weekly visits on Sundays.
 5. All Class II, III and IV inmates will be permitted two (2) visits a month, either the first and third Saturday of the month or the second and fourth Saturday of the month as determined by the Unit's

schedule. In cases where inmates of the same immediate family are housed at the same unit/center, the Warden may approve requests by those inmates to visit on the same day, per the schedule of the inmate with the lower classification.

6. Where space is limited, the Warden is authorized, as approved by the Director, to divide the inmate population in such a manner to balance the number of visitors present on either visitation day.
7. The scheduling of special visits shall be performed in accordance with unit/center procedures at the discretion of the Warden.
8. Where space for non-contact visits is limited, the duration of these visits may be reduced to two (2) hours with approval of the Director.

V. VISITATION PROCEDURES

A. Entrance

1. All visitors shall register in and out of the unit/center point of entry and are subject to biometric identification. Records are to be maintained and/or destroyed according to the Division's Records Retention policy.
2. All visitors twelve (12) years of age or older will be required to show a valid State issued photo I.D, driver's license or military I.D. Approved adult escorts may vouch for the identity of minor visitors under the age of twelve (12) years.
3. Visitors will be allowed to carry in only the following items: a clear plastic bag containing a small amount of cash for purchasing refreshments, prescription medication in the visitor's name and in the original pharmacy container (only the amount needed during the visit), government issued identification, baby bottles, baby diapers, baby wipes, car keys and jewelry (being worn). The ADC accepts no responsibility for the property of visitors. The Warden or Warden's designee may set limits on the amount of money, or any item listed above that a visitor will be allowed to bring into the facility.
4. Visitors must leave ALL electronic devices such as cell phones, tablets, computers, laptops, Bluetooth headsets, fitness tracking bands, smartwatches, and cameras locked securely in their vehicles. Any attempt to bring any electronic device into the facility will be conceived as attempting to introduce contraband and could result in loss of visitation privileges and/or criminal charges.
5. Visitors must leave all tobacco products (cigarettes, e-cigarettes, chewing tobacco) out of view and locked in their vehicle.
6. Visitors will not be admitted when the apparent odor or effect of alcohol or drugs are detected.

B. Searches

1. Approval of an individual on a visitation list is conditioned upon the signing of a consent form authorizing searches of one's person, vehicle, and personal belongings pursuant to DOC policies on searches. For minors under the age of eighteen (18), the parent/guardian must sign consent, in addition to the minor.
2. Several different electronic scanning devices such as x-ray machines, metal detectors, ion scanners, advanced imaging scanners, and cell towers are used to detect the presence of contraband. Visitors must clear all scanning devices before being granted entrance to the unit.
3. Visitors are encouraged to avoid wearing any clothing items containing metal (snaps, buttons, buckles, under wires, support materials) which may cause the scanning devices to alarm and may require removal of clothing items.
4. Anyone unable to clear the scanning devices will be denied entry and the visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden.
5. Failure to fully cooperate and comply with all entry procedures, including the verbal instructions of entry personnel, by visitors will result in their indefinite suspension from the inmate's visitation and phone lists.
6. In addition to searches required to enter a facility, visitors may be requested to submit to an additional search for contraband prior to, during, and after the visitor's meeting with the inmate if the search has been authorized by the Warden.

- a. Any person or vehicle entering a correctional unit can be searched for contraband. Visitors in wheelchairs and those wearing wigs or religious headgear are also subject to search. If a wig or religious headgear is being worn, the visitor will be searched outside the presence of other visitors by an employee of the same gender. Entrance will be denied if a visitor is not willing to submit to a search and clear all security procedures. The visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden.
 - b. Any visitor who knowingly brings or attempts to bring any contraband onto the unit/center grounds shall be dealt with according to the appropriate administrative rules(s) and directive(s) governing searches for and control of contraband. The visitor's privileges to visit will be revoked and may only be reinstated by the Warden or through an appeal to the Director's Office. The visitor may also be subject to criminal prosecution.
- C. Dress Code
1. Visitors' clothing must be conservative, modest, and appropriate for the age and prison environment.
 2. All visitors must wear under garments.
 3. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks.
 4. Skirts and dresses must reach the top of the knee while standing.
 5. Children ten (10) years of age and under will be allowed to wear shorts of an appropriate length.
 6. The following are prohibited:
 - a. halter-tops, tank tops
 - b. any spandex material
 - c. overalls/coveralls
 - d. clothing with provocative or obscene images or texts
 - e. hats, bandanas, doo-rags
 - f. shorts
 - g. skirts/dresses that do not reach the top of the knee while standing
 - h. see-through clothing
 - i. ripped jeans
 - j. leggings, jeggings
 - k. flip flops
 - l. camouflage attire
 - m. white t-shirts or white pants
 - n. low cut blouses or low-rise jeans or otherwise provocative clothing
- D. Visitation Activities and Restrictions
1. No more than four (4) persons shall be permitted to visit an inmate during one (1) visitation period. Except for minor children, a person of age is counted as one (1) of the four (4).
 - a. Minor children, under the age of eighteen (18), will not be allowed to visit unless accompanied by an approved adult visitor, or upon proof of emancipation.
 - b. Minor children of the inmate allowed to visit may exceed the limit of four (4) visitors; however, only two (2) approved adult visitors may accompany the minor children when the limit of four (4) is exceeded. The Warden must authorize any other exception.
 2. Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.
 3. Inmates and visitors may briefly embrace upon arrival and departure and may sit side-by-side.
 4. Visitors who have been admitted to the unit/center to visit an inmate shall not visit any other inmate unless specific prior permission is granted for such a visit by the Warden.
 5. Visits may be denied, terminated, or modified for the health condition of the inmate or visitor, or the inmate's program participation.
 6. Any behavior on the part of the inmate or visitor that is or may be disruptive to the security and good order of institutional operations or violates DOC rules will result in denial of or termination of the visit.
 7. Inmates are allowed to wear a wedding band and must wear state issued footwear or footwear issued by the medical department if required by a current medical script.

8. Where facilities allow, the inmate and the visitors may eat and drink items sold through available vending operations or as designated by the Warden. Inmates and visitors may purchase items that can be consumed during the visitation period. Items not consumed during visitation must be taken out by the visitor or be thrown away. No other objects, property, or articles may be exchanged between visitors and inmates.
- E. Conditions for Visitation
1. Visits shall be held in a relaxed manner under the observation of correctional staff.
 2. Correctional staff shall always remain professional and courteous.
 3. Correctional staff must present a good appearance, be pleasant, tactful, alert to any problems that may arise, and refer such problems to appropriate officials if necessary.
 4. When a visit is a threat to the security and good order of the unit/center, the visit shall be terminated.
 5. During an institutional emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden or designee.
 6. The Warden has the authority to restrict contact visitation, consistent with unit policy and the security needs of the unit.
 7. Inmates who violate the following rules may be placed on Non-Contact Visitation and restricted from Video Visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one-year restriction period to start over from the date of the conviction of the new violation.
 - a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
 - b. Refusal to submit to substance abuse testing.
 - c. Possession or introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical staff.
 - d. Possession or movement of money or currency, unless specifically authorized.
 - e. Possession of clothing or property not issued nor authorized by the Center/Unit.
 - f. Correspondence/conduct with a visitor in violation of regulations.
 - g. Possession/introduction/use of a cell phone, unauthorized messaging device, unauthorized electronic devices or parts of one, or their components.
 - h. Indecent exposure.
 - i. Access to social media.

VI. SUSPENSION/TERMINATION OF VISITATION PRIVILEGES

1. Visitation is a privilege and will be denied when the Division determines a visitor or inmate has attempted to violate ADC rules or regulations.
2. Any visitor on the property of any ADC facility who has been found to have knowingly introduced, or attempted to introduce contraband, who has refused or who refuses to comply with a search requested by staff may be removed from the inmate's visitation list for a minimum of one (1) year. The visitor must reapply for visitation privileges for any inmate through the application process.
3. Any visitor found to have knowingly introduced, or attempted to introduce, drugs, cell phones, weapons, implements of escape, tobacco products, or any other items that threaten the security and good order of the institution may be permanently prohibited from visiting at any ADC location. At the completion of a minimum of one (1) year since denial and after submission of a written request for reconsideration, the Warden may reconsider the decision to permanently deny visitation privileges after assessing the nature and extent of the incident.
4. Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation, will result in cancellation of all visitation privileges.
5. Any changes in the visitation status such as suspensions will be listed in the eOMIS and will be sent to the Divisions' approved vendor for Video Visitation.
6. A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred (even when the visitor removes him/herself), shall wait a minimum of six (6) months before being eligible to

be placed on any inmate's visitation list. This six (6) month wait shall not apply to mentors who are on the visitation list as part of a program approved by the DOC.

VII. NOTATIONS IN THE ELECTRONIC RECORD

1. A notation will be entered into eOMIS under the visitation file by the visitation clerk or designated staff member so that correctional staff who are supervising visitation are aware of important information when allowing a visitor entrance into the Unit.
2. Notations should not result in the denial of a visit, but staff should be more cautious and vigilant of such visitors.
3. The following are examples of what should be entered as a notation in eOMIS:
 - a. Any visitor whose visitation privileges have been suspended or terminated in the past;
 - b. Any current or former employee, contractor, intern, or volunteer;
 - c. Any visitor suspected of introducing contraband during a prior visit; and
 - d. Any visitor placed on a suspicion list by the Warden due to correspondence, phone calls, or other credible information that causes a security concern.

A. Visitor's Arrest

The procedures listed below shall be followed when notification has been made of an approved visitor's arrest:

1. The Visitation Clerk will compare the arrest information against visitation information on file to verify accuracy of the information and verify identity of the visitor.
2. The Warden will place the visitor on suspension status.
3. The visitor will be advised of the suspension in writing through U.S. Mail. Visitation privileges will remain suspended until the following information is provided for review (see Attachment III):
 - a. Copies of arrest reports;
 - b. Written statement detailing the circumstances of the arrest;
 - c. Court records and/or disposition of the charges; and
 - d. Other documents as requested.
4. The inmate will receive a notice advising of the suspension. (Inmates will not be given details).
5. Once the requested information has been received, the Warden will re-evaluate the visitor's visitation status.
6. Following the re-evaluation, the Warden may:
 - a. Return the visitor to approved status;
 - b. Continue the suspension for a specific period; or
 - c. Permanently revoke visitation privileges.
7. The inmate shall be advised, in writing, of the Warden's decision. It is the responsibility of the inmate to inform visitors of the final decision following the re-evaluation.

VIII. ATTACHMENTS

- #1 Visitation/Telephone Contact Request and Authorization Form
- #2 Rules Governing Visitation
- #3 Approved Visitation List
- #4 Visitor Suspension Notice

VISITATION/TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM

Please check applicable selection: ___NEW ___CHANGE

PLEASE CHECK SELECTION: PHONE LIST ___ VISITATION LIST ___ ALL ___ (This includes video visitation.)

Inmate's Name: _____ ADC# _____

Applicant's Name: _____
PRINT NAME AS IS APPEARS ON STATE I.D. OR DRIVER'S LICENSE

Physical Address _____
Street City State Zip Code

Mailing Address _____
Street/P.O. Box City State Zip Code

Date of Birth: _____ Telephone Number: _____ Social Security #: _____
Month Day Year

Sex: _____ Race: _____ If age 12 or older, State Issued Photo ID/Valid Driver's License Number: _____

State of Issuance: _____ Relationship to Inmate: _____

ARE YOU PRESENTLY APPROVED ON ANY OF THE FOLLOWING LISTS OF ANOTHER INMATE(S) INCARCERATED WITHIN THE DIVISION OF CORRECTION: PHONE (P) VISITATION (V) VIDEO VISITATION (VV) ALL (A)

If Yes, Please list by completing the following...Use additional paper if needed.

Inmate Name ADC # _____ Relationship _____ Unit (P) (V) (VV) (A) _____

Inmate Name _____ ADC # _____ Relationship: _____ Unit: _____ (P) (V) (VV) (A)

Inmate Name _____ ADC # _____ Relationship: _____ Unit: _____ (P) (V) (VV) (A)

Are you a CURRENT or PREVIOUS ADC employee, CONTRACT employee, VOLUNTEER, or INMATE? YES NO

If yes, date last employed _____, volunteered _____, or incarcerated: _____ Unit of Assignment: _____

If form is for an Attorney request, provide State Bar Number: _____

SEARCH AUTHORIZATION

I, _____ of _____
Name City, State

request permission from the Arkansas Division of Correction, to Visit in person or through Video Visitation and/or contact by telephone, with the above listed inmate. I have read and fully understand the rules and regulations on the back of this form. I do agree to abide by such rules and regulations. I understand that there will be consequences should I fail to follow the rules and regulations governing visitation and telephone usage, both those located on the back of this application and rules posted at the Unit. In consideration for being granted permission to visitation and/or telephone usage, I consent to recording of telephone calls and a criminal background check(s).

Print Applicant's Name (Must be Legible or Form Cannot Be Processed)

Signature of Applicant

Any minor under 18 years of age, must have a Legal Guardian's approval to visit, and consent to a search of the minor's person and possessions or contact by telephone. Additionally, the legal guardian must accompany the minor to all visits. Signature of Parent or Legal Guardian constitutes "consent" or approval.

I, legal guardian, certify there is no active court order, or legal disposition that prohibits visiting privileges between the minor and inmate.

Relationship to Applicant

Legal Guardian or Parent Signature

Legal Guardian or Parent's Name (Clearly Print)

RETURN THIS FORM TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK

Form must be completed legibly and in its entirety.

Rules Governing Inmate Visits

1. In order to be placed on the approved visitation list, this form must be legibly completed in its entirety and **RETURNED TO THE INMATES ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK. DO NOT RETURN THE APPLICATION TO THE INMATE.** It is the responsibility of the inmate to notify you if your application is approved for visitation, visitation schedule, and any changes to either. Upon request, an inmate may remove any or all visitors from his/her approved visitation list.
2. You may contact the unit visitation clerk to confirm the visitation schedule at that unit. Visits will not be scheduled on a holiday unless the holiday occurs on the inmate's regularly scheduled visitation day.
3. Visits for inmates assigned to administrative segregation may be arranged by contacting the Visitation Office. These visits will be conducted in a more secure setting. Inmates assigned to punitive status may be permitted to receive visits up to two (2) hours one time per month. These visits must be requested at least 24 hours in advance and must be approved by the Warden or designee based on the inmate's behavior.
4. All persons, property, and vehicles entering State property shall be subject to search(es). Any refusal to comply with searches will result in denial of future entry into the facility. Additionally, all applicants and visitors will be subject to a criminal background check during screening of the visitation application.
5. No more than four (4) persons shall be permitted to visit an inmate during any visitation period. All visitors must be on the approved visitation list. A person of any age is counted as one of the four persons allowed to visit. When an inmate has minor children that would exceed the number of allowed visitors, a maximum of two (2) adults will be allowed to accompany the inmate's minor children during the visitation period. The Warden must authorize any other exceptions.
6. Brief cut, provocative, or inappropriate clothing will not be permitted. No halter-tops, tank tops, hats, shorts, skirts/dresses that do not reach the top of the knee while standing, see-through clothing, leggings, jeggings, or camouflage attire, any spandex material, overalls/coveralls, ripped jeans, white shirts, white pants, clothing with provocative images or writings, or flip flops may be worn. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks. All visitors must wear undergarments. Female visitors are strongly encouraged to refrain from wearing underwire bras. Clothing containing metal (such as snaps, buttons, buckles, under wires, etc.) should be avoided as those items may prevent the visitor from clearing certain security devices, which could result in denial/cancellation of visiting, cause delays and lead to additional searches. Children 10 years of age and under will be allowed to wear shorts of an appropriate length.
7. Visitors will be allowed to carry in only the following items: state issued photo I.D. card, baby bottle, diapers and wipes, car keys and jewelry (being worn). A Warden may place a limit on the amount of money or other items that can be brought into the visitation area.
8. Visitors will not be permitted to bring an inmate money, gifts, food, or any other items. **THE FURNISHING OR INTRODUCTION OF ANY PROHIBITED ARTICLE INTO A DEPARTMENT FACILITY IS IN VIOLATION OF ARKANSAS CODE 5-54-119 AND IS A FELONY PUNISHABLE BY LAW. THIS INCLUDES TOBACCO, ANY SMOKING PARAPHERNALIA, ELECTRONIC COMMUNICATION DEVICES, ALCOHOL AND/OR DRUGS.**
9. Visitors who have been admitted to the institution to visit an inmate shall not visit any other inmate during the visit, unless the Warden or designee grants specific permission for such visit in advance.
10. Improper conduct of a visitor shall result in immediate termination of the visit and may result in suspension or revocation of visiting privileges. Children must be kept from running and as quiet as possible to avoid interfering with other visits.
11. Any visitor under the influence of alcohol and/or drugs, or who knowingly brings, or attempts to bring, any alcohol, drugs, tobacco, electronic communication devices, etc., into the institution, or upon its grounds, may be detained for arrest by the appropriate authorities or removed from the institution grounds immediately. The incident shall be reported to the Prosecuting Attorney for appropriate action. In addition, incidents shall result in the indefinite suspension of all visiting privileges of such person(s).

*** Current and former ADC employees and contract employees shall not be approved for visitation or telephone calls for a period of three (3) years from last date of employment unless they are immediate family members and were so prior to their employment. Any person who has participated as a volunteer at any time within the last eighteen (18) months shall not be placed on any inmate's visitation or telephone list unless they are immediate family members and were so prior to their work as a volunteer or the inmate's incarceration. Waivers can be granted by wardens if employees or volunteers left in good standing.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



Visitor's Name
Visitor's Mailing Address
City, State, Zip Code

Dear [Visitor's Name]:

Your visitation privileges have been suspended due to your arrest on Date _____ with [Arresting Agency].

Please provide the following information to assist in the re-evaluation of your visitation status:

1. Copy of the arrest report(s);
2. A written statement detailing the circumstances of the arrest;
3. Court records indicating disposition of the charges;
4. Other information as explained below:
[Explanation of other information]

Your visitation privileges will remain suspended until the information requested is received and the re-evaluation is completed. Once the investigation is complete, you will be advised of the decision in writing.

If you have any questions, please contact the visitation clerk at:

Visitation Clerk's Name

Visitation Clerk's Telephone Number

Sincerely,

Warden's Signature

Warden's Name

cc: Inmate's Visitation File



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director's Office



Arkansas Depu

6814 Princeton Pike
Pine Bluff, AR 71602
Phone: 870-267-6999
Fax: 870-267-6244

www.adc.arkansas.gov PO Box 8707
Pine Bluff, AR 71611-8707



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director's Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602

Phone: (870) 267-6200 | Fax: (870) 267-6244

ADMINISTRATIVE DIRECTIVE

~~-SUBJECT:~~ Inmate Visitation

~~-NUMBER:~~ 18-31-202321

~~SUPERSEDES:~~ 18-3125

~~-APPLICABILITY:~~ Employees, Inmates, and Visitors **PAGE: 1 of 12**

~~-REFERENCE:~~ AR 865 Inmate Visitation, ADVisitation, AD Punitive Segregation, AD Inmate Disciplinary Manual

AD Searches of Inmates, Unit Searches and Control of Contraband, AD Unit Entry Procedures for the Control of Contraband, Secretarial Directive **PAGE: 1 of 169**

~~AR 865 Inmate Visitation~~ **PAGE: 1 of 19**

~~AD 2016-20 Punitive Segregation~~

~~AD 2018-12 Inmate Disciplinary Manual~~

~~AD 2018-29 Electronically Downloadable Devices AD 2019-36 Searches of Inmates, Unit Searches and Control of Contraband~~

~~22-15 Access to Facilities by Attorneys AD 2019-25 Unit Entry Procedures for the Control of Contraband~~

~~-APPROVED:~~ Original Signed by Wendy Kelley

EFFECTIVE DATE: 7/05/18

~~I.~~

~~II.~~

~~III.~~ I. **POLICY:**

~~It is shall be~~ the policy of the Arkansas ~~Department~~ Division of Correction (ADOC) (~~ADC~~) to permit inmates to have visits with family, friends, ~~attorneys~~ attorneys, and spiritual advisors under conditions that

are consistent with the security and good order of departmental ~~agency~~ division operations. ~~Additional rules governing inmate telephone use are located in the Inmate Access to Telephones Administrative Directive.~~

~~IV.~~

~~V. II. PURPOSE:~~

~~The purpose of~~

~~Visitation~~ Visitation privileges for inmates are essential to maintaining good morale, sustaining family life, and ensuring relationships in the community upon release. ~~Because of limited space, staff availability, scheduling considerations and security requirements of correctional facilities units/centers, certain rules and guidelines limits must be set and controls established to governing Inmate Visitation.~~ Nothing in this policy shall interfere or restrict the authority of the Arkansas Department of Correction (ADC) ~~ADC~~ to determine an inmate's unit of assignment. ~~This policy also governs video visitation.~~

~~II. III. DEFINITIONS:~~

~~1. Contraband: Any item or items determined by the Board of Corrections (Board) or Arkansas Department of Correction-ADC to jeopardize the safety, security, or good order of its institutions, including but not limited to items which are illegal or banned by any relevant policy.~~

~~—Contact Visitation.—A visit between an inmate and visitor that is~~

~~—conducted under staff supervision in an open area, allowing for limited~~

~~2. physical contact and movement within the area.~~

~~—Immediate Family.—For the purpose of this policy, consists of as the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as mother-in-law, father-in-law, grandparents, aunts, or uncles, or, whose relationship with the inmate has been verified as that of a child/ward such as a foster child, son-in-law, daughter-in-law, niece, or nephew. This list of immediate family members includes stepfamily members and half siblings. of the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian~~

~~—such as mother in law, father in law, grandparents, aunts, or uncles, or~~

~~1. child/ward such as a foster child, son in law, daughter in law, niece or~~

~~3.~~

~~2. Minor. A person that is 17 or younger. nephew, stepfamily members and half siblings. This list of immediate family members includes stepfamily~~

~~—~~

~~4. members and half siblings.~~

~~—Contact Visitation—A visit between an inmate and his visitor that is~~

~~—conducted under staff supervision in an open area, allowing for limited~~

~~—physical contact and movement within the area.~~

~~—~~

~~—Non-Contact Visitation—~~

~~—Non-Contact Visitation.—The placement of an inmate and his visitors in~~

—separate locations where no physical contact can be made but visual and
 3.—auditory communication can occur. ~~A visit between an inmate and his visitor that is~~

5.—

6. Special Visits.- Upon approval of the warden/center supervisor, special visits may be allowed for attorneys, spiritual advisors, ministers of record, ~~offenders in special housing/assignment/status,~~ and persons residing outside a ~~set radius-300 mile radius~~ from the facility.

~~conducted under staff supervision in an enclosed area, thus allowing no physical contact and movement within the area.~~

— ~~Special Visit: visits which occur on days other than regular visitation days; visits granted to an offender who normally may not receive a visit; and/or an extended visitation period.~~

7. Video Visitation.- ~~A~~ visual communication system that allows family members, and friends (approved for visitation and phone calls) to schedule and participate in pre-paid video sessions with an inmate.

8. Visitor: Any individual who is neither an inmate nor staff, including but not limited to inmate family members, ~~or~~ friends, vendors, state officials, law enforcement, members of the media, etc.

9. Warden.- ~~For the purpose of this policy, includes Deputy Warden, Superintendent, and Work Release Center Supervisor or the Administrator of a facility/unit.~~

~~VI.—~~

~~VII.—~~

~~VIII.—~~ IV.H.— PROCEDURES:

~~A.—~~

~~B.A. —~~ A.— Approval of Visitors

1.— ~~Inmates are will not be allowed visitors during Intake or Intake their (initial reception and orientation) to the (ADC DO) (vision department of OC). Inmates will receive general information regarding about visitation during Intake. Inmates will receive an orientation about procedures governing visitation within the first week after arrival at each facility.~~

2.— ~~orrection, e commonly referred to as “intake.”~~

3.—~~1.~~

4.— ~~After the completion of Intake and assignment transfer to their initial Unit of assignment, to initial Unit, Inmates will be allowed to visits with only with immediate family members for the first a period of up to thirty (30) days, after the inmate completes intake and is received at their initial unit of assignment, until such time as a visitation list is established. The family relationship must be validated by the inmate’s information on record. Inmates must give accurate and truthful information about about their immediate family members as defined in this policy to establish a temporary visitation list. The family relationship must be validated by the inmate’s information on record. If it is determined that an inmate has provided gave false information and a person visitor has visited an inmate under false pretenses during the 30 day is-period, that visitor person will be denied future visitation privileges, will be denied, and disciplinary action will may be taken on the~~

inmate. (i.e., Example: If an inmate lists a female visitor as his sister, and then after the 30-day period is up, the same female applies for visitation as his girlfriend or fiancée/fiancé).

5. —

6. For the purposes of this policy, immediate family members are defined as the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as mother-in-law, father-in-law, grandparents, aunts, or uncles, or, whose relationship with the inmate has been verified as that of a child/ward such as a foster child, son-in-law, daughter-in-law, niece or nephew. This list of immediate family members includes step family members and half siblings. |

7.2.

- 8.1. Inmates will receive information regarding procedures governing visitation within the first week after arrival at each facility.

- 9.3. — After the expiration of the initial initial thirty (30)- day period, at the initial unit of assignment, only visitors that have gone through the screening process and are on an inmate's approved visitation list will be allowed to visit. If an individual/Individuals is not on the inmate's pre-approved visitation list will no longer be allowed to visit, he or she will not be allowed to visit.

- a. — A Visitation/Telephone Authorization Request (Application) (Attachment I) must be received from all visitors persons wishing to visit before they can be added to the inmate's visitation list.

i.

The inmate is responsible for mailing applications Visitation/Telephone Authorization Request Forms to providing all persons who would like to request visitation privileges visitors with applications. Employees shall not provide applications for visitation, including family members, on their temporary list (initial 30 day period after assignment to initial unit) of assignment).

(+) All applications must be mailed back in to the inmate's unit of assignment to the attention of the Unit Visitation Clerk. Clerk.

- b. Applications must be filled out in their entirety. Any incomplete application will be rejected and returned to the applicant for the completion of mandatory information.
- c. Once the completed application is received, the visitation clerk or designee will perform a criminal history or background check on each applicant query.
- d. The inmate will be advised, in writing, by the Visitation Clerk, of the Unit Warden's decision to either approve or deny the visitation application. Upon denial approval or denial approval by the Unit Warden, the inmate will be advised in writing by the Visitation Clerk. It is the responsibility of the inmate to inform family/friends if whether they are approved or denied.

—
—

B. ~~B.~~ If a person has been denied visitation privileges, Visitation Denials

1. ~~The inmate will receive written notification but will not get -the inmate will be advised in writing, but will not receive -specific details on the reason for the denial;:-~~
2. ~~The inmate must inform the applicant of the denial;:-~~
3. ~~The applicant may^{ust} then contact the Unit Visitation Clerk to seek the reason for the denial and any further instructions; and -and any further instructions:-~~
4. ~~If an applicant does not agree with the reason for the denial, h-He/she may^{ust} file an appeal to the Director's Office. The DirectorDirector or the Director's designee will review the appeal and make the final decision to approve or deny visitation. oHow the appeal process by filing an appeal beginning at:~~
4.

~~Unit Warden~~~~Deputy Director over the Unit~~~~C. Director~~**C. ~~C.~~ Visitation Approvals**~~D.~~

1. ~~Upon approval by the Unit Warden, tThe visitor's name and address shall be placed on the inmate's approved visitation list;:-~~
- ~~and tThe inmate will receive notification of the approval; and shall be advised, in writing, that the person is now approved for visitation.~~

~~It is the responsibility of the inmate to inform visitors of their approvals/denials, scheduled visitation days and times, and changes in these schedules. Inmates will not be given information on why a visitor is denied; they will only be advised that the visitor is denied. It is the responsibility of the visitor to contact the Unit Visitation Clerk to seek the reason for denial. The inmate mustshall inform the visitor(s) of their approval, scheduled visitation days and time, time of visitation and any changes to either. in visitation schedules. at:~~

- a. ~~-A maximum of twenty (20) peoplersons may be placed on an inmate's approved visitation list. Once this number is reached, the inmate cannot add another visitor without removing one.~~
- b. ~~Any additional Visitation applications containing all mandatory information that are received when the maximum number of visitors is established an inmate is not eligible for change will be placed in the inmate's visitation file. If the inmate does not remove an approved visitor to add a new applicant, the application will be shredded in 120 days from the date of receipt. of application.~~

~~Any application that does not become active within one hundred twenty (120) days from the application date will be shredded.~~

a. ~~e) Any application that is rejected (other than those that are incomplete) or is for a visitor who has been removed from the visitation list may be shredded, but a copy of the application shall be scanned into Electronic Offender Management Information System (eOMIS). remain in the electronic record.~~

c. ~~_____~~

2. ~~Additions to the approved visitation list may be made at any time. However due to delays caused by excessive submissions, for additions, a restriction can be applied after a complete (20 approved visitors) visitation list has been established.; However, due to delays that can be caused by excessive submissions of additions, a restriction can be applied after a visitation list is established. Excessive is defined as the addition of five (5) or more visitors in a thirty (30)-day period, or the addition of the same visitor more than twice in a thirty (30)-day period.~~

2. ~~a restriction can be applied after a visitation list is established. A warden may restrict an inmate's ability to add visitors for a period of ninety (90) days due to excessive submissions. Excessive is defined as the addition of five (5) or more visitors in a thirty (30)-day period, or the addition of the same visitor more than twice in a thirty (30)-day period.~~

~~Approved visitors may not be listed on more than one inmate's visitation list unless the visitor is confirmed as an immediate family member of each inmate and is approved by the Warden of each facility.~~

3. ~~_____~~

4. ~~If an a) Approved visitors must submit a new another application to the Unit Visitation Clerk whenever the visitor has a change of:~~

a. ~~has a nLA legal name change; ame change,~~

b. ~~Change of A address; or;~~

c. ~~Telephone number.; they must submit another visitation application requesting the change to the unit visitation clerk.~~

5. ~~If an approved visitor must desubmit the following -would like to be removed from an inmate's visitation list, he/she must: do the following:~~

~~Submit a A letter requesting removal to to the Unit Visitation Clerk;~~

a. ~~Visitor's name;~~

b. ~~Submit a A copy of his/her List Driver's License or State I.D. number; and~~

~~The inmate's name and ADC number#.~~

c. ~~_____~~

2. ~~If a An inmate musst submit an inmate Rrequest Fform to the uUnit V visitation Celerk to requesting the —removal of any visitor from the approved list. It shall be the responsibility of the inmate to notify the visitation clerk of any requested changes on the approved visitation list.~~

3-6. ~~_____~~

~~4. Approved visitors may not be listed on more than one inmate's visitation list unless the visitor is confirmed as an immediate family member of each inmate and approved by the warden(s).~~

~~5.~~

~~6,7.~~—Visitors with Prior Convictions

~~a.~~ Immediate family members with past felony convictions may not apply for visitation until six (6) months after their release from confinement. -If the visitor is currently on probation/parole, his/her supervising community supervision officer must submit written approval directly to the Unit. -Regardless, approval for visitation must ~~also be obtained from~~ approved by the Warden.

~~a.~~

~~b.~~

~~e.b.~~ Non-immediate family members with a prior felony conviction who apply for visitation and have a prior felony conviction may be granted visitation privileges only by the Director or Director's designee.

~~c.~~ Any applicant for visitation that has with a prior misdemeanor conviction may be granted visitation privileges only by the Warden/Center Supervisor.

7.8. ~~11~~ ~~Employees Current~~/Former Employees

- a. Current ~~ADCADOC~~ employees and contract employees (working in an ~~ADCADOC~~ facility), shall not be approved for visitation unless, prior to their employment, they were immediate family members of the inmate.
- b. ~~Former ADCADOC~~ employees and former contract employees shall not be approved for visitation for a period of three (3) years from their last date of employment unless, prior to their employment, they were an immediate family members of the inmate. -Waivers of the three (3) year period for former employees, contractors, interns, or students may be granted by the Warden if the employee left in good standing and is an immediate family member and/or an attorney of record for the inmate.

8. ~~Volunteers/Former Volunteers~~

9.

- a. ~~Volunteers, including interns, with the ADC Arkansas Division department of Correction shall not be placed on any inmate's visitation list unless they arwere immediate family members and were so related ofte the inmate prior to their work as a volunteer or the inmate's incarceration.~~
- a.b. ~~Former volunteers and interns may be placed on an inmate's visitation list eighteen (18) months following their last date as a volunteer. -Waivers can be granted by the Warden if the volunteer left in good standing and is an immediate family member and/or an attorney of record for the inmate.~~

~~10.~~

~~11. A maximum of twenty (20) persons may be placed on any inmate's visitation list. Once this number is reached, the inmate cannot add another visitor without removing one from the existing list.~~

~~12.~~

~~13. Visitation applications containing all mandatory information that are received when an inmate is not eligible for change will be placed in the inmate's visitation file.~~

~~14.~~

~~15. b. Any application that does not become active within one hundred twenty (120) days from the application date will be shredded.~~

~~16.~~

~~17. c. Any application that is rejected (other than those that are incomplete and therefore returned to the applicant) or that is for a visitor who has been removed from the visitation list may be shredded, but shall remain in the electronic record.~~

~~18.~~

~~19.10. B10. — Attorney Visits, (Please refer to current Secretarial Directive on Access to Facilities by Attorneys) of Record, Spiritual Advisor, and Pastoral VisitsSpecial Visits~~

~~—Spiritual Advisor and Attorney of Record~~

~~Visits~~ Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit; ~~spiritual advisors to Death Row inmates, and ministers of record approved to conduct pastoral visits~~ will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement (a minimum of ~~twenty-four~~ twenty-four [24] hours) in advance ~~whenever possible~~ with the Warden /Center Supervisor/ designee.

~~a. will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement (a minimum of twenty-four (24) hours in advance whenever possible) with the Warden/Center Supervisor/designee. Special visits will be reviewed on a case by case basis by the Warden/Center Supervisor.~~

Attorney Visits

a. An attorney visiting area shall be provided to ensure privileged communications between offenders and their attorneys; however, the area used for these visits is subject to general staff supervision.

~~b. Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit will be held in manner to ensure client confidentiality, ensure verbal communication between the attorney and inmate with limited visual/audio observation from staff, spiritual advisors, ministers of record and the inmate will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement (a minimum of twenty-four (24) hours in advance whenever possible) with the Warden/Center Supervisor/designee. Special visits will be reviewed on a case by case basis by the Warden/Center Supervisor.~~

~~d. Unit/center staff may maintain visual observation and will provide as much privacy as possible to ensure confidential verbal communication between the attorney and inmate during special visits.~~

~~f.b. Visiting attorneys must complete a fill out the visitation application, however, will not be subject to a comprehensive background check, but must provide a state issued photo identification and a valid state bar number for verification purposes and will be subject to one (1) criminal background check per year for access to facilities. The date and the facility the background check was conducted at must be noted in their attorney's visitation file in eOMIS and initialed by the employee who facilitated the check. Background checks may be conducted at the first facility visited, and a new background check must be performed if the current background check on file is more than one (1) year old. so that staff can verify the attorney is currently licensed (license has not been suspended nor canceled).~~

~~c. Any assistant or agent to an attorney who is not also licensed as an attorney will be subject to a one (1) background check on the same basis as regular visitation attorney, any other visitor. Attorneys wishing to be accompanied by, or to send non-attorney assistants/agents for inmate visits, must also provide a letter on the attorney's letterhead verifying their staff member's name, title, and date of birth. or be accompanied by non-attorney assistants, are~~

~~encouraged to obtain and submit completed visitation requests and authorization forms for such assistants in a timely fashion so as to allow for a background check. Attorneys are responsible for submitting a list of their staff to the Warden/Center Supervisor every ninety (90) days or as soon as possible when there are any changes to their staff.~~

~~d. Attorney staff may be denied who have been convicted of or pled nolo contendere to felonies or misdemeanors in federal or state courts or who have pending criminal charges. If an attorney's staff or attorney is denied entry into a facility, the Warden or Center Supervisor must notify in writing the reason(s) for the denial. The Warden or Center Supervisor must also notify the Division General Counsel of the denial as soon as possible.~~

~~h.~~

~~i.~~

~~e. Attorneys will be advised/reminded that they must adhere to follow the dress code guidelines and clear all electronic entrance screening devices before entrance into a facility as a normal visitor and to follow the dress code as outlined in this policy. so no metal should be worn, including under wire that could prevent clearing the security devices. Any metal required for the visit, such as writing instruments, must be placed in a basket to cleared through the x-ray machine.~~

~~f. To protect the privacy and confidentiality of attorney/inmate privileged communication, attorneys may not use the video visitation system to consult with inmates. Attorneys and their staff may use video visitation for visits with offenders when in person visitation is not possible. They must adhere to the applicable provisions for video visitation including the scheduling and registration requirements. Video visitation may be subject to monitoring or recording for security purposes.~~

~~20.~~

~~11. H. _____ Spiritual Advisors/Pastoral Visits~~

~~Spiritual Advisor Visits and Pastoral Visits by approved ministers of record may be arranged and conducted in keeping in accordance with Religious Services Policy and Procedure Policy 425 and Policy 665, respectively, and are arranged through Chaplaincy Services.~~

D.

D.C. Visitation Other Than Regular Visitation Days

Upon approval of the Warden, visits may be granted for any two (2) business days during a calendar week to approved visitors whose residence has been verified on record to be more than three hundred (300) miles from the unit/center.

1. The visitor must request the visit twenty-four (24) hours in advance during regular business hours.
1. Visitation may be approved for two (2) days at regular visiting hours. These are not extra visits and will count toward the inmate's allowed number of monthly visits. Visits will not be granted if they would exceed the inmate's allowed number of monthly visits.

2. _____

E. _____

EDC. Video Visitation

Video Visitation is- a visual communication service that allows family and friends who are approved for visitation and phone calls; the privilege to visit of visiting with inmates from home. -KIOSKs are provided for video visitation during set hours for use at each unit. a visual communication service that allows family and friends who are approved for visitation and AND/OR telephone privileges the ability to visit with inmates from home. using a computer, tablet, or smartphone. A KIOSK is provided for video visitation during set hours for use at each unit.

1. Visitors must be on the inmate's approved phone or visitor list. Approved visitors are required to must create an online account with the Division department's approved vendor to register for video visitation. Visitors must prepay and schedule all appointments at least 48 hours prior to start time. A KIOSK is provided for video visitation during set hours for use at each unit. However, family and friends can lease a tablet for eligible inmates from the department vendor to use for video visits instead of the KIOSK. All inmates assigned to General Population and Safe Keeping (Death Row) will be allowed to possess a tablet. No inmates assigned to Punitive Housing, Punitive Restriction, or the Varner Super Max Behavior Modification Program will be allowed to possess a tablet. The inmate must be Class I or II to possess a tablet. If an inmate is reduced in class, the inmate's tablet privilege is will be revoked.

1. _____

2. -Visitors must prepay and schedule all appointments at least 48 hours prior to start time.
3. -Visits are 30 minutes in length and will begin promptly at the scheduled time.
4. If an inmate is receives a suspension from telephone or visitation or telephone privileges, visits, all prior appointments that have been setup will be cancelled.
5. All regular visitation rules apply including dress code guidelines.
6. -Video visits are monitored by staff and can be terminated at any time.
7. aAll regular visitation rules apply including dress code guidelines. Officers can terminate an active visit at any time. Violation of the rules including displaying sexual acts or other prohibited behavior

~~will result in immediate termination of the visit and the removal of the visitor from all visitation and phone lists.~~

8. ~~The recording or photographing of a video visit is also prohibited. Individuals found to be in violation, or facilitating a violation of this policy, or found to be facilitating a violation of this policy, will have their visitation privileges suspended for a minimum of one (1) year from the date the Division became aware of the violation. A subsequent violation will result in the permanent loss of the visitation privileges of the violator.~~

~~Inmates will be ineligible for video visitation privileges if an inmate is found guilty of a major disciplinary major disciplinary for:~~

9.

- a. ~~possession/introduction/use of a cell phone;~~
- b. ~~any cell phone component (e.g., sims card, charger, battery, etc.);~~
- c. ~~an unauthorized messaging device; or~~
- d. ~~social media use.~~

~~the possession/introduction/use of a cell phone or any cell phone component (e.g., sims card, charger, battery, etc.) or an unauthorized messaging device, or social media use, they are ineligible for video visitation privileges.~~

10. ~~The Warden/Center Supervisor/Area Manager may deny a visitor the privilege of visiting a facility and restrict a visitor to video visitation privileges only, based upon, but not limited to: only, and deny a visitor the privilege of visitation at the Unit or a facility based upon, but not limited to:~~

- a. ~~security and safety constrictionsrestrictions;~~
- b. ~~space availability;~~
- c. ~~disruptive conduct of the offender or visitor;~~
- d. ~~abuse of visiting privileges by the offender or visitor; and~~
- e. ~~violation of state or federal laws or Divisiondepartmental rules by the offender or visitor.~~

~~F. or violation of state or federal laws or departmental rules by the offender or visitor.~~

F. _____
G. _____

~~F.E.~~ News Media

New media requests for inmate visits and interviews are governed by Board of Corrections Administrative Regulation 011.

~~1.~~

~~2.1.~~ Representatives of news organizations wishing to conduct in-person interviews with an inmate in ~~the custody incarcerated within~~ of the Arkansas ADC ~~Department Division of Correction~~ shall submit their requests in writing to the ~~Department of Corrections (DOC) Communications Director, Public Information Officer.~~

~~3.~~

~~2.~~ Any news media visit can be denied, canceled, or restricted by the Director, ~~DOC Communications Director Public Information Officer,~~ or Warden if there are security concerns based on present circumstances ~~or concerns regarding subject matter,~~ including, but not limited to:

~~a.~~ Pending appeals or legal matters related to the inmate's criminal conviction(s) or charges not yet adjudicated;

~~b.~~ Institutional adjustment; ~~and/or~~

~~c.~~ A prior escape; or

~~a.d. Re-victimization, if~~ Re-victimization if a victim(s) has been registered in ~~the electronic offender management system~~ OMIS by the ~~ADC DOC ADC~~ Victim Services Coordinator.

~~3.~~ Inmates must be Class I or II to be eligible to receive face to face media visits.

~~4.~~

~~4.~~ Requests from an entertainment-based program or publication that would that could provide, or attempt to provide, compensation to the inmate, ~~which are for entertainment purposes,~~ or which would impose a burden on the agency's limited resources will be denied.

~~5.~~

~~6.~~

~~5.~~ Inmates in Intake, punitive/administrative segregation, or restrictive housing are not eligible for in-person news media interviews.

~~3.5.~~ Inmates having served sixty (60) days or less of their initial assignment are not eligible for in-person news media interviews.

~~6.~~

~~e.~~ Inmates having served sixty (60) days or less of their initial assignment are not eligible for in-person news media interviews.

~~f.~~ All requests for in-person interviews shall be reviewed by the DOC Communications Director Public Information Officer, who will then forward the request and a recommendation to the Director. The Director will approve or deny ~~decide whether to approve~~ the requests.

~~7.~~

~~g.~~ News Media representatives denied a media visit, must follow the process of a regular visitor to speak with an inmate. The representative must obtain an application from , only if the inmate sends that person a Visitation Request Authorization Form application to be processed. All Regular visitation guidelines will apply.

~~G. 8. News media representatives who are visiting any facility must sign an agreement outline rules/regulations before being approved to enter.~~

~~F. Punitive Inmate Visitation~~

~~Inmates in punitive segregation may have opportunities for visitation unless there are substantial reasons for withholding such privileges. Visits will be conducted for two (2) hours, once a month (calendar), and must be scheduled at least twenty-four (24) hours in advance. The Warden or designee must approve all such visits. Approval will be contingent upon but not limited to:~~

- ~~a. Nature of rule violation;~~
- ~~b. No further rule violations while housed in punitive; and~~
- ~~c. Satisfactory cell inspection reports.~~

~~A legal visit may be approved in advance by the Warden or Center Supervisor. This is only to be done when the attorney can justify the urgency of the legal matter prior to the release from punitive status, with the consistent need for good security.~~

~~G. Death Row (Safekeeping) Death Row Visitation~~

~~General v Visits for inmates assigned to safekeeping status ation — Death Row visits may be scheduled Monday through Friday, from 8:00 a.m. to 11:00 a.m. or 1:30 p.m. to 4:30 p.m. Visits may be scheduled by appointment only, with at least twenty-four (24) hours advanced notice. Death Row visits may be scheduled through the Warden or Deputy /Assistant Warden's office. Each death row inmate may be allowed no more than one (1) regular visit per week. Approved visitors and the number of visits will conform to Administrative Rule 865 — Offender Visitation. If it is determined that this visitation procedure becomes burdensome to the institution, the procedure may be altered by the approval of the Director. Additional information on visitation for inmates assigned to Safe Keeping status can be found in the appropriate administrative directive for Death Row inmates.~~

~~3. Disciplinary Cases~~

~~Inmates on punitive status may be allowed visitation privileges in accordance with the appropriate administrative directive.~~

~~FG. H.4. Special Status/Assignment~~

~~H.~~

1. Inmates on special status/assignment include, but are not limited to ~~Administrative Segregation, Investigative Status, Restrictive Housing, those in residential Mental Health programs or Protective Custody~~ may be allowed to visit, consistent with good security, as designated by the Warden/Center Supervisor/designee.
 - a. Examples of special status/assignment include, but are not limited to ~~Administrative Segregation, Investigative Status, those in residential Mental Health programs or Protective Custody.~~
2. ~~Death Row visits are held in accordance with the appropriate administrative directive.~~

3.2. Inmates admitted to an ~~ADC/ADC-DOC~~ infirmary or hospital may be allowed to receive visits after receiving approval of the Warden/~~Center Supervisor~~ after concurring with the Unit Health Services Administrator.

~~H.~~

~~H.C.~~ ~~15.~~ ~~Outside-Non-Agency Medical Facilities~~

1. Any visits ~~in at outside non-agency~~ medical facilities will comply with the facilities' ~~visitation~~ rules in addition to those ~~found~~ in this policy.

2. Inmates hospitalized in ~~outside non-agency~~ facilities may be allowed visitation by the Medical Services Administrator if admission is for a critical condition, or the hospitalization is for an extended period ~~of time (greater than 7-10 days duration). Where these visits are approved. The visits shall occur on the same days and times as the inmate's approved visitation schedule at their assigned unit and shall not exceed four (4) hours in duration.~~

~~2. as covered in subsection (c) or (d) below.~~ When visits for surgical procedures are approved:

3.

- a. Visits will occur prior to surgery or after returning from recovery;
- b. ~~V~~visitors will be restricted to immediate family members on the inmate's approved visitation list; and
- c. ~~T~~hese provisions may be modified at the discretion of the Medical Services Administrator in conjunction with the Warden/~~Center Supervisor~~ of the inmate's unit/center of assignment.

~~4.~~

~~5.4.~~ ~~4d.~~ ~~T~~he Medical Services Administrator may approve and coordinate visits for inmates who are hospitalized in ~~outside non-agency~~ facilities in cases of terminal illness or critical condition.

~~a.~~

a. Special arrangements may be made by the Medical Services Administrator with the approval of the Warden/~~Center Supervisor~~ of the inmate's ~~unit/center of assigned unit ment~~ for individuals not on the inmate's approved visitation list and may include minors ~~in cases of terminal illness or critical condition~~; and,

~~b.~~

b. When the Medical Services Administrator cannot be reached, the Warden/~~Center Supervisor~~ may approve visits on an emergency basis after consulting with ~~the Division's ADC's H~~hospital ~~S~~security ~~C~~oordinator or a Deputy Director consistent with the facility's ~~ies'~~ policies.

~~I.~~

~~d. The Medical Services Administrator may approve and coordinate all visits for inmates who are hospitalized in non-agency facilities for an extended length of time (greater than 7-10 days duration). Where these visits are approved:~~

~~(1) The visits shall occur onat the same days and times as the inmate's approved visitation schedule at their assigned unit and shall not exceed four (4) hours in duration, the visit would normally have occurred at the inmate's unit/center of assignment; and~~

~~(2) the amount of visitation time shall not exceed four (4) hours in duration.~~

~~6. Visitation Other Than Regular Visitation Days~~

~~Upon approval of the Warden/Center Supervisor, visits may be granted any two (2) days to approved visitors whose residence has been verified on record to be is more than three hundred (300) miles from the unit/center.~~

~~The visitor must request the visit twenty four (24) hours in advance during regular business hours. Visitation may be approved for two (2) days at regular visiting hours.????~~

~~These are not extra visits and will count toward the inmate's allowed number of monthly visits. They will not be granted if it would exceed the inmate's allowed number of monthly visits.~~

~~a. III. Visitation may be approved for two (2) days of regular visiting hours.~~

~~k. The visitor must request the visit twenty four (24) hours in advance during regular business hours.~~

~~m. J 67. Department of Human Services - Division of Children and Family Services (DHS-DCFS)~~

~~Consistent with the provisions of Arkansas Code Annotated § 9-27-303 as amended by Act 993 of 2017, the Division~~department~~ of Correction will support the efforts of the DHS-DCFS to "reunify a family after a child is placed out of his or her home" by facilitating a special visit between incarcerated parents, their minor child(ren) involved in an active DHS-DCFS case, and DHS-DCFS staff. The DHS-DCFS may identify other individuals to attend the visit who are appropriate to assist the DHS-DCFS in their reunification efforts. However, the Warden/~~Center Supervisor~~ may deny admission to a visitor, or limit the number of visitors, based upon security considerations or staffing limitations.~~

- ~~1. a. These visits will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement with the Warden/~~Center Supervisor/designee~~. The DHS-DCFS is entitled to establish initial contact with an incarcerated parent via a prescheduled telephone call arranged through the Unit Chaplain.~~
- ~~2. b. A request for special visitation shall be submitted in writing to the Warden/~~Center Supervisor~~ a minimum of five (5) business days in advance of the requested special visitation. The request must include a completed visitation form for each person requesting to ~~comeparticipate into~~ the visitation.~~

~~3.~~

4.3. e. — Visitors involved in these efforts will be subject to a comprehensive background check, and must possess a valid government issued photo identification ~~as provided for in the policy during their visit.~~ The results of a background check will be valid for twelve (12) months from the date of the verified check on record.

5.4. d. — Except for waivers granted in this section, visitors involved in these efforts will be subject to the same entrance procedures and conduct guidelines applicable to a regular visitor. Visitors involved in these efforts will ~~be of the adhere to dress code guidelines and be advised/reminded that no metal should be worn, including underwires, which could prevent clearing the security devices.~~ Any metal required for the visit, such as writing instruments, must be ~~placed in a basket to~~ clear the x-ray machine. Visitors involved in these efforts will be allowed to bring in ~~such~~ documents as necessary to involve an incarcerated parent in case planning. All case planning documents must remain in the possession of the visitor during and after the special visit.

~~IX.~~

~~X.IV.~~ ~~CIV.~~ VISITATION SCHEDULE ~~Visitation Schedule~~

- A. — All eligible inmates shall be entitled to visitation privileges only in accordance with the following schedule:
1. Saturdays and Sundays will be designated visitation days for all routine visits.
 2. There will be no visitation on holidays unless the holiday falls on a regular visitation day.
 3. ~~As of April 17th, 2023,~~ hours of visitation will be in two (2), two (2) hour blocks from ~~12:00 11:30 am to 1:30 pm and noon to 4:00 p.m to 4 pm,~~ except as authorized by the Director.
 4. All Class I inmates will be permitted weekly visits on ~~Sundays, visits for a maximum of four (4) or five (5) visits a month depending upon the number of Sundays.~~
 5. All Class II, III and IV inmates will be permitted two (2) visits a month, either the first and third Saturday of the month or the second and fourth Saturday of the month as determined by the Unit's schedule. ~~In cases where inmates of the same immediate family are housed at the same unit/center, the Warden/Center Supervisor may approve requests by those inmates to visit on the same day, per the schedule of the lower class inmate with the lower classification.~~
 6. Where space is limited, the Warden/~~Center Supervisor~~ is authorized, as approved by the Director, to divide the inmate population in such ~~such~~ a manner ~~as~~ to balance the number of visitors present on either visitation day.
 7. The scheduling of special visits shall be performed in accordance with unit/center procedures at the discretion of the Warden/Center Supervisor.
- Where space for non-contact visits is limited, the duration of these visits may be reduced to two (2) hours with approval of the Director.

~~XI.~~~~_____~~~~_____~~~~XII.~~~~The scheduling of video visits shall be established and posted for the inmate population where available at each facility.~~~~_____~~~~Inmates in punitive segregation have opportunities for visitation unless there are substantial reasons for withholding such privileges. Visits will be conducted for two (2) hours, once a month (calendar), and scheduled at least twenty four (24) hours in advance. The Warden or designee must approve all such visits. Approval will be contingent upon but not limited to:~~~~a. Nature of rule violation.~~~~b. No further rule violations while housed in punitive.~~~~c. Satisfactory cell inspection reports.~~~~XIII. A legal visit may be approved in advance by the Warden/Center Supervisor. This is only to be done when the attorney can justify the urgency of the legal matter prior to the release from punitive status, with the consistent need for good security.~~~~XIV.~~~~V. ~~VD.~~ A. Rules Pertaining to ~~V~~ISITATION PROCEDURES ~~S~~isitation Procedures~~~~A. ~~Entrance~~ Entrance /~~Search~~ Search Procedures~~~~B.A.~~

- ~~1. All visitors shall register in and out of the unit/center point of entry and are subject to biometric identification. Records are to be maintained and/or destroyed according to the Department's Division's Records Retention policy.~~
- ~~2. All visitors twelve (12) years of age or older will be required to show a valid unexpired driver's license or State issued photo I.D. ~~DD~~driver's L license or ~~m~~Military I.D. ~~identification.~~ ~~Approved~~ ~~ad~~Adult escorts may vouch for the identity of minor visitors under the age of twelve (12) years.~~
- ~~3. Visitors will be allowed to carry in only the following items: a clear plastic bag containing a small amount of cash for purchasing refreshments, prescription medication in the visitor's name and in the original pharmacy container (only the amount needed during the visit), government issued identification, baby bottles, baby diapers, baby wipes, car keys and jewelry (being worn). The Division of Correction accepts no responsibility for the property of visitors. The Warden/Center Supervisor or Warden's designee may set limits on the amount of ~~money~~money, or any item listed above that a visitor will be allowed to bring into the facility.~~

4. Visitors must leave ALL electronic devices such as cell phones, tablets, computers, laptops, Bluetooth headsets, fitness tracking bands, and smartwatches, and cameras locked securely in their vehicles. Any attempt to bring any electronic device into the facility will be conceived as attempting to introduce contraband and could result in loss of visitation privileges and/or criminal charges.
2. Visitors must leave all tobacco products (cigarettes, e-cigarettes, chewing tobacco) out of view and locked in their vehicle.
5. Visitors will not be admitted when the apparent odor or effect of alcohol or drugs are detected.
6.

B. Searches

1. Approval of an individual on a visitation list is conditioned upon the signing of a consent form authorizing searches of one's person, vehicle, and personal belongings pursuant to ADOC policies on searches. For minors under the age of eighteen (18), the parent/guardian must sign consent, in addition to the minor.
2. Several different electronic scanning devices such as x-ray machines, metal detectors, ion scanners, advanced imaging scanners, and cell towers are used to detect the presence of contraband at various facilities. Visitors must clear all scanning devices before being granted entrance to the unit.
3. Visitors are encouraged to avoid wearing any clothing items containing metal (snaps, buttons, buckles, under wires, support materials) which may cause the scanning devices to alarm and may require removal of clothing items.
4. Anyone unable to clear the scanning devices will be denied entry and the visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden/Center Supervisor.
- Failure to fully cooperate and comply with all entry procedures, including the verbal instructions of entry personnel, by visitors will result in such visitor's indefinite suspension from the inmate's visitation and phone lists.
5.
4.
2.
- 3.6. In addition to searches required to enter a facility, visitors may be requested to submit to an additional search for contraband prior to, during, or after the visitor's meeting with the inmate if the search has been authorized by the duty Warden/Center Supervisor.
 - a. Any person or vehicle entering a correctional unit can be searched for contraband.- Visitors in wheelchairs and those wearing wigs or religious headgear are also subject to search. -If a wig or religious headgear is being worn, the visitor will be searched outside the presence of other

visitors by an employee of the same gender. Entrance will be denied if a visitor is not willing to submit to a search and clear all security procedures. The visitor's privileges to visit will then be suspended indefinitely. -The visitor's privileges may only be reinstated by the Warden/~~Center Supervisor~~.

- b. Any visitor who knowingly brings or attempts to bring any contraband onto the unit/center grounds shall be dealt with according to the appropriate administrative ~~rule~~regulation(s) and directive(s) governing searches for and control of contraband. ~~The visitor's privileges to visit will be revoked and may only be reinstated by the Warden or through an appeal to the Director's Office.~~ ~~Center Supervisor.~~ The visitor may also be subject to criminal prosecution.

~~C.~~

~~D. Several different electronic scanning devices ~~may~~are used to detect the presence of contraband. Personal clothing choices containing metal snaps, buttons, buckles, under wires, etc. may cause the electronic detectors to alarm and require removal of clothing items. (Visitors are encouraged to avoid wearing any items with metal which will slow down entrance for visitation.) Anyone unable to clear the scanning devices will be denied entry and the visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden/Center Supervisor.~~

~~E.~~

~~F. ~~CB. DDress Code~~The recording, or photographing, of a video visit is prohibited. Individuals found to be in violation of this policy, or found to be facilitating the violation of this policy, will have their visitation privileges suspended for a minimum of one (1) year from the date the Department becomes aware of the first violation. A subsequent violation will result in the permanent loss of the visitation privileges of the violator.~~

~~C.~~

Visitors' clothing must be conservative, modest, and appropriate for the age and prison environment. ~~All visitors must wear under garments. wear and female visitors must wear a bra. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks. Skirts and dresses must reach the top of the knee while standing. Children ten (10) years of age and under will be allowed to wear shorts of an appropriate length. The following are prohibited:~~

- ~~halter-tops, tank tops~~
- ~~any spandex material~~
- ~~overalls/coveralls~~
- ~~clothing with provocative or obscene images or texts~~
- ~~hats, bandanas, doo-rags~~
- ~~shorts, mini-skirts/dresses~~
- ~~skirts/dresses that do not reach the top of the knee while standing~~
- ~~see-through clothing,~~
- ~~ripped jeans~~
- ~~leggings, jeggings~~
- ~~flip flops~~
- ~~camouflage attire~~

- ~~white t-shirts or white pants~~
- ~~low cut blouses or low-rise jeans or otherwise provocative clothing~~

~~G.D.~~ ~~DCE.~~ — Visitation Activities and Restrictions

1. No more than four (4) persons shall be permitted to visit an inmate during ~~any~~ one (1) visitation period. ~~A person of any age is counted as one (1) of the four (4) except for minor children as provided by E. 1 (b).~~ Except for minor children, a person of age is counted as one (1) of the four (4).
 - a. Minor children, under the age of eighteen (18), ~~may~~ will not be allowed to visit unless accompanied by an approved adult visitor, or upon proof of emancipation.
 - b. Minor children of the inmate allowed to visit may exceed the limit of four (4) visitors; however, only two (2) approved adult visitors may accompany the minor children when the limit of four (4) is exceeded. ~~The Warden must authorize any other exception.~~

~~—Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.~~

~~2.~~

~~2. Inmates and visitors may briefly embrace upon arrival and departure and may sit side-by-side. Small children may sit on the offender's lap.~~

~~3.~~

~~3.4. Visitors who have been admitted to the unit/center to visit an inmate shall not visit any other inmate unless specific prior permission is granted for such a visit by the ~~duty~~ Warden/~~Center Supervisor~~.~~

~~—Visitors will not be admitted when the apparent odor or effect of alcohol or other drugs ~~are~~ is detected.~~

~~4.5. Visits may be denied, terminated, or modified for the reasons of health conditions of the inmate or visitor, or the inmate's program participation.~~

~~5.—Any behavior on the part of the inmate or visitor that is or may be disruptive to the security and good order of ~~institutional~~ ~~departmental~~ operations or violates ~~Department of Correction~~ ~~OC~~ rules will result in denial of or termination of the visit.~~

~~6.~~

~~7.1. Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.~~

~~Visitors' clothing must be conservative and modest, and appropriate for the age and prison environment occasion. All visitors must wear underwear and female visitors must wear a bra. Visitors must not wear clothing that reveals the breasts or buttocks and must keep shoulders covered. Children ten (10) years of age and under will be allowed to wear shorts of an appropriate length. The following are prohibited:~~

- ~~— No halter tops, tank tops, (shoulders must be covered) tops made of net, or mesh webbing~~
- ~~— any spandex material~~

- ~~— overalls/coveralls~~
- ~~— clothing with provocative images or texts~~
- ~~— hats, bandanas, doo-rags,~~
- ~~— shorts, mini-skirts/mini-skirts/dresses,~~
- ~~— see-through clothing, ripped jeans~~
- ~~— leggings, jeggings~~
- ~~— or camouflage attire~~
- ~~— white t-shirts or white pants~~
- ~~— may be worn. Briefflow cut blouses or low-rise jeans or otherwise provocative clothing will not be permitted.~~

- ~~— Metal on clothing items should be avoided due to delays in clearing security equipment when additional search procedures are required including the removal of any items containing metal.~~

~~No sleeveless tops are not allowed because shoulders must be covered at all times. Children ten (10) years of age and under will be allowed to wear shorts of an appropriate length. Metal on clothing items should be avoided due to delays in clearing security equipment when additional search procedures are required including the removal of any items containing metal.~~

~~Visitors will be allowed to carry in only the following items: a clear plastic bag containing a small amount of cash for purchasing refreshments, prescription medication in the visitor's name and in original pharmacy container, government issued identification, baby bottles, baby diapers and diaper-wipes, car keys and jewelry (being worn). The Department/division of Correction accepts no responsibility for the property of visitors. The Warden/Center Supervisor or designee may set limits on the amount of money or any item listed above that a visitor will be allowed to bring into the facility.~~

- ~~8. Visitors must leave ALL electronic devices such as cell phones, tablets, computers, laptops, bluetooth/bluetooth headsets, fitness tracking bands, and smartwatches locked securely in their vehicles. Any attempt to bring any device into the facility will be conceived as attempting to introduce contraband and could result in loss of visitation privileges.~~

- ~~9.7. Visiting inmates/mates are/will be allowed to wear a wedding band and must wear state issued footwear or footwear issued by the medical department if required by a current medical script.~~

- ~~10.8. Where facilities allow, the inmate and the visitors may eat and drink only those items sold through available vending operations or as designated by the Warden/Center Supervisor. Inmates and visitors may purchase items that can be consumed during the visitation period. Items not consumed during visitation must be taken out by the visitors at the end of the visitation period or be thrown away. No other objects, property, or articles may be exchanged between the visitors and inmates.~~

~~H.E.~~ ~~EF.~~ Conditions for Visitation

~~Visits shall be held in a relaxed manner under the observation of correctional staff. Officers~~ Correctional staff shall remain professional and display a courteous attitude toward all at all times. ~~visitors. It is important that o~~ Officer Correctional staffs must present a good appearance, be pleasant, tactful, alert to any problems that may arise, and ~~be able to~~ refer such problems to appropriate officials ~~if necessary~~. ~~Visits shall be held in a relaxed manner under observation of correctional staff. All visitors shall be treated courteously and professionally. It is important that officers present a good appearance, be pleasant, tactful, alert to any problems that may arise, and be able to refer such problems to appropriate officials.~~

- ~~1.~~ 1. When a ~~ny~~ visit is a threat to the security and good order of the unit/center, the visit shall be terminated.
- ~~1.2.~~ 1.2. During an institutional emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden/~~Center Supervisor~~ or designee.
- ~~2.3.~~ 2.3. The Warden/~~Center Supervisor~~ has the authority to restrict contact visitation, consistent with unit policy and the security needs of the Unit/~~Center~~.
- ~~3.4.~~ 3.4. Inmates who violate the following rules may be placed on Non-Contact Visitation ~~and restricted from and Video Visitation~~ and restricted from Video Visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one-year restriction period to start over from the date of the conviction of the new violation. This will include all visitors on the inmate's approved visitation list.
 - ~~a.~~ a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
 - ~~b.a.~~ b.a.
 - ~~e.~~ e. Refusal to submit to substance abuse testing.
 - ~~d.b.~~ d.b.
 - ~~e.~~ e. Possession ~~or~~ /introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical staff.
 - ~~f.c.~~ f.c.
 - ~~g.~~ g. Possession or movement of money or currency, unless specifically authorized.
 - ~~h.d.~~ h.d.
 - ~~i.~~ i. Possession of clothing or property not issued ~~n~~ or authorized by the Center/Unit.
 - ~~j.e.~~ j.e.
 - ~~k.~~ k. Correspondence/conduct with a visitor in violation of regulations.
 - ~~l.f.~~ l.f. _____
 - ~~m.~~ m. Possession/introduction/use of a cell phone, ~~or~~ unauthorized ~~m~~essaging device, unauthorized electronic devices or parts of one, or their components.
 - ~~n.g.~~ n.g.

- ~~o.~~ Possession/introduction/use of unauthorized electronic devices or parts of one, such as a charger or sim card.
- ~~p.~~
- ~~q.~~ Indecent exposure
- ~~r-h.~~
- i. Access to Ssocial media

~~XV. VI. When any visit is a threat to the security and good order of the unit/center, the visit shall be terminated.~~

~~XVI.~~

~~XVII. 5. During an institution emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden/Center Supervisor or designee.~~

~~XVIII.~~

~~XIX. VI. SUSPENSION/TERMINATIONuspension/Termination OF VISITATION PRIVILEGES of Approval Visitation Privileges~~

- ~~1. Visitation is a privilege and and visitation such privileges will be denied should when the Divisiondepartment determines a visitor or inmate has attempted to violate ADCdDOCdepartment rules or regulations.~~
- ~~1.~~
- ~~2. A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred (even when the visitor removes his/herself), shall wait a minimum of six (6) months before being eligible to be placed on any inmate's visitation list. This six-month wait shall not apply to mentors who are on the visitation list as part of a program approved by the Arkansas Department Division of CorrectionDOC.~~
- ~~2. 3. Any visitor, present on the property of any facility of the ADC facilityDOC who has been found to have knowingly introduced, or attempted to introduce, contraband, or who has refused or who refuses to comply with a search requested by staff may be removed from the inmate's visitation list for a minimum of one (1) year. -The visitor must reapply for visitation privileges for any inmate through the application process.~~
- ~~2.~~
- ~~3. Any visitor found to have knowingly introduced, or attempted to introduce, drugs, cell phones, weapons, implements of escape, tobacco products, or any other items that threaten the security and good order of the institution may be permanently prohibited from visiting at any ADCDOC location. At the completion of a minimum of one (1) year since denial and after submission of a written request for reconsideration, the Warden may reconsider the decision to permanently deny visitation privileges after assessing the nature and extent of the incident.~~
- ~~Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation, will also result in cancellation of all visitation privileges.~~
- ~~4. Any visitor who refuses to comply with searches requested by staff shall be removed from the inmate's visitation and telephone list. Refusal will be considered an attempt to introduce contraband.~~

5. ~~Any changes in the visitation status such as suspensions, should will be listed in the electronic Offender Management Information System (eOMIS)cOMIS and will be sent to the Department's Divisions' approved vendor for Video Visitation.~~
3. ~~A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred (even when the visitor removes him/herself), shall wait a minimum of six (6) months before being eligible to be placed on any inmate's visitation list. This six (6)- month wait shall not apply to mentors who are on the visitation list as part of a program approved by the DOC.~~
6.

~~I.~~

- ~~a. Any visitor found to have knowingly introduced, or attempted to introduce, drugs, cell phones, weapons, implements of escape, tobacco products, or any other items that threaten the security and good order of the institution may be permanently prohibited from visiting at any ADC location. At the completion of a minimum of one (1) year since denial and after submission of a written request for reconsideration, The Warden may reconsider the decision to permanently deny visitation privileges after considering assessing the nature and extent of the incident., and completion of a minimum of one (1) year since denial.~~
- ~~b. Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation will also result in cancellation of all visitation privileges.~~
- ~~c. Any visitor who refuses to comply with searches as requested by staff shall be removed from the inmate's visitation and telephone list. as rRefusal will be considered an attempt to introduce contraband. The visitor will also be removed from the inmate's telephone list.~~
- ~~d. Any changes in the visitation status such as suspensions, approved visitation lists should be listed in the electronic Offender Management Information System (eOMIS) and be sent to the Department's approved vendor for Video Visitation.~~

VII. ALERTS/NOTATIONS IN THE ELECTRONIC RECORD

~~An "alert" notation will be entered into eOMIS under the visitation file by the visitation clerk or designated staff member flag will be entered into eOMIS so that correctional staff who are supervising visitation are aware of important information contained in the alert when allowing a visitor entrance into the Unit. Alerts/Notations must be read by staff supervising visitation, but should will not result in the denial of a visit, but staff should be more cautious and vigilant of such visitors. ; it is to have staff supervising visitation aware of the information contained in the alert when allowing the visitor into the unit. The following are examples of what should be entered as an "alert" notation flag in eOMIS:~~

~~1.~~

- ~~1. Any visitor whose visitation privileges have been suspended or terminated in the past, should result in an "alert" flag.~~

~~1.~~

~~1.~~

- ~~2. Any current or former employee, contractor, intern, or volunteer, should result in an "alert" flag.~~

~~2.~~

3. ~~3.~~ Any visitor suspected of introducing contraband during a prior visit; ~~and will result in an "alert" flag.~~

~~10.~~

11. ~~4.~~ Any visitor placed on a suspicion list by the Warden/~~Center Supervisor~~ due to correspondence, phone calls, or ~~other credible~~~~other available~~ information ~~which~~~~that~~ causes ~~leading to a~~ security concern. ~~will result in an "alert" flag.~~

~~12.~~

13. ~~5.~~ An "alert" must be read, but will not result in the denial of a visit; it is to have staff supervising visitation aware of the information contained in the alert when allowing the visitor into the unit.

~~4.~~

~~A.~~

~~B.A.~~ ~~I.~~ **Visitor's Arrest**

The procedures listed below shall be followed when notification has been made of an approved visitor's arrest:

1. The Visitation Clerk will compare the arrest information against visitation information on file to verify accuracy of the information and verify identity of the visitor.
2. The Warden/~~Center Supervisor~~ will place the visitor on suspension status.
3. The visitor will be advised of the suspension ~~of visitation privileges~~ in writing through U.S. Mail. Visitation privileges will remain suspended until the following information is provided for review (see Attachment III):

~~3.~~

Copies of arrest reports;

a.

~~b.~~ Written statement detailing the circumstances of the arrest;

~~e.b.~~

~~d.~~ Court records and/or disposition of the charges; and

~~e.c.~~

~~f.d.~~ Other documents as requested.

4. The inmate will receive a notice advising of the suspension. ~~(Inmate~~s will not be given details).
5. Once the requested information has been received, the Warden/~~Center Supervisor~~ ~~and/or the Visitation Clerk~~ ~~will re~~~~will re~~ evaluate the visitor's visitation status.

6. Following the re-evaluation, the Warden may:

~~a.~~

~~a)~~ Return the visitor to approved status;

~~b.a.~~

~~b)~~ Continue the suspension for a specific period ~~of time~~; or

~~b.~~

~~e.)~~ Permanently revoke visitation privileges.

~~d.~~

~~—~~

~~e.~~

~~f.a.) Permanently revoke visitation privileges.~~

~~g.c.~~

7. The inmate shall be advised, in writing, of the Warden’s decision. -It is the responsibility of the inmate to inform ~~the visitors of~~ the final decision following the re-evaluation. ~~changes of status, days, times, schedules, etc.~~

~~XX.~~

~~XXI.~~

~~XXII. VIII. REFERENCES:~~

~~—American Correctional Association (ACA) Standards~~

~~XXIII. VIII. ATTACHMENTS~~

~~VIII.~~

- ~~#1 Visitation/Telephone Contact Request and Authorization Form~~
- ~~#2 Rules Governing Visitation~~
- ~~#3 Approved Visitation List~~
- ~~#4 Visitor Suspension Notice~~

[Attachment I](#)



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director's Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

Street or Physical Address _____

City _____ Street State _____ Zip Code _____

Mailing Address _____

City _____ Street/P.O. Box _____ State _____ Zip Code _____

Date of Birth: _____ / _____ / _____ Telephone Number: _____
Social Security #: _____
Month Day Year

Sex: EX Race: _____ If age 12 or older, State Issued Photo ID/Valid Driver's License /State Issued Photo ID Number: _____

State of Issuance: _____ Relationship to Inmate: _____

If form is for an Attorney request, provide State Bar Number _____

Are you a CURRENT or PREVIOUS ADC employee, CONTRACT employee, VOLUNTEER, or inmate INMATE? YES _____ NO _____

IF YES, Date last employed, volunteered, or incarcerated: _____ Unit of Assignment: _____

SOCIAL SECURITY #: _____

If age 12 or older, Valid Driver's License /State Issued Photo ID Number: _____ State of issue: _____ SEX: _____ RACE: _____
Relationship to Inmate: _____

If form is for an Attorney request, provide State Bar Number _____

ARE YOU PRESENTLY ON THE APPROVED ARE YOU PRESENTLY APPROVED ON FOR ANY OF THE FOLLOWING LISTS OF ANOTHER INMATE(S) INCARCERATED WITHIN THE DIVISION OF CORRECTION: **PHONE (P)** **VISITATION (V)** **VIDEO VISITATION (VV)** **ALL (A)? LIST OF**

ANOTHER INMATE INCARCERATED WITHIN THE ARKANSAS DEPARTMENT OF CORRECTION? YES () NO () IF YES, PLEASE COMPLETE THE FOLLOWING, Please list by completing the following: IF MORE THAN ONE, LIST ALL... Use additional paper if needed.

Inmate Name _____ ADC # _____ # _____ Relationship _____ P _____
Unit _____ (P) _____ (V) _____ (VV) _____ (A) _____

Inmate Name _____ ADC # _____ # _____ Relationship _____ P _____
Relationship: _____ ELATIONSHIP _____ Unit: _____ (P) _____
(V) _____ (VV) _____ (A) _____

Inmate Name _____ ADC # _____ RELATIONSHIP _____ Relationship _____
Unit: _____ (P) _____ (V) _____ (VV) _____ (A) _____ Inmate Name _____ ADC # _____ Relationship: _____
Unit: _____ (P) _____ (V) _____ (VV) _____ (A) _____

Are you a CURRENT or PREVIOUS ADC employee, CONTRACT employee, VOLUNTEER, or INMATE? -YES _____ NO _____

If yes, F-YES, dDate last employed _____, volunteered _____, or incarcerated: _____
Unit of Assignment: _____

If form is for an Attorney request, provide State Bar Number: _____

Inmate Name _____ ADC # _____ RELATIONSHIP _____ Unit _____ (P) _____ (V) _____ (VV) _____ A _____

ARE YOU PRESENTLY ON THE APPROVED VISITATION LIST OF ANOTHER INMATE INCARCERATED WITHIN THE ARKANSAS DEPARTMENT OF CORRECTION? YES () NO () IF YES, PLEASE COMPLETE THE FOLLOWING: IF MORE THAN ONE, LIST ALL. Use additional paper if needed.

Inmate Name _____ ADC # _____ RELATIONSHIP _____ Unit _____
Incarceration

Inmate Name _____ ADC # _____ RELATIONSHIP _____ Unit _____
Incarceration

Form must be completed legibly and in its entirety.

SEARCH AUTHORIZATION

I, _____ of _____ request _____ Name _____ City _____ State _____

permission from the Arkansas Department of Correction, to Visit in person or through Video Visitation and/or Contact by telephone, with the above listed inmate Inmate _____, ADC # _____. I have read and fully understand the rules and regulations on the back of this form, and I understand them fully. I do agree to abide fully by such rules and regulations. I understand that there will be consequences should I fail to follow the rules and regulations governing visitation and telephone usage, and/or visitation, both those located on the back of this application and rules posted at the Unit. In consideration for being granted permission to visitation and/or telephone usage, and/or visitation, I consent to recording of telephone calls and a criminal background check(s).

COMPLETE AND RETURN THIS FORM TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK.

Signature of Applicant Printed Applicant's Name (Must be Legible or Form Cannot Be Processed)

Signature of Applicant

Signature of Applicant
VISITATION CLERK (Processed)
At the Inmate's Assigned Unit

Signature of Applicant

Any minor If you are under 18 years of age, must have a your Legal Guardian's approval to visit, and consent to a search of the minor's your person and possessions or contact by telephone must be indicated by signing below. Additionally, you will be required to have your the legal guardian must accompany the minor to all visits, an approved adult with you to visit. Signature of Parent or Legal Guardian constitutes "consent" or approval.

I, certify as the legal guardian, certify who will be bringing the minor to visit in that there is no active court order, or legal disposition that prohibits visiting privileges between the of the minor and inmate.

I certify as the guardian who will be bringing the minor in that there is no court order that restricts the minor from visiting the inmate. _____

Relationship to Applicant:

Relationship to Applicant

Signature of Legal Signature of Legal Guardian or Parent Signature
Clearly Print Parent or Legal Guardian or Parent's Name (Clearly Print)

RETURN THIS FORM TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK

Attachment II

Rules Governing Inmate Visits

~~1. 1. In order for you to be placed on the approved visitation list, this form must be legibly completed in its entirety and RETURNED TO THE INMATES ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK ADDRESS INDICATED. DO NOT RETURN THE APPLICATION TO THE INMATE. It is the responsibility of the inmate to notify you if your application is approved for visitation, visitation schedule, and any changes to either. Note that upon request, the inmate may remove any or all visitors from his/her approved visitation list. It is the responsibility of the inmate to notify you if your application is approved for visitation, of the visitation schedule, and any changes to either.~~

~~2. 1.~~

~~3. 2. You may contact the unit visitation clerk at each particular unit to confirm the visitation schedule at that unit. Visits will not be scheduled on a holiday unless the holiday occurs on the inmate's regularly scheduled visitation day.~~

~~2.~~

~~4.~~

~~5. 3. Visits for inmates assigned to administrative segregation may be arranged by contacting the Visitation Office. These visits will be conducted in a more secure setting. Inmates assigned to punitive status may be permitted to receive visits up to of two (2) hours one time per month. These visits must be requested at least 24 hours in advance and must be approved by the Warden or designee based on the inmate's behavior.~~

~~3.~~

~~6.~~

~~4. All persons, property, and vehicles entering State property shall be subject to search(es). Any refusal to comply with searches will result in denial of future entry into the facility. Additionally, all applicants and visitors will be subject to a criminal background check during screening of at the visitation application, and each visit.~~

~~4.~~

~~7.~~

~~8. 5. No more than four (4) persons shall be permitted to visit any one inmate during any visitation period. All visitors must be on the approved visitation list. A person of any age is counted as one of the four persons allowed to visit. When an inmate has minor children that would exceed the number of allowed visitors (with an adult visitor), a maximum of two (2) adults will be allowed to accompany the inmate's minor children during the visitation period. The Warden must authorize any other exceptions.~~

~~5.~~

~~9.~~

~~10. 6. Brief cut, provocative, or inappropriate clothing will not be permitted. No halter-tops, tank tops, hats, shorts, skirts/dresses that do not reach the top of the knee while standing, see-through clothing, leggings, jeggings, or camouflage attire. No halter-tops, tank tops, hats, shorts, mini-skirts/dresses, see-through clothing, leggings, jeggings, any spandex material, overalls/coveralls, ripped jeans, white shirts, white pants, clothing with provocative images or writings, or camouflage attire, or flip flops, may be worn. No sVisitors must not wear clothing that reveals the shoulders, breasts, or buttocks. Sleeveless tops are not allowed because shoulders must always be covered, at all times. All visitors Women must wear undergarments. Female visitors are strongly encouraged to refrain from wearing underwire bras. Clothing containing metal (such as snaps, buttons, buckles, under wires, etc.) should be avoided as those items may prevent the visitor from clearing certain security devices, which could result in denial/cancellation of visiting, cause delays and lead to additional searches. Children 10 years of age and under will be allowed to wear shorts of an appropriate length.~~

~~6.~~

~~11. 7.~~ Visitors will be allowed to carry in only the following items: state issued photo I.D. card, baby bottle, diapers and wipes, car keys and jewelry (being worn). A Warden may place a limit on the amount of money or other items that can be brought into the visitation area.

~~7.~~

~~12.~~

~~13. 87.~~ Visitors will not be permitted to ~~bring~~give an any-inmate money, gifts, food, or any other items. **THE FURNISHING OR INTRODUCTION OF ANY PROHIBITED ARTICLE INTO A DEPARTMENT FACILITY IS IN VIOLATION OF ARKANSAS CODE 5-54-119 AND IS A FELONY PUNISHABLE BY LAW. THIS INCLUDES TOBACCO, ANY SMOKING PARAPHERNALIA, ELECTRONIC COMMUNICATION DEVICES, ALCOHOL AND/OR DRUGS.** ~~Visitors will be allowed to carry in only the following items: state issued photo identification I.D. card, baby bottle, baby diapers and diaper wipes, car keys and jewelry (being worn). A Warden may place a limit on the amount of money or other items that can be brought into the visitation area.~~

~~8.~~

~~14.~~

~~15. 98.~~ Visitors who have been admitted to the institution to visit an inmate shall not visit any other inmate ~~during the visit at any time~~, unless the Warden or designee grants specific permission for such visit in advance.

~~9.~~

~~16.~~

~~17. 109.~~ Improper conduct ~~on the part of any~~ visitor shall result in immediate termination of the visit and may result in the suspension or revocation of visiting privileges. ~~Children must be kept from running and kept as quiet as possible so as not to avoid interfering~~ with other visits.

~~10.~~

~~18.~~

~~19. 11. 110.~~ Any visitor under the influence of alcohol and/or drugs, or who knowingly brings, or attempts to bring, any alcohol, drugs, tobacco, electronic communication devices, etc., into the institution, or upon its grounds, may be detained for arrest by the appropriate authorities or removed from the institution grounds immediately. ~~The incident shall be reported to the Prosecuting Attorney for appropriate action. In addition, incidents shall result in the indefinite suspension of all visiting privileges of such person(s).~~

*** Current and former ADC employees and contract employees shall not be approved for visitation or telephone calls for a period of three (3) years from last date of ~~employment, unless employment unless~~ they are immediate family members and were so prior to their employment. ~~Any person who has participated as a volunteer at any time within the last eighteen (18) months shall not be placed on any inmate's visitation or telephone list unless they are immediate family members and were so prior to their work as a volunteer or the inmate's incarceration. Waivers can be granted by wardens if employees or volunteers left in good standing.~~



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

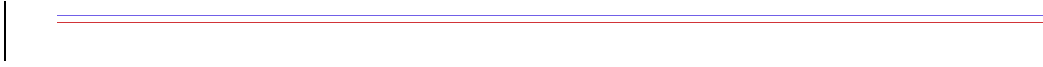
6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244



[Think of a sister department](#)

ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244



[Attachment IV](#)

Attachment IV

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ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

{Visitor’s Name}
{Visitor’s Mail Address}
{City, State, or Code}



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

Dear {Visitor’s Name},

~~Please be advised that your~~ your visitation privileges have been suspended due to your arrest on {Month, Date, Year} Date with [Arresting Agency].

Please provide the following information to assist in the re-evaluation of your visitation status:

1. Copies of the arrest report(s);
2. A written statement detailing the circumstances of the arrest;
3. Court records indicating disposition of the charges;
4. Other information as explained below:
[Explanation of other information]

Your visitation privileges will remain suspended until the ~~information -above-~~requested information is received and the re-evaluation is completed. -Once the investigation and subsequent re-evaluation is complete, you will be advised of the decision in writing.

If you have any questions, please contact the visitation clerk at:

{Visitation Clerk’s Name}

{Visitation Clerk’s Telephone Number}

Sincerely,

{Warden's Signature _____}

Warden's Name

cc: _____ Inmate's Visitation File
[File](#)



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
 6814 Princeton Pike
 Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Transportation/Escorting of Inmates Outside of Units/Centers

NUMBER: 2024-07

SUPERSEDES: 14-15

APPLICABILITY: Wardens/Center Supervisors; Security Personnel; Any employee required to escort or transport inmates in the performance of their duties; and inmates.

REFERENCE: AR 404 Transportation/Escorting Offenders; AR 409 Use of Force; AR 403 Use of Restraints; ACA Standards

PAGE: 1 of 9

APPROVED: Original signed by Dexter Payne **EFFECTIVE DATE: 02/16/2024**

I. POLICY:

- A. It is the policy of the Arkansas Division of Correction (ADC) to maintain security of inmates for the protection and safety of the public, staff, inmates, and state property.
- B. It is the policy of the ADC to ensure secure procedures and safety precautions are instituted at all times while escorting and/or transporting inmates.
- C. It is the policy of the ADC that inmates being transported to or from one unit to another must be handcuffed and/or subject to appropriate physical restraint device(s) as may be required by an inmate's custody classification to preserve the good order of the institution and to protect the public, staff, and inmates.
- D. It is the policy of the ADC that security personnel and others as designated by this Administrative Directive (AD) or by the Director are authorized and shall be trained in the permissible use of force to ensure that force is used only in instances of justifiable self-defense, protection of others, prevention of inmates from harming themselves, protection of property, and prevention of escapes, to the degree necessary to maintain order and discipline and ensure the safety of persons and the security of operations.

- E. It is the policy of the ADC that all personnel authorized to use firearms and/or any electronic restraint devices, such as handheld Tasers®, receive appropriate training before being assigned to a post or task that may require the possible use of such weapon or device. Appropriate training will include qualification, retention, use of force, and training in any equipment associated with these weapons (i.e. retention holster). All training shall be conducted, coordinated, and/or approved by the ADC Training Academy.
- F. It is the policy of the ADC to outline responsibilities and procedures to be used or applied by personnel of the ADC when supervising inmates who require transportation and/or escort outside a correctional facility/work centers.

II. DEFINITIONS:

- A. Employee. Person(s) hired by or contracted for service(s) of the ADC.
- B. Transport Officer. An employee, who is trained and equipped with appropriate equipment, to transport/escort inmates in restraints and under appropriate security conditions outside units/centers of the ADC.
- C. Restraints. Security equipment used to prevent escape, assault, or the commission of some other offense by violent or disruptive offender(s); and to protect employees, offenders, and other individuals.
- D. Electronic Restraint Devices (ERD). Electrical disabling security devices to include but not be limited to a handheld electronic restraint device, electronic capture shield/electronic riot shield, remote activated custody control belt (RACC), or Taser® that deliver a high-voltage, low current charge that incapacitates an inmate without causing permanent harm or side effects.

III. PROCEDURES - General:

- A. ADC Employees shall use or apply proper security procedures and safety precautions when transporting and/or escorting inmates, including but not limited to the following situations:
 - 1. While an inmate(s) is/are being transported and/or escorted:
 - a. On or about an ADC unit;
 - b. From one unit to another;
 - c. On an out-to-court status; and
 - d. To and from an off-the-unit activity, i.e., healthcare appointment, administrative interviews.

2. While or during that period when an inmate(s) is/are being returned to an ADC unit following an escape or other apprehension return situations; and/or
 3. While or during any situation where an inmate must be transported/escorted or held away from their assigned housing unit for the good order and safety of the ADC.
- B. All officers assigned to transport/escort inmates are responsible for the safe and secure movement of such inmates. At a minimum, the following security measures shall be enforced:
1. Inmates being transported from one unit to another or being taken from and returned to a unit must be handcuffed. A security belt and/or leg irons may also be used to provide additional security.
 2. Inmates being transported from and/or to maximum security and/or administrative segregation shall be secured in handcuffs, leg irons and belly chains at all times unless a medical condition or physical injury restricts the application of these devices as directed by medical staff.
 3. Handcuffs and/or other security restraint devices employed are not to be removed until the inmate is delivered to the designated site as specified by the Transfer/Gate Pass authorized by Unit Warden/Center Supervisor.
 4. When more than one inmate is being transported/escorted, the inmates may be secured together by lead chain or other approved device to prevent separation and/or escape.
 5. Inmates of the opposite sex may be transported in the same transportation vehicle only when the following conditions are met:
 - a. Inmates of the opposite sex are separated by a wall/partition while being transported.
 - b. At least one escorting employee is of the same gender as the inmate(s) being transported.
 6. There will be two officers assigned to transport. If more than one inmate is being transported each officer will be armed with agency approved nonlethal and lethal weapons.
 7. Wearing body armor is mandatory for Transportation Officers and/or unit officers who have been assigned by the Warden to transport inmate(s) as part of their regular duties.

8. Death row inmates will always be transported individually.

V. **PROCEDURES - Specific**

- A. The movement of an inmate outside of an institution poses a very real and potentially serious security threat to the institution, the public, and those directly engaged in an inmate's movement.
- B. Officers assigned to transport/escort inmates must use good judgment and pay careful attention to both general and specific issues and/or details related to their assignment.
- C. Officers who are engaged in the transportation of inmates need to be promptly available, properly trained, and provided appropriate equipment to carry out the safe and secure movement of an inmate(s).
- D. Post Orders cannot cover every incident or event. Attached is a document entitled *Guidelines for ADC Transport Officers*. These guidelines shall be incorporated into any post order and/or training dealing with inmate movement. Unit Training Officers will ensure that these topics are included in routine in-service training of assigned correctional staff; specifically, those officers assigned to 'transport/escort' duties.
- E. Training curriculums at either the ADC Training Academy or unit training level shall be reviewed, and appropriate measures instituted to ensure the following subject matter is incorporated into each curriculum. Officers assigned to transport inmates from the secure perimeter of an institution shall at a minimum receive the following training prior to transporting inmates:
 1. The use and proper application of hand restraints, i.e. handcuffs, leg shackles, belly chains, or other similar devices;
 2. The use and proper application of Flex Cuffs, or a similar non-metal restraint device;
 3. The use and proper application of 'electronic restraint devices' (ERD)
 4. 'Weapons retention' training shall be incorporated into all training curriculums for lethal and non-lethal weapons and be subject to annual certification of this skill;
 5. Transporting inmates/Transportation Officer training; and
 6. Retention holster training.

- F. In those instances where staffing is insufficient, the unit/center supervisor may allow one fully trained officer to be accompanied by an unarmed officer.
- G. **In no instance will an officer be armed with a lethal weapon without having received training in weapons retention and retention holster training as described herein.**

VI. PROCEDURES – Exceptions/Special Instructions:

- A. Exceptions to this policy may include:
 - 1. Inmates in Class I-A and I-B status;
 - 2. Inmates who are pregnant (see AD Movement of Pregnant Women);
 - 3. Inmates transported to a Work Release Unit/Center;
 - 4. Inmates transported to/from an industry or construction job assignment;
 - 5. Inmates participating in the Regional Maintenance Program;
 - 6. Inmates transported to/from band or choir engagements;
 - 7. Inmates transported to/from Inmate Panel engagements;
 - 8. Inmates transported to accommodate parole and/or discharge action; and
 - 9. Other inmates as identified and/or designated by the Warden or designee.
- B. Medical Transports
 - 1. The use of both handcuff and leg iron restraints on inmates being transported/escorted for routine scheduled healthcare appointment(s) is appropriate and required unless an injury or health condition restricts the application of these devices.
 - 2. Transport/escort staff should:
 - a. Determine the appropriate level of custody measures to be applied on any inmate being transported/escorted;
 - b. Inquire of unit/facility healthcare staff as to the existence of any known physical disability or health condition that may restrict the application of any restraint device(s);
 - c. Should any conflict exist, the matter of which level of restraint is to be applied to a particular inmate(s) shall be referred to the Unit/Facility Warden, or designee, for guidance. The Administrator

of Medical Services, the Administrator of Mental Health Services, or the Deputy Director of Health & Correctional Programs may be consulted as deemed necessary; and

- d. The inmate's medical file/records from the medical department will accompany him/her. Both the inmate and the medical file/records will be returned to the medical department immediately upon returning to the unit along with any discharge instructions from the visited facility.
3. In the event of emergency medical transportation of an inmate who would otherwise warrant restraints, the use of either or both handcuff and leg iron restraints is mandatory unless the injury restricts application.
- a. An inmate being transported for medical emergencies should be secured as would normally be done according to the inmate's security status for movement outside the unit. Discretion may be used in cases where the inmate is unconscious, well secured to the gurney, sedated, or otherwise rendered incapable of assaultive actions or escape, and the removal of restraints is essential to provide adequate assessment or treatment.
 - b. There may be occasions such as medical flights on small planes or helicopters where all available space is needed for medical staff or operations, and there is no space for a correctional officer. In such cases, the senior official on site should weigh the safety of the public against the threat to the life or limb of the inmate. If the decision is made to transport without a correctional officer on board, such restraints, as the medical personnel will allow, should be placed on the inmate. A pursuit or follow-on vehicle will be dispatched by the sending unit/facility. Officers dispatched will be appropriately armed.
 - c. During ambulance transports, an armed transport officer will sit in the back of the ambulance at the foot of the gurney to ensure the weapon is not made accessible to the restrained inmate; or the armed officer may sit in the front passenger seat if it is possible to maintain sight and sound of the inmate. An armed officer driving a pursuit or follow-on vehicle will also be dispatched.
 - d. The transport officer inside of the ambulance should be armed, especially if follow-on vehicle is unable to continuously follow behind the ambulance due to traffic or other obstacles.
 - e. ADC Hospital Security should be notified and informed of the emergency movement. In the event the inmate(s) is/are scheduled for admission to a community hospital, Hospital Security will dispatch an officer(s) to relieve unit/facility officers of continued inmate supervision. If the inmate(s) is/are not admitted, unit/facility

supervisory staff will provide guidance/instruction to the transport officers. Transport/escort officers shall remain with an inmate until properly relieved.

- f. Officers should work with medical staff to provide security in the community healthcare setting. This may include wearing sterile coverings to remain in a particular area or standing outside the door once, the inmate is sedated or secured. Transport/escort Officers are expected to use good judgment in balancing security concerns with the wishes of healthcare staff and the medical needs of the inmate. When there is a conflict, the Chief of Hospital Security, Administrator of Medical Services, or the Deputy Director of Health and Correctional Programs should be contacted immediately.
4. Community healthcare facilities, including air and ground ambulance services may have restrictions on the presence and use of 'lethal weapons.' Unit/Facility staff need to access the existing 'lethal weapon' protocols and/or requirements of those community facilities routinely used or visited by ADC.
 - a. Findings shall be incorporated into any applicable unit/facility procedure or submitted for further management discussion, as may be deemed necessary for a particular protocol/requirement.
 - b. As may be necessary, unit/facility operations shall review current security equipment allocations and initiate appropriate budget action to provide for the procurement of an adequate supply of 'non-lethal' electronic restraint devices, specifically holster carried Taser® pistols and 'remote activated custody control belt.'
 5. Training and/or certification to use ERD's shall be instituted prior to correctional officers being issued such devices.

C. Court Transports - Transport/escort Officers shall:

1. Arrive at the courthouse forty-five (45) minutes prior to the start of Federal Court and thirty (30) minutes prior to the start of any other court proceedings.
2. Move inmates from holding cell to courtroom in full restraints. Only remove restraints from the inmate in the courtroom if directed by the judge or a federal marshal.
3. Transport officers are usually not allowed to carry firearms in Federal Court; however, firearms may be carried into Circuit Court rooms.
4. Be sure help is available in the courtroom.

5. The transporting officer will place himself between the inmate and any exits and in such a location to allow the inmate's activities to be observed by the officers.
6. Do not allow visitation or contact visits between inmates and family members unless ordered by the judge.
7. Be familiar with Federal and Circuit Court procedures. Check with U.S. Marshal Service and court security officers.
8. Inmates must wear prison uniforms unless directed by the court to wear civilian clothing.
9. The inmate's institutional file (medical and mental health file if requested by a court or attorney) will accompany him/her to Federal Court. Transport Officers shall return these records to the unit/facility upon completion of court activity.

D. High Security Transports - Transport Officers shall ensure:

1. The transport vehicle will be accompanied by a trailing vehicle with officers armed with lethal and non-lethal weapons.
 2. Communication between the two vehicles and the base station will be maintained throughout the transport.
 3. Arkansas State Police will be advised of the transport and route taken and in some cases will assist in the actual transport of a high security transport, as may be directed by the Warden, or designee.
- E. Transportation Officers are expected to provide all reasonable assistance to unit personnel and to conform to institutional policies and procedures while within the confines of the institution. Transportation Officers are responsible for strict adherence to transportation policies and procedures.
- F. If applicable, Wardens/Center Supervisors will write general policies dealing with unit management for their particular facility in accordance with the guidelines established by ACA Standards and/or Administrative Directive. Exceptions to these policies must be approved by the Director.

VII. ATTACHMENTS

- A. Attachment #1- Guidelines for ADC Transport Officers (5 pages)

Attachment #1**GUIDELINES FOR ADC TRANSPORT OFFICERS****PREPARATION FOR TRANSPORT**

Prior to transporting inmates, transporting officer(s) should assure the following steps are to be taken.

Review the gate pass to establish the following:

A. CHECKLIST

- _____ 1. Destination
- _____ 2. Arrival time. Allow time to abide by posted speed limits.
- _____ 3. Class of inmate, name, and ADC number.
- _____ 4. Number of inmates.
- _____ 5. Verify information, on Transfer or Gate passes.
- _____ 6. Ensure an authorized signature is on Transfer or Gate passes.
- _____ 7. Proper I.D. information for each inmate.
- _____ 8. Obtain the face page of the Admission Summary with photo for each inmate.

B. Check eOMIS file for:

- _____ 1. Disciplinary problems.
- _____ 2. Escape risk.
- _____ 3. Amount of time inmate is serving.
- _____ 4. Enemy alerts, if transporting more than one inmate.
- _____ 5. Security precautions; suicidal, escape, risk, etc.

C. Obtain proper restraints and verify they are in working order.
(Restraints used based on security level of inmate).

1. Handcuffs
2. Waist Chains with Padlock
3. Black Box
4. Leg Irons
5. Flex Cuff

6. Remote Activated Custody Control Belt (i.e. RACC Belt) or other electronic restraint devices.
- D. Ensure transport vehicle has been properly serviced and ready for use by checking the following:
1. Gas, oil, and fluids.
 2. Tires, including spare tire and jack.
 3. Windshield wipers.
 4. ADC Radio.
 5. All lights.
 6. Security cages (split van) and driver's security divider.
 7. Conduct a complete search of the vehicle for contraband prior to placing inmates into vehicle.
- E. Make positive identification of each inmate being transported by comparing inmate number, photo, and other necessary documentation.
- F. Search all inmates prior to transport.
1. Searches will be conducted in accordance with AR 401 and other departmental guidelines. Searches will be conducted in a manner to avoid any unnecessary force, embarrassment, or indignity of the person being searched.
 2. Search in a secure place where contraband cannot be obtained.
 3. After completion of search, inmates are to remain under constant and direct supervision of the transport officer until placed in the vehicle.
 4. Inspect property being transported with inmate for cuff keys, weapons, and contraband.
 5. All property being transported with inmate will be in accordance with the AD on Inmate Property Control, will be placed in a state issued property bag and sealed prior to transporting.
 6. Keep property out of reach of inmates to prevent theft.
- G. Restrain inmates in accordance with AR 403, Use of Restraints:
1. It is mandatory that inmates being transported/escorted to outside appointments from a maximum or medium security correctional facility be restrained with leg irons and black boxes on handcuffs except as provided in paragraph VI of this AD.

***NOTE:** All restraints will be double locked.

2. If more than one inmate is transported, all are transported at the level of security required by policy for the inmate in the group who is of the highest security custody level.
3. Flex Cuffs will be utilized when metal restraints interfere with medical procedures (X-rays, MRI's, etc). Flex Cuffs are to be placed on inmate prior to metal restraints being removed.

H. Both Transportation Officers will carry a weapon, regardless of the number of inmates being transported.

1. Weapons will be checked out/in at the designated area at each unit.
2. No weapon will be carried inside the perimeter fence for any reason.
3. Ensure weapon is out of reach of inmate at all times.

***NOTE:** Never remove restraints from an inmate while armed. Give your partner your weapon.

PLACEMENT OF INMATES IN VEHICLES

The following guidelines should be used in placing inmates in the transport vehicle:

- A. First seat – Class IV and high-risk inmates. New commitments are considered high security risk until evaluations have been completed.
- B. Remainder of inmates will be seated at the discretion of the Transport/Escort Officer.
- C. All inmates transported in a 15-passenger van will be required to wear seat belts.

ACTUAL TRANSPORTING

- A. Inmates being transported outside the unit will be transported in a safe and humane manner.
- B. Officers escorting inmates will be extremely alert, especially in crowded areas, to prevent an attempted escape or the acquisition of contraband by the inmate.
- C. Copies of the gate pass will be left at the Control Center/Sally Port gate, Main Gate, or as required by sending unit policy. Transportation Officer will retain one (1) copy.

- D. After departure from compound, contact the ADC Radio Room with the following information:
1. Unit's van number.
 2. Destination.
 3. Number of inmates.
 4. Estimated time of arrival at destination.

VEHICLE TROUBLE/EXTENDED TRANSPORTS

- A. In the event of vehicle trouble, the transporting officer will:
1. Radio nearest unit and give location.
 2. One officer will remain in the vehicle; the second officer will position himself/herself outside the vehicle and maintain area security surveillance.
 3. Wait for roadside assistance.
 4. Maintain continuous supervision of inmates.
- B. During an extended transport, the transporting officer will adhere to the following guidelines for restroom facilities or eating facilities:
1. Utilize local law enforcement facilities when possible or restrooms with outside access.
 2. Carry sack lunches when possible or utilize ADC facilities.
 3. Allow one inmate at a time to use restroom, while keeping constant observation on the inmate. Never leave an inmate in restroom alone or allow him/her to lock restroom door.
 4. Remove only necessary restraints.
 5. No unauthorized stops.
 6. Do not stop where the inmate suggests.
- C. In the event of a suspicious vehicle, the transporting officer will:
1. Obtain description of vehicle and license plate number.
 2. Utilize state or local law enforcement.
 3. Do not stop under any circumstance.

UPON ARRIVAL AT DESTINATION

A. Upon arriving at the destination, the transporting officer will:

1. Advise ADC Radio Room of arrival.
2. Before leaving transportation vehicle, perform a visual check of bystanders and closest vehicles.
3. Check restraints for tampering.

B. Upon exiting vehicle, the transporting officer will:

1. Keep weapon on opposite side of the inmate.
2. Control elevators and entrance/exit doors.
3. Instruct inmate to remain facing the back wall of an elevator.
4. Do not allow public citizens onto an elevator with the inmate.
5. Do not allow inmates to sit in public waiting areas while public citizen(s) are present.



ARKANSAS DEPARTMENT OF CORRECTIONS



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ADMINISTRATIVE DIRECTIVE

SUBJECT: ~~—~~Transportation/Escorting of Inmates Outside of Units/Centers

NUMBER: ~~—20213-~~ 14-15
15

SUPERSEDES: ~~—11-0414-~~

APPLICABILITY: ~~—~~Wardens/Center Supervisors; Security Personnel; Any employee required to escort or transport inmates in the performance of their -duties; and inmates.

REFERENCE: AR 404 ~~—~~Transportation/Escorting ~~_____~~ **PAGE:** 1 of ~~81415~~
 Offenders; AR 409 Use of Force;
AR 409 — Use of Force;
~~—~~AR 403 ~~—~~Use of Restraints;
ACA Standards

APPROVED: Original signed by Ray Hobbs ~~_____~~ **EFFECTIVE**
DATE: 02/28/2014

I. POLICY:

- A. It is the policy of the Arkansas ~~Department~~ Division of Correction (ADC) to maintain security of inmates for the protection and safety of the public, staff, inmates, and state property.
- B. It is the policy of the ~~Department of Correction~~ ADC to ensure secure procedures and safety precautions are instituted at all times while escorting and/or transporting- ~~inmates~~ inmates at all times.

C. It is the policy of the ~~Department of Correction~~ADC that inmates being transported ~~to, or~~ -from one unit to another, ~~or being taken from and returned to a unit~~ must be handcuffed and/or subject to ~~an~~ appropriate ~~level of~~ physical restraint device(s), as may be required by an inmate's custody classification ~~or~~ to preserve the good order of the institution and ~~or~~ to protect the public, staff, and inmates.

~~C.~~

D. It is the policy of the ~~Department of Correction~~ADC that security personnel, and others as designated by ~~this~~ Administrative Directive (AD) or by the Director, are authorized and shall be trained in the permissible use of force, to ensure that force is ~~only~~ used ~~only~~ in ~~the~~ instances of justifiable self-defense, protection of others, ~~to prevent~~prevention of inmates from harming themselves, protection of property, and prevention of escapes, to the degree necessary to maintain order and discipline and ensure the safety of persons and the security of operations.

E. It is the policy of the ~~Department of Correction~~ADC that all personnel authorized to use firearms and/or any electronic restraint devices, such as handheld Tasers®, receive appropriate training before being assigned to a post or task ~~which that~~ may require the possible use of such weapon or device. Appropriate training will include qualification, retention, use of force, and training in any equipment associated with these weapons (i.e. retention holster). All training shall be conducted, coordinated, and/or approved by the ~~Arkansas~~ ~~Department of Correction~~ADC Training Academy.

II. EXPLANATION:

To outline responsibilities and procedures to be used or applied by personnel of the ~~Department of Correction~~ADC when supervising inmates who require transportation and/or escort outside a correctional facility/work centers.

III. DEFINITIONS:

~~As used in this AD, the following shall apply:~~

- A. Employee. ~~÷~~ Person(s) hired by ~~the Department of Correction,~~ or contracted for service(s) ~~of to the ADC.~~ ~~Department of Correction.~~
- B. Transport Officer. ~~÷~~ -An employee, who is trained and equipped with appropriate equipment, to transport/escort inmates in restraints and under appropriate security conditions outside units/centers of the ~~Department of Correction.~~ADC.
- C. Restraints. ~~÷~~ -Security equipment used to prevent escape, assault, or the commission of some other offense by violent or disruptive offender(s); and to protect employees, offenders, and other individuals.

- D. Electronic Restraint Devices (ERD).— Electrical disabling security devices to include but not be limited to a handheld electronic restraint device, electronic capture shield/electronic riot shield, remote activated custody control belt (RACC), or Taser® that deliver a high-voltage, low current charge that incapacitates an inmate without causing permanent harm or side effects.

~~D.~~—

IV. PROCEDURES - General⁺:

- A. ~~ADC~~Department ~~e~~Employees shall use or apply proper security procedures and safety precautions when transporting and/or escorting inmates, ~~at all times,~~ including but not limited to the following situations:

1. While an inmate(s) is/are being transported and/or escorted:
 - ~~1.a.~~ On or about an ADC unit;
 - b. From one unit to another;
 - c. On an out-to-court status; and
 - ~~1.~~ To and from an off-the-unit activity, i.e., healthcare appointment, administrative interviews;
 - d.
- ~~2.~~ While an inmate(s) is/are being transported and/or escorted from one unit to another;
- ~~3.~~ While an inmate(s) is/are being transported and/or escorted on an out-to-court status;
- ~~4.~~ While an inmate(s) is/are being transported and/or escorted to and from an off-the-unit activity, i.e., healthcare appointment, administrative interviews;
- ~~5.2.~~ While or during that period when an inmate(s) is/are being returned to an ADC unit following an escape or other apprehension return situations; and/or;
- ~~6.3.~~ While or during any situation where an inmate must be transported/escorted or held away from their assigned housing unit for the good order and safety of the Department of CorrectionADC.

- B. All officers assigned to transport/escort inmates are responsible for the safe and secure movement of such inmates. At a minimum, the following security measures shall be enforced:

⁺See Section VI. Exceptions/Special Instructions

1. Inmates being transported from one unit to another or being taken from and returned to a unit must be handcuffed. -A security belt and/or leg irons may also be used to provide additional security.
2. Inmates being transported from and/or to maximum security and/or administrative segregation shall be secured in handcuffs, leg irons and belly chains at all times unless a medical condition or physical injury restricts the application of these devices as directed by medical staff.
3. ~~3.~~ -Handcuffs and/or other security restraint devices employed are not to be removed until the inmate is delivered to the designated site as specified by the Transfer/Gate Pass authorized by ~~u~~Unit ~~W~~warden/~~C~~enter ~~S~~supervisor.
4. ~~3.~~ When more than one inmate is being transported/escorted, the inmates may be secured together by lead chain or other approved device to prevent separation and/or escape.
5. Inmates of the opposite sex may be transported in the same transportation vehicle ~~so long as only when~~ the following conditions are met:
 - a. Inmates of the opposite sex ~~shall are be~~ separated by a wall/partition while being transported.
 - b. At least one escorting employee ~~must be is~~ of the same gender as the inmate(s) being transported.
6. ~~3.~~ There will be two officers assigned to transport. -If more than one inmate is being transported each officer will be armed with agency approved nonlethal and lethal weapons.
7. ~~3.~~ Wearing body armor is mandatory for ~~Central TT~~Transportation ~~O~~officers and/or unit officers who have been assigned by the ~~h~~ Warden to transport inmate(s) as part of their regular duties.
8. ~~3.~~ Death row inmates will always be transported individually.

V. PROCEDURES - Specific:

- A. The movement of an inmate outside of an institution poses a very real and potentially serious security threat to the institution, the public, and those directly engaged in an inmate's movement.

- B. Officers assigned to transport/escort inmates must use good judgment and pay careful attention to both general and specific issues and/or details related to their assignment.
- C. Officers who are engaged in the transportation of inmates need to be promptly available, properly trained, and provided appropriate equipment ~~with which~~ to carry out the safe and secure movement of an inmate(s).
- D. Post Orders cannot cover every incident or event. ~~Attached is a document entitled *Guidelines for ADC Transport Officers*. These guidelines shall be incorporated into any post order and/or training ~~dealing with activity dealing with the subject of~~ inmate movement. Unit Training Officers will ensure that these topics are ~~made part of included in~~ routine in-service training of assigned correctional staff; ~~specifically~~ specifically, those officers assigned to ‘transport/escort’ duties.~~
- E. Training curriculums at either the ADC Training Academy or unit training level shall be ~~reviewed~~ reviewed; and appropriate measures instituted ~~whereby to ensure~~ the following subject matter is incorporated into ~~such each~~ curriculum. Officers assigned to transport inmates from the secure perimeter of an institution shall at a minimum receive the following training prior to transporting inmates:
1. The use and proper application of ~~hand~~ hand restraints, i.e. handcuffs, leg shackles, belly chains, or other similar devices;
 2. The use and proper application of Flex Cuffs®, or a similar non-metal restraint device;
 3. The use and proper application of ‘electronic restraint devices’ ~~(ERD) known as ERD’s~~;
 4. ‘Weapons retention’ training shall be incorporated into all training curriculums for lethal and non-lethal weapons and be subject to annual certification of this skill;
 5. Transporting inmates/Transportation Officer training; ~~and~~;
 6. Retention holster training.
- F. In those instances where staffing is insufficient, the unit/center supervisor may allow one fully trained officer to be accompanied by an unarmed officer.
- G. **-In no instance will an officer be armed with a lethal weapon without having received training in weapons retention and retention holster training as described herein.**

VI. PROCEDURES – Exceptions/Special Instructions:

A. Exceptions to this policy may include:

1. Inmates in Class I-A and I-B status;
2. ~~Female~~ Inmates who are pregnant (~~see See~~ AD ~~—~~ Movement of Pregnant Women);
3. Inmates ~~being~~ transported to a ~~W~~work ~~r~~Release ~~U~~unit/~~C~~center;
4. Inmates ~~being~~ transported to ~~/and~~ from an industry or construction job assignment;
5. Inmates participating in the Regional Maintenance Program;
6. Inmates ~~being~~ transported to ~~/and~~ from band or choir engagements;
7. Inmates ~~being~~ transported to ~~/and~~ from Inmate Panel engagements;
8. Inmates ~~being~~ transported to accommodate parole and/or discharge action; and;
9. Other inmates as identified and/or designated by the ~~W~~warden or designee.

B. Medical Transports:

1. The use of ~~either or~~ both handcuff and leg iron restraints on inmates being transported/escorted for routine scheduled healthcare appointment(s) is appropriate and required unless an injury or health condition restricts the application of these devices.
2. Transport/escort staff should:
 - a. Determine the appropriate level of custody measures to be applied on any inmate being transported/escorted~~;~~;
 - b. Inquire of unit/facility healthcare staff as to the existence of any ~~known~~ physical disability or health condition that may restrict the application of any restraint device(s)~~;~~;
 - c. Should any conflict exist, the matter of which level of restraint is to be applied to a particular inmate(s) shall be referred to the Unit/Facility Warden, or designee, for guidance. ~~The Administrator~~

of Medical Services, the Administrator of Mental Health Services, or the Deputy Director of Health & Correctional Programs may be consulted as deemed necessary; ~~and-~~

- d. The inmate's medical file/records from the medical department will accompany him/her. ~~Both the inmate and the medical file/records will be returned to the medical department immediately upon returning to the unit along with any discharge instructions from the visited facility.~~
3. In the event of emergency medical transportation of an inmate who would otherwise warrant restraints, the use of either or both handcuff and leg iron restraints is mandatory unless the injury restricts application.
 - a. An inmate being transported for medical emergencies should be secured as would normally be done according to the inmate's security status for movement outside the unit. Discretion may be used in cases where the inmate is unconscious, well secured to the gurney, sedated, or otherwise rendered incapable of assaultive actions or escape, and the removal of restraints is essential to provide adequate assessment or treatment.
 - b. There may be occasions such as medical flights on small planes or helicopters ~~, or in ambulances~~ where ~~the~~all available space is needed for medical staff or operations, ~~that and~~ there is no space for a correctional officer. ~~In such cases, the senior official on site should weigh the safety of the public against the threat to the life or limb of the inmate. If the decision is made to transport without a correctional officer on board, such restraints, as the medical personnel will allow, should be placed on the inmate. A pursuit or 'follow-on' vehicle will be dispatched by the 'sending' unit/facility. Officers dispatched will be appropriately armed.~~
 - c. During ambulance transports, an armed transport officer will sit in the back of the ambulance at the foot of the gurney to ensure the weapon is not made accessible to the restrained inmate; or the armed officer may sit in the front passenger seat if it is possible to maintain sight and sound of the inmate. An armed officer driving a pursuit or follow-on vehicle will also be dispatched.
 - b. The transport officer inside of the ambulance should be armed, especially if follow-on vehicle is unable to continuously follow behind the ambulance due to traffic or other obstacles.

~~e.d.~~ ADC Hospital Security should be notified and informed of the emergency movement. -In the event ~~that~~ the inmate(s) is/are scheduled for admission to a community hospital, Hospital Security will dispatch an officer(s) to relieve unit/facility officers of continued inmate supervision. -If the inmate(s) is/are not admitted, unit/facility supervisory staff will provide guidance/instruction to the transport officers. Transport/escort officers shall remain with an inmate until properly relieved.

~~d.e.~~ Officers should work with medical staff to provide security in the community healthcare setting. -This may include ~~putting on~~ wearing sterile coverings to remain in a particular area or standing outside the door once, the inmate is sedated or secured. -Transport/escort Officers are expected to use good judgment in balancing security concerns with the wishes of healthcare staff and the medical needs of the inmate. -When ~~there is a~~ re is a conflict, the Chief of Hospital Security, Administrator of Medical Services, or the Deputy Director of Health and Correctional Programs should be contacted immediately.

4. Community healthcare facilities, including air and ground ambulance services may ~~;~~ have restrictions ~~as to~~ on the presence and use of 'lethal weapons.' -Unit/Facility staff need to access the existing 'lethal weapon' protocols and/or requirements of those community facilities routinely used or visited by ADC.
 - a. Findings shall be incorporated into any applicable unit/facility procedure or submitted for further management discussion ~~at the local or state level~~, as may be deemed necessary for a particular protocol/requirement.
 - b. As may be necessary, unit/facility operations shall review current security equipment allocations and initiate appropriate budget action to provide for the procurement of an adequate supply of 'non-lethal' electronic restraint devices, specifically holster carried Taser® pistols and 'remote activated custody control belt.'
 - ~~b.~~
5. Training and/or certification to use ERD's shall be instituted prior to correctional officers being issued such devices.

C. Court Transports:

Transport/escort Officers shall:

1. Arrive at the courthouse forty-five (45) minutes prior to the start of Federal Court and thirty (30) minutes prior to the start of any other court proceedings.

- ~~1.2.~~ Move inmates from holding cell to courtroom in full restraints.
Only remove restraints from the inmate in the courtroom if directed by the judge or a federal marshal.
- ~~2.3.~~ ~~The judge will make the decision on the use of firearms in the courtroom. (Usually these devices are not allowed).~~ Transport officers are usually not allowed to carry firearms in Federal Court; however, firearms may be carried into Circuit Court rooms.
- ~~3.4.~~ Be sure ~~there is help~~ help is available in the courtroom.
- ~~4.5.~~ The transporting officer will place himself between the inmate and any exits and in such a location to allow the inmate's activities to be observed by the officers.
- ~~5.6.~~ Do not allow visitation or contact visits between inmates and family members unless ordered by the judge.
- ~~6.7.~~ Be familiar with ~~Fefederal~~ and ~~Ceircuit Ce~~ court procedures. -Check with U.S. Marshal Service and court security officers.
- ~~7.8.~~ Inmates must wear prison uniforms unless directed by the court to wear civilian clothing.
- ~~8.9.~~ The inmate's institutional file (medical and mental health file if requested by a court or attorney) will accompany him/her to Federal eCourt. Transport Officers shall return these records to the unit/facility upon completion of court activity.

D. High Security Transports:

~~Transport~~ During high security transport, ~~Transport~~ Officers shall ensure ~~that~~:

1. The transport vehicle will be accompanied by a trailing vehicle with officers armed with lethal and non-lethal weapons.
2. Communication between the two vehicles and the base station will be maintained throughout the transport.
3. Arkansas State Police will be advised of the transport and route taken and, in some cases will, assist in the actual transport of a high security transport, as may be directed by the Warden, or designee.

~~E. — Inmates of the opposite sex may be transported in the same transportation vehicle if the following conditions are met:~~

~~1. — Inmates of the opposite sex shall be separated by a wall/partition while being transported.~~

~~2. — At least one escorting employee must be of the same gender as the inmate(s) being transported.~~

~~FE.~~ ~~Inmate~~ Transportation Officers are expected to provide all reasonable assistance to unit personnel and to conform to institutional policies and procedures while within the confines of the institution. ~~Inmate~~ Transportation Officers are responsible for strict adherence ~~with to~~ transportation policies and procedures.

If applicable, Wardens/Center Supervisors will write general policies dealing with unit management for ~~the~~ ~~at~~ particular facility in accordance with the guidelines established by ACA Standards and/or Administrative Directive. ~~Exceptions to these policies must be approved by the Director of the Department of Correction~~ ADC.

VII. ATTACHMENTS

A. Attachment #1- Guidelines for ADC Transport Officers (5 pages)

VII. REFERENCES:
ACA Standards

~~ADD POLICY REGARDING TRANSPORTING INMATE BY AMBULANCE.
OFFICER WILL SIT IN FRONT OF AMBULANCE WITH WEAPON.~~

Attachment #1**GUIDELINES FOR ADC TRANSPORT OFFICERS****PREPARATION FOR TRANSPORT**

Prior to transporting inmates, transporting officer(s) should assure the following steps are to be taken.

~~A.~~ _____ Review the gate pass to establish the following:

A. CHECKLIST

- _____ 1. Destination
- _____ 2. Arrival time. -Allow time to abide by posted speed limits.
- _____ 3. Class of inmate, name, and ADC number.
- _____ 4. Number of inmates.
- _____ 5. Verify information, on Transfer or Gate passes.
- _____ 6. Ensure ~~that~~ an authorized signature is on Transfer or Gate passes.
- _____ 7. Proper I.D. information for each inmate.
- _____ 8. Obtain the face page of the Admission Summary with photo for each inmate.

B. Check ~~inmate's institutional~~eOMIS file for:

- _____ 1. Disciplinary problems.
- _____ 2. Escape risk.
- _____ 3. Amount of time inmate is serving.
- _____ 4. Enemy alerts, if transporting more than one inmate.
- _____ 5. ~~Check eOMIS for s~~Security precautions; suicidal, escape, risk, etc.

C. Obtain proper restraints and verify they are in working order.
(Restraints used based on security level of inmate~~).~~).

1. Handcuffs~~.~~
2. Waist Chains with Padlock~~.~~
3. Black Box

~~3.~~

4. Leg Irons

5. Flex Cuffs

~~6.~~ Remote Activated Custody Control Belt (i.e. RACC Belt) or other electronic restraint devices.

6.

D. Ensure transport vehicle has been properly serviced and ready for use by checking the following:

1. Gas, oil, and fluids.

2. Tires, including spare tire and jack.

3. Windshield wipers.

4. ADC Radio.

5. All lights.

6. Security cages (split van) and driver's security divider.

7.

Conduct a complete search of the vehicle for contraband prior to placing inmates into vehicle.

E. Make positive identification of each inmate being transported by comparing inmate number, photo, and other necessary documentation.

F. Search all inmates prior to transport.

1. Searches will be conducted in accordance with AR 401 and other departmental guidelines. Searches will be conducted in a manner to avoid any unnecessary force, embarrassment, or indignity of the person being searched.

2. Search in a secure place that where contraband cannot be obtained.

3. After completion of search, inmates are to remain under constant and direct supervision of the transport officer until placed in the vehicle.

4. Inspect property being transported with inmate for cuff keys, and/or weapons, and contraband.

5. All property being transported with inmate will be in accordance with the AD on Inmate Property Control, will be placed in a state issued property bag and sealed prior to transporting.

6. Keep property out of reach of inmates to prevent theft.

~~5.~~~~6. Attempt to keep property away from other inmates to prevent any type theft.~~

G. Restrain inmates in accordance with AR 403, Use of Restraints:

1. It is mandatory that inmates being transported/escorted to outside appointments from a maximum or medium security correctional facility be restrained with leg irons and black boxes on handcuffs except as provided in paragraph VI of this AD.

****NOTE:** All restraints will be double locked.

2. If more than one inmate is transported, all are transported at the level of security required by policy for the inmate in the group who is of the highest security custody level.
3. Flex Cuffs will be utilized when metal restraints interfere with medical procedures; ~~i.e.,~~ (X-rays, MRI's, etc). Flex Cuffs are to be placed on inmate prior to metal restraints being removed.

H. ~~At least one~~Both Transportation Officers will carry a weapon, regardless of the number of inmates being transported.

1. Weapons will be checked out ~~and~~ in at the designated area at each unit.
2. No weapon will be carried inside the perimeter fence for any reason.
3. Ensure weapon is out of reach of inmate at all times.

***NOTE:** -Never remove restraints from an inmate while armed. -Give your partner your weapon.



PLACEMENT OF INMATES IN VEHICLES

The following guidelines should be used in placing inmates in the transport vehicle:

- A. First seat – Class IV and high-risk inmates. -New commitments are considered high security risk until evaluations have been completed.
- B. Remainder of inmates will be seated at the discretion of the Transport/Escort Officer.

All inmates transported in a 15-passenger van will be required to wear seat belts.

C.

—

➤ **ACTUAL TRANSPORTING**

- A. Inmates being transported outside the unit will be transported in a safe and humane manner.
- B. Officers escorting inmates will be extremely alert, especially in crowded areas, to prevent an attempted escape or the acquisition of contraband by the inmate.
- C. Copies of the gate pass will be left at the Control Center/Sally Port gate, Main Gate, or as required by sending unit policy. Transportation Officer will retain one (1) copy.
- D. After departure from compound, contact the ~~Unit's~~ ADC Radio Room with the following information:
 - ~~_____~~ -1.
 - ~~:~~
Unit's van number.
 - ~~+~~
 - 2. Destination.
 - 3. Number of inmates.
 - 4. Estimated time of arrival at destination.

➤ **VEHICLE TROUBLE/EXTENDED TRANSPORTS**

- ~~A.~~ A. _____ In the event of vehicle trouble, the transporting officer will:
 - 1. Radio nearest unit and give location.
 - 2. One officer will remain in the vehicle; the second officer will position himself/herself outside the vehicle and maintain area security surveillance.
 - 3. Wait for roadside assistance.
 - 4. Maintain continuous supervision of inmates.
- B. During an extended transport, the transporting officer will adhere to the following guidelines for restroom facilities or eating facilities:
 - 1. Utilize local law enforcement facilities when possible or restrooms with outside access.
 - ~~2. Eating.~~ Carry sack lunches when possible or utilize ADC facilities.

~~2.~~

3. Allow one inmate at a time to use restroom, while keeping constant observation on the inmate. -Never leave an inmate in restroom alone or allow him/her to lock restroom door.

4. Remove only necessary restraints.

~~4.~~

5. ~~Absolutely no~~No unauthorized stops.

6. ~~Absolutely d~~Do not stop where the inmate suggests.

C. ~~C.~~ ————— In the event of a suspicious vehicle, the transporting officer will:

1. Obtain description of vehicle and license plate number.
2. Utilize state or local law enforcement.
3. Do not stop under any circumstance.

UPON ARRIVAL AT DESTINATION

~~A.~~ A. Upon arriving at the destination, the transporting officer will:

1. Advise ~~unit~~ADC Radio Room of arrival.
2. Before leaving transportation vehicle, perform a visual check of bystanders and closest vehicles.
3. Check restraints for tampering.

B. Upon exiting vehicle, the transporting officer will:

1. Keep weapon on opposite side of the inmate.
- ~~2.~~ Walk behind inmate.
- ~~3.~~2. Control elevators and entrance/exit doors.
- ~~4.~~3. Have-Instruct inmate to remain facing the back wall of an elevator.
- ~~5.~~4. Do not allow private-public citizens onto an elevator with the inmate.
- ~~6.~~5. Do not allow inmates to sit in public waiting areas ~~with-while~~ public citizen(s) are present.



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE**

6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Volunteer, Intern, Student Services

NUMBER: 2024-08

SUPERSEDES: 13-005

APPLICABILITY: All staff having responsibility for the supervision of volunteers, interns, and/or students in the Arkansas Division of Correction; and all volunteers.

REFERENCE: AR 881 Volunteer Services

PAGE: 1 of 5

APPROVED: _____

EFFECTIVE DATE: _____

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to encourage Volunteer participation in various programs for the purpose of enhancing and expanding services to inmates. Volunteers will assist but may not supplant paid staff. Effective use of volunteers/interns or students in state services requires guidelines for the development of programs and the utilization of volunteers.

II. DEFINITIONS:

A. Volunteer. A person who is twenty-one (21) years of age or older who donates their time and services without compensation. Depending on the assignment, this position may or may not require escort services while in the facility.

B. Partnership Agencies. Representatives from an agency who provide services from their agency to incarcerated individuals.

C. Intern. A student eighteen (18) years of age or older who is (1) enrolled at an accredited college or university, (2) gaining experience or earning credits toward completion of a degree, and (3) working or volunteering in a paid or unpaid capacity at the Department of Corrections (DOC). Interns must be supervised by a DOC employee.

D. Guest. A person who is twenty-one (21) years of age or older who will visit the facility to provide a special service such as guest speaker and not to exceed six visits per year. Escort will be required.

E. Employee Volunteer. An ADC employee who donates their time and services at an outside agency and or event while not being compensated by ADC.

III. PROCEDURES:

Volunteers may apply or may be recruited for involvement in various programs operated by the ADC. Volunteers may serve in direct service roles, including but not limited to advisors, interpreters, or counselors.

A. Volunteer Requirements

1. Prospective volunteers must disclose any criminal history and submit to a criminal background check. Failure to disclose all charges/convictions to include expungements, pending charges, and sealed records may be considered as falsification of documents and reason for denial.
 - a. Volunteers may be approved while on active supervision after completing a minimum of 12 months of supervision with the approval of the Deputy Director of Programs or designee.
 - b. Individuals not on supervision but with a criminal conviction within the last ten (10) years must be approved by the Deputy Director of Programs or designee.
2. A volunteer must NOT work in a facility/office if he/she is related to a current incarcerated individual or listed on the individual's visitation list.
3. If necessary, a volunteer must provide documentation of qualifications, such as professional licenses or certification.
4. A volunteer must complete the appropriate Volunteer Application, sign the Waiver of Liability form, and complete volunteer training/orientation given at the unit or by the Volunteer Services Coordinator.
5. Volunteers are responsible for complying with the volunteer policy and other applicable guidelines for specific volunteer programs.

C. Volunteer Training

1. Volunteers must complete training that includes all topics outlined on the Volunteer Training Checklist (Attachment, including specific training for the program to which they are assigned).

2. Volunteers should attend yearly continuing education courses offered by the agency.

IV. **ROLES AND RESPONSIBILITIES:**

- A. The Program Eligibility Coordinator II provides oversight and direction for volunteer services consistent with ADC policy and procedures. The Program Eligibility Coordinator II will develop generic volunteer job descriptions, review, and evaluate the volunteer services program.
- B. The Volunteer Services Coordinator reports directly to the Program Eligibility Coordinator II and at a minimum is responsible for the following:
 1. Recruiting volunteers for various agency programs.
 2. Ensure training/orientation and biometric enrollment is conducted in a timely manner.
 3. Conducting criminal background checks on all applications in accordance with state and federal laws.
 4. Working closely with ADC Training Officers to ensure recommendations and training are correct.
 5. Maintaining an accurate spreadsheet of inactive and active volunteers and their location. This will also include employee volunteers.
 6. Monthly report on volunteer hours.
 7. Working closely with the Program Coordinator to improve volunteer training and develop community coalitions.
- C. The Unit Training Supervisor provides facility training for potential volunteers. The Unit Training Supervisor at a minimum will:
 1. Conduct two monthly volunteer training sessions.
 2. Report monthly volunteer hours to the Volunteer Services Coordinator.
 3. Inform the Volunteer Services Coordinator when a volunteer's status becomes inactive.
- D. Training Exemptions: A person/group who is invited to participate in an organized event with occurrences of no more than six (6) times a year is considered a guest and therefore volunteer training is not required. The guest will be supervised and escorted.

- E. Drug Testing: Volunteers will be drug/alcohol assessed as part of the training process. Volunteers will also be assessed upon reasonable suspicion and following approval of the appropriate supervisor/Program Coordinator/Warden. Testing methods and consequences of positive tests or refusal to test are addressed in the policy titled “Drug-Free Workplace.”
- F. Upon an approved application, the volunteer applicant must complete the steps listed below before being granted access into an ADC facility.
1. Complete mandatory volunteer training/orientation.
 2. Sign training checklist.
 3. Complete eOMIS staff form.
 4. Receive volunteer badge and be biometric enrolled.
- G. The supervisor of the program in which a volunteer is participating will
1. Ensure proper conduct of the volunteer while at the unit/center.
 2. Monitor volunteer so that privileges are not abused.
 3. Ensure no personal visiting occurs.
 4. Log the name of volunteer, the date and time at the unit/center, and the name of the function.
 5. Send a copy of volunteer logs to the Volunteer Services Coordinator monthly.
- H. Any problem or incident involving a volunteer must be immediately reported to the Warden/Center Supervisor or designee and to the supervisor of the program area.
- I. The services of a volunteer may be limited or discontinued for any violation of rules or regulations, or when those services no longer support the mission and goals of the ADC. Any restrictions on activity or discontinuation of services shall be done through the supervisor of the program or the Warden/Center Supervisor or designee of the facility. The reasons shall be explained to the volunteer in a face-to-face meeting, if feasible, and shall be documented in a letter to the Volunteer/Intern or student, and a copy of the letter should be forwarded to the Volunteer Services Coordinator.
- J. Any volunteer may be escorted from the unit at the direction of the Duty Warden, should conditions at the unit place the volunteer/intern or student at possible risk, or if the behavior or presence of the volunteer disrupts the good order of the Institution.

- K. Any volunteer wishing to discontinue services must notify the ADC staff person who has supervised the work of the volunteer. The identification badge is the property of the ADC and must be returned to the Volunteer Services Coordinator when the volunteer is no longer active. The inactive volunteer will be listed as inactive in the biometric system.
- L. Volunteers may offer suggestions regarding the establishment of policy and procedure related to the Volunteer Services Program with which they are associated.
- M. Volunteers and volunteer programs will be reviewed and evaluated annually by ADC personnel as designated by the appropriate Deputy/Assistant Director.

V. ATTACHMENTS

- I. Volunteer Application (3 pages)
- II. Volunteer Guidelines, Release, & Waiver of Liability Form (2 pages)
- III. Volunteer Training Checklist
- IV. Volunteer Time Sheet
- V. Volunteer Evaluation Form (2 pages)

ARKANSAS DIVISION OF CORRECTION

Volunteer Application

Name:			
Home/Cell Phone:		Work Phone:	
Street Address:	City:	State:	Zip:
Email Address:			
Organization/Agency:			

Current Employment (Most recent within the last three years)

Employer Name and Address:	Supervisor:	Phone Number:
----------------------------	-------------	---------------

School Information (Student/Interns Only)

College:	
Degree Program:	Academic Advisor:
Advisor's Phone Number:	Advisor's Email:

Volunteer Preferences:

- Volunteer
 Reentry Coach/Peer Specialist
 Partnership Agency
 Intern
 Guest

Availability: (Check all that apply)

- Morning
 Afternoon
 Evening
 Day of the week: _____

Professional or Personal References:

Name/Job Title:	Relationship:	Phone Number:
Name/Job Title:	Relationship:	Phone Number:

Please provide a few sentences about your motivation for volunteering with ADC:

Are you currently on or in the process of being placed on an Incarcerated Individual visitation list?

- Yes
 No

Are you related to an Incarcerated Individual at the facility you are trying to volunteer?

- Yes
 No

Are you a past employee of the Arkansas Department of Corrections?

- Yes
 No

Volunteer Application Continued

Name:			
	(As it appears on your Driver's License)		
Sex:	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
Race:	<input type="checkbox"/> Caucasian	<input type="checkbox"/> Black	<input type="checkbox"/> Hispanic <input type="checkbox"/> Other:
Date of Birth:		Social Security #:	
Year-month-date: (1903-09-27)			
(Must be at least 21 years old or enrolled in an accredited university if applying for Intern status)			
Driver's License #		State that issued DL:	
Mailing Address			
Phone:			
Email:			

A criminal charge/conviction does not automatically preclude a volunteer from participating in the volunteer program. Failure to disclose all charges/convictions (to include expungements and sealed records) may be considered as falsification of documents and reason for denial. Use additional forms, if necessary, to list all charges/convictions.

Have you ever been arrested? Yes No Charge: _____ Date: _____

If you were ever convicted of a crime, please complete the following*:

Year Convicted	Charges	Misdemeanor or Felony?	Date off parole

**If more room is needed than what is provided, please use the back of this page, and note that there is more on the back.*

By signing below, you agree to the above terms and authorize the release of information for the purposes of completion of this application to include a criminal background check.

Applicant's Signature: _____ Date: _____

For DOC Staff use:

Background Check Complete: ____/____/____
 Reference/Advisor Check Complete: ____/____/____

 Volunteer Coordinator Signature

 Date

 Program Coordinator Signature

 Date

 Warden Signature

 Date

Recommend

Do Not Recommend

RELIGIOUS VOLUNTEERS ONLY

Religious Group you represent _____

Address _____

Contact Person _____ Phone _____

PLEASE ATTACH A LETTER OF SPONSORSHIP OR APPROVAL FROM YOUR DENOMINATION, THE GOALS OF YOUR MINISTRY, UNIT(S) YOU WISH TO SERVE, AND AMOUNT OF TIME YOU WILL DEDICATE

PLEASE READ THE BACK OF THIS FORM AND SIGN IN THE SPACE INDICATED

Mail: Religious Volunteers
Chaplaincy Services
6814 Princeton Pike
Pine Bluff, AR 71602

All other volunteers
Volunteer Services
6814 Princeton Pike
Pine Bluff, AR 71602

*****OFFICE USE ONLY*****

NCIC OK ___ / ___ / ___ by _____

WARDEN () APPROVED _____
() DENIED

ARKANSAS DIVISION OF CORRECTION VOLUNTEER GUIDELINES, RELEASE & WAIVER OF LIABILITY AGREEMENT

I hereby certify that this application is true and complete to the best of my knowledge. I understand that any misrepresentation or falsification could lead to termination of my services as a volunteer.

I hereby authorize the Arkansas Division of Correction to contact the references that I have listed, conduct an NCIC (National Crime Information Center) check, and such other background checks as may be considered necessary for the security and good order of institutions of the agency. I also waive my right to view or receive copies of any documents provided by individual references.

I will perform my volunteer services in compliance with the Department of Corrections Secretarial Directive on Code of Ethics and Rules of Conduct.

I am aware of the inherent dangers associated with working in a correctional setting. I agree to read the copy of Administrative Rule 409 provided to me. I understand that, while the ADC will make every effort to ensure my personal safety, the agency assumes no liability for loss or injury that may occur while on the agency premises or while performing volunteer services.

I expect no reimbursement for my services. I will not commit the ADC to any financial obligations. The services that I offer will be open to all incarcerated individuals unless restrictions have prior approval of the supervisor of the program under which I am operating. I understand that I may not use my role as a volunteer to develop a personal relationship. I will do no favors for individuals, nor will I be the vehicle for movement of goods, funds, or communications in or out of the institution. I will enter no financial agreements with, or on behalf of, individuals. I understand that abuse of my position as a volunteer may result in termination of my services.

I agree to participate in training for volunteers if such is required in the service for which I am volunteering. I agree to read the Incarcerated Individual Handbook and the Volunteer Handbook which will be provided and abide by the rules and policies therein. I will promptly follow the directions of those in authority and voice any concerns or complaints that I have to the proper authority, at the proper place and time.

I agree that my person and possessions may be searched for contraband. I will not bring any camera or a recording device into an institution for the purpose of recording incarcerated individuals or staff. I will not bring onto agency property any of the following items: cell phones, explosive devices, firearms or other weapons, ammunition, alcoholic beverages, tobacco products, narcotics, or objects or materials of any kind that might be used to compromise the security and safety of the facility.

I will dress appropriately while on agency property. I understand that miniskirts, short dresses, shorts, halter tops or halter dresses, see through clothing, tight clothing, or other provocative clothing will not be allowed. My clothing will not promote alcohol or drugs, illegal actions, racial comments, vulgarity, sexual implications, or profanity.

I will not breach any implied or understood confidentiality with individuals. I will report problems or conflicts only through appropriate channels. I will only speak to the media about the ADC if the interview has been previously approved by the agency Public Information Officer.

I will limit my activities to those services agreed upon. I will not use my volunteer badge to gain entry to any other Units of the Division of Correction without prior consent from the individual supervising the program to which I am volunteering. I will return my Volunteer Badge when asked to do so, or when I no longer wish to continue to volunteer my services.

Attachment II Page 2

For the good and valuable consideration of participating in the ADC Volunteer Program, I, for myself, my successors, heirs, assign, executors, administrators, spouse, and next of kin, do hereby understand and agree to the following:

1. My participation as a volunteer may involve risk of significant injury or harm.
2. I hereby assume all liability and risks of injury or harm, including permanent or partial disability, medical bills, death, damage to my property, or death caused by or arising from my participation in the volunteer program.
3. I will not, nor will any person or entity on my behalf, initiate, pursue nor participate in a lawsuit or claim, including any for personal injury, property damage, or wrongful death, against the State of Arkansas, ADC, its employees, officers, agents, volunteers, the Post Prison Transfer Board, or the Board of Corrections, for damages arising out of or attributable to my participation in the volunteer program.
4. I release and discharge the ADC, its employees, officers, volunteers, the Post Prison Transfer Board, and the Board of Corrections from any liability, loss, damage, claim, demand, or any cause of action against them arising out of or attributable to my participation in the volunteer program, whether the same arises from negligence or otherwise.

I understand that the continuation of my volunteer services and this agreement is subject to review at the discretion of staff of the ADC.

I have read this document and understand that I am waiving substantial rights. I voluntarily sign this document and by doing so, assume all risks attendant and pertaining to participating in the DOC volunteer program.

I, _____, agree to serve in the Division of Correction Volunteer Program. I commit to performing my assigned volunteer duties to the best of my ability and to follow all guidelines, policies, and procedures.

Volunteer Printed Name	Signature	Date
Coordinator Printed Name	Signature	Date

Volunteer Training Checklist

Item	When & Where	Source
About the organization:		
1. History		
2. Mission		
3. Programs and Services, Volunteer Handbook		
4. Benefits of Volunteering		
Policy:		
1. Volunteer Policy		Lecture, Ppt, Discussions, Handouts, Exam
2. Code of Ethics Rules of Conduct		Lecture, Ppt, Discussions, Handouts, Exam
3. Prison Rape Elimination Act		Lecture, Ppt, Discussions, Handouts, Exam
4. Sexual Harassment		Lecture, Ppt, Discussions, Handouts, Exam
5. Drug-Free Workplace		Lecture, Ppt, Discussions, Handouts, Exam
6. Offender Records (confidentiality)		Lecture, Ppt, Discussions, Handouts. Exam
7. Tobacco (Smoke-Free Workplace)		Lecture, Ppt, Discussions, Handouts, Exam
8. Dress Code		Lecture, Ppt, Discussions, Handouts. Exam
9. Report Writing		Lecture, Ppt, Discussions, Handouts, Exam
Client Dynamics:		
1. Criminogenic Risk Factors		Lecture, Ppt, Discussions, Handouts, Exam
2. Prison Culture and Sensitivity		Lecture, Ppt, Discussions, Handouts, Exam
3. 5 Stages of Incarceration		Lecture, Ppt, Discussions, Handouts, Exam
4. Building a Professional Relationship		Lecture, Ppt, Discussions, Handouts, Exam
5. Games Inmates Play		Lecture, Ppt, Discussions, Handouts, Exam
6. Crisis Management		Lecture, Ppt, Discussions, Handouts. Exam
7. Underlying Issues of Incarceration		Lecture, Ppt, Discussions, Handouts, Exam
The Facility/Office:		
<i>1. Explanation of Facility/Office Operations:</i>		
a. Personal Safety		
b. Emergency Plan		
c. Reporting Incidents		
d. Access to Facility/Office		
e. Use of supplies and equipment		
f. Escort		
g. Parking		
The Role:		
1. Job Descriptions		
2. Supervisor Chain-of-Authority		
3. Supervision of Activities		
4. Employment Opportunities		
5. Volunteer Input		
6. Evaluations and Suggestions		
7. Release & Waiver of Liability Agreement		

Arkansas Division of Correction
VOLUNTEER EVALUATION FORM
TO BE COMPLETED BY VOLUNTEER

Name: _____ Position: _____

Period of Evaluation:

Supervisor

Rating scale: 1 = needs improvement 3 = good 5 = superior
 2 = fair 4 = very good N/A= not applicable

1. ORIENTATION AND TRAINING

_____ The goals and purposes of Division of Correction were clearly explained.

_____ The job description for your position was reviewed and procedures to be followed were explained.

_____ Training was effective and provided the tools needed to perform the assigned tasks.

Comments:

2. SUPERVISION

_____ Supervisor/Volunteer Department was available to you when you had questions or needed information.

_____ Supervisor's attitude was one of professional regard.

_____ Lines of supervision were clear.

Comments:

PLEASE RESPOND TO THE FOLLOWING QUESTIONS:

What other training or growth opportunities would you like to see offered?

What additional "tools" would make your work more effective and/or pleasant?

What are some suggestions or goals you would offer for the DOC volunteer program?

How could DOC improve its volunteer - staff structure and/or relationships?

Additional Comments:

Signature of Volunteer: _____

Date: _____

Signature of Supervisor: _____

Date: _____





**ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office**

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

ADMINISTRATIVE DIRECTIVE

SUBJECT: ~~Volunteer~~/~~Intern~~/~~Student Services~~

NUMBER: ~~2021~~2023-

SUPERSEDES: 13-005

APPLICABILITY: All staff having responsibility for the supervision of volunteers, interns, and/or students in the Arkansas Division of Correction; and all volunteers.

~~**APPLICABILITY:** All staff having responsibility for supervision of Volunteers/Interns/Students in the ADC; all volunteers~~

REFERENCE: AR 881 Volunteer Services **PAGE:** 1 of 5

APPROVED: _____ **EFFECTIVE DATE:** _____

~~**I. APPLICABILITY:** This policy applies to Division of Correction employees, volunteers and contractors.~~

II. POLICY:

It shall be the policy of the Arkansas Division of Correction (ADC) to
~~encourage~~ Volunteer participation in various programs for the purpose of enhancing
~~and expanding~~ services to inmates. Volunteers will assist but may not supplant paid
~~staff.~~

Effective use of volunteers/interns or students in state services requires
~~guidelines~~ for the development of programs and the utilization of volunteers.

III. DEFINITIONS:

~~Volunteers. Unpaid individuals from the community who volunteer their time to work with the inmates. Interns volunteer in the ADC for college credits. Work students volunteer for classroom hours and for the experience in their field of study.~~

A. Volunteer: A person who is 21 years of age or older who donates their time and services without compensation. Depending on the assignment, this position may or may not require escort services while in the facility.

B. Partnership Agencies --Representatives from an agency who provide services from their agency to incarcerated individuals.

C. Intern-- A student who is 18 of age or older enrolled at an accredited university who needs college credits to complete their degree. Training must be supervised.

D. Guest-- A person who is 21 years of age or older who will visit the facility to provide a special service such as guest speaker and not to exceed six visits per year. Escort will be required.

E. Employee Volunteer-- A DOC employee who donates their time and services at an outside agency and or event while not being compensated by DOC.

IVII. PROCEDURES:

Volunteers may apply or may be recruited for involvement in various programs operated by the ADC. Volunteers may serve in direct service roles, including but not limited to advisors, interpreters, or counselors.

A.

Volunteer Requirements:

1. Prospective volunteers must disclose any criminal history and subjected to a criminal background check. Failure to disclose all charges/convictions (to include expungements and sealed records may be considered as falsification of documents and reason for denial. 1. ~~Prospective volunteers must disclose anyany criminal history and be~~ subjected to a criminal background check. Failure to disclose all ~~charges/convictions (to include expungements and sealed records/~~ may be considered as falsification of documents and reason for ~~denial.~~

a. Volunteers may be approved while on active supervision after ~~completing~~ a minimum of 12 months of supervision with the ~~approval of the Deputy~~ Director of Programs or designee.

b. ~~Individuals not on supervision but with a criminal conviction~~ within the ~~last ten (10) years must be approved by the -Deputy~~ Director of Programs or designee. ~~Superintendent of Programs or designee.~~

2. A volunteer must NOT work in a facility/office if he/she is related to a current incarcerated individual or listed on the individual's visitation list.

3. If necessary, a volunteer must provide documentation of professional qualifications, such as professional licenses or certification.

4. A volunteer must complete the appropriate Volunteer Application, sign the Waiver of Liability form, and complete volunteer training and orientation.

CB. Volunteer Responsibilities:

Volunteers are responsible for the following:

1. Volunteers are responsible for complying with the volunteer policy and other applicable guidelines for specific volunteer programs.

2. Volunteers may Submit appropriate suggestions, comments, and ideas for program improvement to the Volunteer Coordinator.

C. Volunteer Training

Volunteer Training.

1. Volunteers must complete training that includes all topics outlined on the Volunteer Training Checklist (Attachments, including specific training for the program to which they are assigned.

2. -Volunteers -should -attend yearly continuing education courses offered by the agency.

I

VI. ROLES AND RESPONSIBILITIES

A. The Program Eligibility Coordinator II: The Program Eligibility Coordinator II provides oversight and direction for volunteer services consistent with DOC policy and procedures. The Program Eligibility Coordinator II will develop generic volunteer job descriptions, review, and evaluate the volunteer services program.

~~_____~~ B. ~~The Volunteer Services Coordinator:~~ The Volunteer Services -Coordinator reports directly to the _____ Program- Eligibility Coordinator II-H and at a minimum is _____ responsible for the _____ following:

- ~~_____~~ 1. ~~_____~~ Recruiting volunteers for various agency programs.
- ~~_____~~ 2. ~~_____~~ Ensure training/orientation and biometric enrollment -is conducted in _____ a _____ timely manner.
- ~~_____~~ 3. ~~_____~~ Conducting criminal background checks on all applications in _____ accordance _____ with state and federal laws.
- ~~_____~~ 4. ~~_____~~ Working closely with DOC Training Officers to ensure _____ recommendations _____ and training are correct.
- ~~_____~~ 5. ~~_____~~ Maintaining an accurate spreadsheet of inactive and active volunteers _____ and _____ their location. This will also include employee volunteers.
- ~~_____~~ 6. ~~_____~~ Monthly report of volunteer hours.
- ~~_____~~ 7. ~~_____~~ Working closely with the Program Coordinator to improve volunteer _____ training, and develop community coalitions.s

~~_____~~ C. ~~Unit Training Supervisor:~~ The Unit Training Supervisor provides facility _____ training -for potential volunteers. ~~There will be two training sessions _____ scheduled per _____ month.~~

~~_____~~ The Unit Training Supervisor at a minimum will:

- ~~_____~~ 1. ~~_____~~ Conduct two monthly volunteer training sessions.
- ~~_____~~ 2. ~~_____~~ Match the volunteer with a supervisor
- ~~_____~~ 3. ~~_____~~ Upload photo of volunteer and send to the Volunteer Coordinator
- ~~_____~~ 2.4. ~~_____~~ Report monthly volunteer hours to the Volunteer Services _____ Coordinator.

~~53. Inform the Volunteer Services -Coordinator when thea volunteer's status becomes inactive.-~~

~~D. Training Exemptions: A person/group who is invited to participate in an organized event with occurrences of no more than 6 times a year is considered a guest and therefore volunteer training- is not required. The guest will be supervised and escorted.~~

~~E. Drug Testing: Volunteers will be drug/alcohol assessed as part of the training process. Volunteers will also be assessed upon reasonable suspicion and following approval of the appropriate supervisor/Program -Coordinator/Warden. Testing methods and consequences of- positive tests or refusal to test are addressed in the policy titled "Drug-Free Workplace."~~

~~F. Upon an approved application, the volunteer applicant must complete the -steps listed below before granted access into a Division of Correction -facility.:~~

~~1. Complete mandatory volunteer training/orientation~~

~~2. Sign training checklist~~

~~3. Complete eOMIS staff form~~

~~34. Receive volunteer badge and be biometric enrolled~~

~~1. Any individual wishing to become a Regular Service Volunteer will be provided a copy of this Administrative Directive and an Inmate Handbook. The individual must then complete an Application Form and sign a Volunteer Agreement.~~

~~2. Any individual wishing to be an Occasional Service Volunteer at a ADC sponsored function for inmates will apply directly to the ADC employee supervising the program in which the volunteer will participate.~~

~~Regular Service Volunteer applications will be forwarded to the Coordinator of Volunteer Services or the Administrator of Chaplaincy Services, who will screen the application to ensure that the person applying to be a Volunteer is/has:~~

~~21 years of age, or older;~~

~~Not a relative of an inmate at the unit to which Volunteer/Internship or Work Student services are being offered;~~

~~Qualified, if qualifications are necessary, to provide the services for which the individual has volunteered. If professional services are being offered, a copy of the appropriate certificate or license must be provided and maintained on file;~~

~~Signed Form 881, Application and Volunteer Agreement, informing the individual of the obligations being undertaken, and the limits of the ADC's liability;~~

~~Agreed by signing the Volunteer Agreement to abide by ADC rules and practices including those pertaining to security and confidentiality.~~

~~No criminal record, or has fully disclosed that record, and is not on active parole from the ADC, or if on parole has been specifically approved by the Warden/Center Supervisor of the facility.~~

~~Any individual applying to participate as an Occasional Service Volunteer at an ADC sponsored function should be:~~

~~Known to ADC staff;~~

~~Or vouched for by an individual or agency of good repute; and~~

~~Must meet the condition regarding criminal record; unless this condition is waived by the Warden/Center Supervisor of the facility.~~

~~The Coordinator of Volunteer Services will send the application for Regular Service Volunteer status to the supervisor of the program and to the Warden/Center Supervisor of any facility in which the volunteer's services will be provided. The Administrator of Chaplaincy Services will coordinate this process for Religious Volunteers.~~

~~Approvals by the Program Administrator and the Warden/Center Supervisor of the facility must be obtained before the individual is approved for Regular Service Volunteer/Internship or Student status. The applicant may enter the facility prior to completion of the formal process with prior approval only.~~

~~Following approval, the applicant for Regular/Occasional Service Volunteer status will participate in such orientation and/or training as required by the supervisor of the program and/or Warden/Center Supervisor of any facility for which the volunteer is approved.~~

~~This requirement may be deferred if the training program is not scheduled in the immediate future. In which case, the supervisor of the program is responsible for interim orientation.~~

~~Occasional Service Volunteers will be oriented by the supervisor of the program and/or security staff, as needed.~~

~~G. — Upon completion of required orientation and training, Regular Service Volunteers will be issued an identification badge, which is differentiated from staff identification badges by color or distinguishing logo.~~

~~Regular Service Volunteers will be instructed as to which areas of the facility they are granted access. Regular Service volunteers may be required to have staff escorts in certain areas, at the discretion of the Warden/Center Supervisor of the facility.~~

~~Occasional Service Volunteers are not issued identification badges and must be escorted within the facility and may be restricted from certain areas at the discretion of the Warden/Center Supervisor or designee.~~

The supervisor of the program in which a ~~Regular Service V~~olunteer or an ~~Occasional Service Volunteer~~ is participating will have

~~the following responsibilities:~~

1. Ensure

~~To obtain a signed clearance form from the Unit Warden/Center Supervisor or designee prior to each admittance of an Occasional Service Volunteer into the unit/center. Regular Service Volunteers can enter during normal daytime hours by use of their ADC issued badge.~~

~~To ensure proper conduct of the volunteer while at the unit/center.~~

2. Monitor volunteers so that ~~This includes making sure that p~~privileges are not ~~abused~~abused,

3. Ensure ~~n and that no~~ personal visiting occurs.

4. To ~~Log~~ the names of volunteer, the date and time at the unit/center, and the _____ name of the function.

5. To ~~s~~Send a copy of such logs to the ~~Volunteer Coordinator of Volunteer Services~~ Coordinator -monthly.

H. — Any problem or incident involving a volunteer must be immediately reported
~~to the Warden~~ the Warden/Center Supervisor or designee and to the supervisor of the
~~program area.~~

I. ~~_____~~ The services of a volunteer may be limited or discontinued for any violation of ~~_____~~ rules or ~~_____~~ regulations, or when those services no longer support the mission and ~~_____~~ goals of the ADC. ~~_____~~

~~_____~~ Any restrictions on activity or discontinuation of services ~~_____~~ shall be done through the ~~_____~~ supervisor of the program or the Warden/Center ~~_____~~ Supervisor or designee of the facility.

~~_____~~ The reasons shall be explained to the ~~_____~~ volunteer in a face-to-face meeting, if feasible, and ~~_____~~ shall be documented in a ~~_____~~ letter ~~_____~~ to the Volunteer/Intern or student, and a copy of the letter ~~_____~~ should be forwarded ~~to the to~~ ~~_____~~ ~~the Volunteer Services~~ Coordinator. ~~of Volunteer Services.~~

~~Any~~J. ~~_____~~ ~~Any~~ volunteer may be escorted from the unit at the direction of the Duty Warden, ~~_____~~ should ~~_____~~ conditions at the unit place the volunteer/intern or student at possible risk, ~~_____~~ or if the ~~_____~~ behavior or presence of the volunteer disrupts the good order of the ~~_____~~ institution.

K. ~~_____~~ ~~Any~~ ~~Regular Service Volunteer~~ volunteer wishing to discontinue services must notify the ADC staff person ~~_____~~ who has supervised the work of the volunteer. The identification badge is the ~~_____~~ property of the ~~_____~~ ADC and must be returned to the ~~Coordinator of VV~~ Volunteer Services ~~Coordinator~~ ~~Services~~ when the volunteer is ~~_____~~ no longer active. ~~The inactive volunteer will be listed as~~ ~~_____~~ ~~inactive in the biometric system.~~ ~~The identification badge will be retained in the volunteer's file.~~

L. ~~_____~~ ~~ADC staff members that supervise the activities of Volunteers/Interns or Students are to document the contributions of those persons to the Coordinator of Volunteer Services monthly. The Coordinator of Volunteer Services will consolidate those reports into a monthly report for the Communications Director. Data for Religious Volunteers is reported to the Administrator of Chaplaincy Services.~~ ~~Inmates are to be notified of scheduled volunteer services through the mechanisms provided by the facility for event notices.~~ ~~Volunteers may be reimbursed transportation and subsistence costs only with prior approval of the appropriate Assistant or Deputy Director.~~ ~~Volunteers may be authorized to operate a ADC vehicle upon the approval of the appropriate Assistant or Deputy Director, providing an employee for other state business does not need the vehicle and provided the volunteer/intern show a current valid Arkansas Driver's License.~~

~~Volunteers may be protected by the State's sovereign immunity while carrying out those volunteer services agreed upon between the volunteer and the ADC.~~

~~Interns/Students will meet the same requirements as Regular/Occasional Service Volunteers.~~

~~Additionally, an internship agreement will be negotiated and signed by ADC staff providing supervision/training, the instructor or other individual structuring the internship, and the student.~~

~~Copies of the agreement shall be distributed to:~~

~~Warden/Center Supervisor of the unit(s)/center(s) where internship activities occur;~~

~~The Administrator of the treatment program (if applicable);~~

~~All parties directly involved; and~~

~~The Coordinator of Volunteer Services.~~

~~A badge will be issued after completing an eight (8) hour unit orientation approved by the~~

~~Warden/Center Supervisor and the Coordinator of Volunteer Services.~~

~~Volunteers, who retired from employment in good standing with the ADC, must meet the same requirements as Regular Service Volunteers and sign a confidentiality agreement. Additionally:~~

~~Their orientation and duties will be at the sole discretion of the unit Warden.~~

~~Their badge request will come from the unit Warden after the appropriate orientation.~~

~~Documentation of the orientation will be sent to the Coordinator of Volunteer Services.~~

~~Badges will be turned in to the Unit Human Resource Manager when the Retired Services~~

~~Volunteer is terminated.~~

~~The Unit Human Resource Manager is responsible for returning badges of all terminated Retired Service Volunteers to the Assistant Human Resource Administrator.~~

Volunteers may offer suggestions regarding the establishment of policy and

 procedure related to the Volunteer Services Program with which they are

 associated.

M. —Volunteers and volunteer programs will be reviewed and evaluated annually

 bBy ADC personnel as designated by the appropriate Deputy/Assistant

 Director.

V. ATTACHMENTS

I. Volunteer Application (3 pages)

II. Volunteer Guidelines, Release, & Waiver of Liability Form (2 pages)

III. Volunteer Training Checklist

IV. Volunteer Time Sheet

V. Volunteer Evaluation Form (2 pages)



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

**ARKANSAS DIVISION OF CORRECTION
VOLUNTEER/INTERN/ STUDENT APPLICATION**

Last Name _____ First _____ Middle Initial ____ Date ____/____/____

Address _____ Phone _____

Date of Birth ____/____/____ Social Sec. # _____ Sex () Male () Female Education _____

Driver’s License # _____ State License was issued _____

Special training or skills _____

Can you speak a language other than English? () Yes () No
If yes, are you willing to serve as a volunteer interpreter? () Yes () No
Are you skilled in sign language? () Yes () No
If yes, are you willing to utilize these skills as a volunteer? () Yes () No

Service(s) you wish to offer _____

Reason for () Volunteering () Internship () Work Study (Please check appropriate box)

Name, address and phone number of two references whom we may contact about you:

1. _____

2. _____

Name & phone of contact person in case of emergency:

Have you been convicted of a felony?

() NO (go to next question)

() YES (offense and date) _____

Are you currently on parole or probation?

() NO (go to next question)

() YES Name of supervision officer _____

Are you related to, or on the visitation list of any inmate incarcerated in the ADC? ___ Yes ___ No

If yes, list the inmate’s name, current Unit, and your relationship to the inmate:

Volunteer Application

Name:			
Home/Cell Phone:		Work Phone:	
Street Address:	City:	State:	Zip:
Email Address:			
Organization/Agency:			

Current Employment (Most recent within the last three years)

Employer Name and Address:	Supervisor:	Phone Number:
----------------------------	-------------	---------------

School Information (Student/Interns Only)

College:	
Degree Program:	Academic Advisor:
Advisor's Phone Number:	Advisor's Email:

Volunteer Preferences:

- Volunteer
 Reentry Coach/Peer Specialist
 Partnership Agency
 Intern
 Guest

Availability: (Check all that apply)

- Morning
 Afternoon
 Evening

Day of the week: _____

Professional or Personal References:

Name/Job Title:	Relationship:	Phone Number:
Name/Job Title:	Relationship:	Phone Number:

Please provide a few sentences about your motivation for volunteering with ADOC:

Are you currently on or in the process of being placed on an Incarcerated Individual visitation list?

- Yes No

Are you related to an Incarcerated Individual at the facility you are trying to volunteer?

- Yes No

Are you a past employee of the Arkansas Department of Correction?

Yes No

(PLEASE PRINT OR TYPE ALL INFORMATION) Attachment I Page 2

Volunteer Application Continued

Name:			
	(As it appears on your Driver's License)		
Sex:	<input type="checkbox"/> Male	<input type="checkbox"/> Female	
Race:	<input type="checkbox"/> Caucasian	<input type="checkbox"/> Black	<input type="checkbox"/> Hispanic <input type="checkbox"/> Other:
Date of Birth:		Social Security #:	
<i>Year-month-date: (1903-09-27)</i>			
(Must be at least 21 years old or enrolled in an accredited university if applying for Intern status)			
Driver's License #		State that issued DL:	
Mailing Address			
Phone:			
Email:			

A criminal charge/conviction does not automatically preclude a volunteer from participating in the volunteer program. Failure to disclose all charges/convictions (to include expungements and sealed records) may be considered as falsification of documents and reason for denial. Use additional [forms/forms](#), if necessary, to list all charges/convictions.

Have you ever been arrested? Yes No Charge: _____ Date: _____

If you were ever convicted of a crime, please complete the following:

Year Convicted	Charges	Misdemeanor or Felony?	Date off parole

By signing below, you agree to the above terms and authorize the release of information for the purposes of completion of this application to include a criminal background check.

Applicant's Signature: _____ Date: _____

For DOC Staff use:

Background Check Complete: ____/____/____
 Reference/Advisor Check Complete: ____/____/____

 Volunteer Coordinator Signature

 Date

 Program Coordinator Signature

 Date

Warden Signature _____

Date _____

_____ Recommend _____ Do Not Recommend



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

[Attachment I Page 3](#)

6814 Princeton Pike

RELIGIOUS VOLUNTEERS ONLY 71602

Phone: (870) 267-6200 | Fax: (870) 267-6244

Religious Group you represent _____

Address _____

Contact Person _____ Phone _____

PLEASE ATTACH A LETTER OF SPONSORSHIP OR APPROVAL FROM YOUR DENOMINATION, THE GOALS OF YOUR MINISTRY, UNIT(S) YOU WISH TO SERVE, AND AMOUNT OF TIME YOU WILL DEDICATE

PLEASE READ THE BACK OF THIS FORM AND SIGN IN THE SPACE INDICATED

Mail: Religious Volunteers
Chaplaincy Services
6814 Princeton Pike
Pine Bluff, AR 71602

All other volunteers
Volunteer Services
6814 Princeton Pike
Pine Bluff, AR 71602

*****OFFICE USE ONLY*****

NCIC OK ___/___/___ by _____ WARDEN () APPROVED _____
_____ () DENIED

F-881



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

6814 Princeton Pike
Pine Bluff, Arkansas 71602
Phone: (870) 267-6200 | Fax: (870) 267-6244

[Attachment II Page 1](#)

~~**ARKANSAS DIVISION OF CORRECTION**~~
~~**VOLUNTEER/INTERN/STUDENT AGREEMENT**~~

~~**I hereby certify that this application is true and complete to the best of my knowledge. I understand that any misrepresentation or falsification could lead to termination of my services as a volunteer/intern or student.**~~

~~**I hereby authorize the Arkansas Division of Correction (ADC) to contact the references that I have listed, to conduct an NCIC (National Crime Information Center) check, and such other background checks as may be considered necessary for the security and good order of institutions of the Division. I also waive my right to view or receive copies of any documents provided by individual references.**~~

~~**I am aware of the inherent dangers associated with working in a correctional setting. I agree to read the copy of**~~

~~Administrative Rule 409 provided to me. I understand that, while the ADC will make every effort to ensure my personal safety, the ADC assumes no liability for loss or injury that may occur while on ADC premises or while performing volunteer services.~~

~~I expect no reimbursement for my services. I will not commit the ADC to any financial obligations.~~

~~The services that I offer will be open to all inmates unless restrictions have prior approval of the supervisor of the program under which I am operating. I understand that I may not use my role as a volunteer/intern/student to develop or to continue a personal relationship. I will do no favors for individual inmates, nor will I be the vehicle for movement of goods, funds, or communications in or out of the institution. I will enter no financial agreements with, or on behalf of inmates. I understand that abuse of my position as a volunteer/intern/student may result in termination of my services.~~

~~I agree to participate in training for volunteers/interns/students if such is required in the service for which I am volunteering. I agree to read the Inmate Handbook and abide by the rules and policies therein. I will promptly follow the directions of those in authority and voice any concerns or complaints that I have to the proper authority, at the proper place and time.~~

~~I agree that my person and possessions may be searched for contraband. I will not bring any camera or a recording device into an institution for the purpose of recording inmates or staff, except under the supervision of the individual responsible for the program to which I am volunteering.~~

~~I will not breach any implied or understood confidentiality with inmates.~~

~~I will report problems or conflicts in the ADC only through appropriate channels. I will speak to the media about the ADC only if the interview has been previously approved by the Communications Director.~~

~~I will limit my activities to those services agreed upon. I will not use my volunteer badge to gain entry to any other Units of the ADC without prior consent from the individual supervising the program to which I am volunteering. I will return my Volunteer Badge when asked to do so, or when I no longer wish to continue to volunteer my services.~~

~~I understand that the continuation of my volunteer services and this agreement is subject to review at the discretion of staff of the ADC.~~

~~(Signed) _____ Date _____~~
~~/ /~~

Page 1

ARKANSAS DIVISION OF CORRECTION
VOLUNTEER GUIDELINES, RELEASE & WAIVER OF LIABILITY AGREEMENT

I hereby certify that this application is true and complete to the best of my knowledge. I understand that any misrepresentation or falsification could lead to termination of my services as a volunteer.

I hereby authorize the Arkansas Division of Correction to contact the references that I have listed.

conduct an NCIC (National Crime Information Center) check, and such other background checks as may be considered necessary for the security and good order of institutions of the Department. I also waive my right to view or receive copies of any documents provided by individual references.

I will perform my volunteer services in compliance with the DOC Code of Ethics and Rules of Conduct.

I am aware of the inherent dangers associated with working in a correctional setting. I agree to read the copy of Administrative Regulation 409 provided to me. I understand that, while the Division of Correction will make every effort to ensure my personal safety, the Department assumes no liability for loss or injury that may occur while on Department premises or while performing volunteer services.

I expect no reimbursement for my services. I will not commit the Department to any financial obligations. The services that I offer will be open to all incarcerated individuals unless restrictions have prior approval of the supervisor of the program under which I am operating. I understand that I may not use my role as a volunteer to develop a personal relationship. I will do no favors for individuals, nor will I be the vehicle for movement of goods, funds, or communications in or out of the institution. I will enter no financial agreements with, or on behalf of, individuals. I understand that abuse of my position as a volunteer may result in termination of my services.

I agree to participate in training for volunteers, if such is required in the service for which I am volunteering. I agree to read the Incarcerated Individual Handbook and the Volunteer Handbook which will be provided and abide by the rules and policies therein. I will promptly follow the directions of those in authority and voice any concerns or complaints that I have to the proper authority, at the proper place and time.

I agree that my person and possessions may be searched for contraband. I will not bring any camera or a recording device into an institution for the purpose of recording incarcerated individuals or staff. I will not bring onto DOC property any of the following items: cell phones, explosive devices, firearms or other weapons, ammunition, alcoholic beverages, tobacco products, narcotics, or objects or materials of any kind that might be used to compromise the security and safety of the facility.

I will dress appropriately while on DOC property. I understand that miniskirts, short dresses, shorts, halter tops or halter dresses, see through clothing, tight clothing, or other provocative clothing will not be allowed. My clothing will not promote alcohol or drugs, illegal actions, racial comments, vulgarity, sexual implications, or profanity.

I will not breach any implied or understood confidentiality with individuals.

I will report problems or conflicts in the Department only through appropriate channels. I will speak to the media about the Department of Correction only if the interview has been previously approved by the Public Information Officer.

I will limit my activities to those services agreed upon. I will not use my volunteer badge to gain entry to any other Units of the Division of Correction without prior consent from the individual supervising the program to which I am volunteering. I will return my Volunteer Badge when asked to do so, or when I no

longer wish to continue to volunteer my services.

For the good and valuable consideration of participating in the Division of Correction (DOC) Volunteer Program, I, for myself, my successors, heirs, assign, executors, administrators, spouse, and next of kin, do hereby understand and agree to the following:

- 1. My participation as a volunteer may involve risk of significant injury or harm.
- 2. I hereby assume all liability and risks of injury or harm, including permanent or partial disability, medical bills, death, damage to my property, or death caused by or arising from my participation in the volunteer program.
- 3. I will not, nor will any person or entity on my behalf, initiate, pursue nor participate in a lawsuit or claim, including any for personal injury, property damage, or wrongful death, against the State of Arkansas, DOC, its employees, officers, agents, volunteers, the Parole Board, or the Board of Corrections, for damages arising out of or attributable to my participation in the volunteer program.
- 4. I release and discharge the DOC, its employees, officers, volunteers, the Parole Board, and the Board of Corrections from any liability, loss, damage, claim, demand, or any cause of action against them arising out of or attributable to my participation in the volunteer program, whether the same arises from negligence or otherwise.

I understand that the continuation of my volunteer services and this agreement is subject to review at the discretion of staff of the Department.

I have read this document and understand that I am waiving substantial rights. I voluntarily sign this document and by doing so, assume all risks attendant and pertaining to participating in the DOC volunteer program.

I, _____, agree to serve in the Division of Correction Volunteer Program. I commit to performing my assigned volunteer duties to the best of my ability and to follow DOC guidelines, policies, and procedures.

Volunteer Printed Name	Signature	Date

Coordinator Printed Name	Signature	Date

|

Volunteer Training ChecklistItem**About the organization:**1. History2. Mission3. Programs and Services, Volunteer Handbook4. Benefits of Volunteering**Policy:**1. Volunteer Policy2. Code of Ethics Rules of Conduct3. Prison Rape Elimination Act4. Sexual Harassment5. Drug-Free Workplace6. Offender Records (confidentiality)7. Tobacco (Smoke-Free Workplace)8. Dress Code9. Report Writing**Client Dynamics:**1. Criminogenic Risk Factors2. Prison Culture and Sensitivity3. 5 Stages of Incarceration4. Building a Professional Relationship5. Games Inmates Play6. Crisis Management7. Underlying Issues of Incarceration**The Facility/Office:**1. Explanation of Facility/Office Operations:a. Personal Safetyb. Emergency Planc. Reporting Incidentsd. Access to Facility/Officee. Use of supplies and equipmentf. Escortg. Parking**The Role:**1. Job Descriptions2. Supervisor Chain-of-Authority3. Supervision of Activities4. Employment Opportunities5. Volunteer Input6. Evaluations and Suggestions7. Release & Waiver of Liability Agreement



Arkansas Division of Correction

VOLUNTEER EVALUATION FORM

TO BE COMPLETED BY VOLUNTEER

Name: _____ **Position:** _____

Period of Evaluation: _____

Supervisor _____

Rating scale: 1 = needs improvement 3 = good 5 = superior
 2 = fair 4 = very good N/A= not applicable

1. ORIENTATION AND TRAINING

_____ The goals and purposes of Division of Correction were clearly explained.

_____ The job description for your position was reviewed and procedures to be followed were explained.

_____ Training was effective and provided the tools needed to perform the assigned tasks.

Comments:

2. SUPERVISION

_____ Supervisor/Volunteer Department was available to you when you had questions or needed information.

_____ Supervisor's attitude was one of professional regard.

Lines of supervision were clear.

Comments:

PLEASE RESPOND TO THE FOLLOWING QUESTIONS:

What other training or growth opportunities would you like to see offered?

What additional "tools" would make your work more effective and/or pleasant?

What are some suggestions or goals you would offer for the DOC volunteer program?

How could DOC improve its volunteer - staff structure and/or relationships?

Additional Comments:

Signature of Volunteer: _____ Date: _____

Signature of Supervisor: _____ Date: _____





ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

OFFICE OF THE DIRECTOR
DEXTER PAYNE

6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Temperature Settings

NUMBER: 2024-09

SUPERSEDES: 10-16

APPLICABILITY: All Employees

PAGE: 1 of 1

REFERENCE: ACA Standard

APPROVED: Original signed by Dexter Payne **EFFECTIVE DATE:** 3/1/24

I. POLICY:

To establish guidelines regarding energy conservation by outlining indoor working conditions during cold and hot weather for the Division of Correction buildings and facilities.

II. PROCEDURES:

- A. Temperature settings for air conditioning during hot weather should be 74-78 degrees for all administrative buildings.
- B. Temperature settings for heating during cold weather should be 70-74 degrees for all administrative buildings.
- C. Inmate living quarters should be maintained between 70-74 degrees in cold weather and between 74-78 degrees hot weather, except for non-air-conditioned living areas. Daily temperature checks should be conducted on inmate living quarters.



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office
 ARKANSAS DEPARTMENT OF CORRECTIONS
 DIVISION OF CORRECTION
 OFFICE OF THE DIRECTOR
 DEXTER PAYNE

6814 Princeton Pike
 Pine Bluff, Arkansas 71602
 Phone: (870) 267-6200 | Fax: (870) 267-6244



6814 Princeton Pike
 Pine Bluff, AR 71602

ADMINISTRATIVE DIRECTIVE

SUBJECT: Temperature Settings

NUMBER: 20xx234-xx
 16

_____ **SUPERSEDES:** 10-16

APPLICABILITY: All Staff

_____ **PAGE:** 1 of 1

REFERENCE: ACA Standard AM-AS-07-01 Energy Conservation and Cost Savings Budget Evaluation and Savings Team, Governor’s Executive Order 2022-01

APPROVED: _____ **Original signed by**
DATE: 6/11/2010

_____ **EFFECTIVE**

I. POLICY:

To establish guidelines to follow Governor’s Directive Executive Order regarding energy conservation by outlining indoor working conditions during cold and hot weather for the Division of Correction buildings and facilities.

II. PROCEDURES:

- A. Temperature settings for air conditioning during hot-season weather (summer) should be 74-78 degrees for all administrative buildings.
- B. Temperature settings for heating during cold season weather should be (winter) are 70-74 degrees for all administrative buildings.
- C. Inmate living quarters should be maintained between 70-74 degrees in cold weather the winter and between 74-78 degrees in the summer hot weather, except for non-air-conditioned living areas. Daily temperature checks should be conducted on inmate living quarters.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Movement of Pregnant Women

NUMBER: 2024-10

SUPERSEDES: 2019-29

APPLICABILITY: Transportation Officers and all facilities housing female inmates

REFERENCE: Arkansas Code Ann. § 12-29-804; AR 829 Prenatal Care of Pregnant Inmates or Residents

PAGE 1 of 4

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 03/05/2024

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to ensure that the movement of pregnant women is done in a humane manner safeguarding the health of the woman and the fetus without compromising the ADC's responsibility to public safety.

II. PURPOSE

Women in labor often experience sudden pain during contractions, need to support their abdomens during movement, and are easily thrown off-balance due to the pronounced shift in weight. Therefore, it is important that they be able to shift their posture to ease pain and work with the contraction. They also need to support their abdomens to cushion bumps in transportation and facilitate changes in posture and position. They need their legs and hands free when standing to maintain balance and to catch themselves without falling on their abdomens whenever they are required to walk.

III. DEFINITIONS:

- A. Labor. means the period of time before a birth during which regular contractions of the uterus result in dilation and effacement of the cervix;
- B. Post-partum. means the eight (8) week period following delivery, unless a longer period is determined to be necessary by a health care professional.

- C. Other health professional. means a person who performs clinical duties, such as health care practitioners, nurses, licensed professional counselors, social workers, and emergency medical technicians in accordance with each health care professional's scope of training and applicable licensing, registration, certification, and regulatory requirements; and
- D. Restraints. means a physical restraint or mechanical device used to control the movement of an inmate's body or limbs.

IV. PROCEDURE

- A. Pregnant women will be reviewed by the Classification Committee for Class I-B trustee status upon completion of their initial assignments. Class I-B status need not be granted at that time if doubts remain about their trustworthiness.
- B. All of the usual requirements for Class I-B status must be met, except for the availability of an I-B (outside the fence) job assignment. Medical staff shall be consulted for restrictions on activities.
- C. Any inmate who is granted I-B status will be allowed movement outside the facility without restraints. The supervision of the inmate by a Correctional Officer is still required. The officer shall carry the security equipment usually carried when supervising inmates.
- D. The inmate will be medically unassigned for a six (6) week period following delivery. The inmate will return to classification after the medical provider has determined that she is fit to be assigned to a job.
- E. Transporting pregnant inmates and restraint of pregnant inmates will be as follows:
 - 1. Upon determination by medical staff that the inmate is in active labor, the obstetrician will be contacted, per protocol or prior agreement, and the inmate will be transported immediately to the hospital unless the obstetrician instructs otherwise.
 - 2. To the extent possible, the inmate will be moved by wheelchair from the facility to the transport vehicle and from the transport vehicle to the clinic or hospital.
 - 3. Under no conditions will any type of restraint circling the abdomen be used.
 - 4. ADC shall not place an inmate verified to be pregnant, in labor, or in recovery (six (6) week period following delivery) in restraints unless:
 - a. The inmate presents a substantial flight risk; or

- b. A medical or security circumstance dictates that the inmate be restrained to ensure the safety and security of:
 - i. The inmate, or child;
 - ii. The staff;
 - iii. Other inmates; or
 - iv. The public.
5. If restraints are required, the physician, nurse, or other health professional providing inmate obstetric care shall have final decision-making authority on the use of restraints and may request that the inmate not be restrained.
6. If restraints are used on a pregnant inmate under section IV.E.4:
 - a. Only soft restraints may be used.
 - b. Leg or waist (circling the abdomen) restraints shall not be used on any inmate who is in labor.
 - c. Leg restraints shall not be used on a pregnant inmate who is not in a wheelchair, bed, or gurney.
 - d. Soft hand restraints may be used if the inmate is not actively experiencing contractions (e.g. travel for a clinic visit to the obstetrician). The restraints shall always be forward-facing, designed to restrain the person's hands in front of the person to protect the person and others.
 - e. When the inmate is on a bed or gurney, one hand or one leg may be restrained to the bed or gurney, unless removal of the restraint is requested by medical staff. The inmate should be given the choice of hand or leg restraints unless good security practice dictates otherwise.
7. All restraints will be removed when the inmate is in the labor and delivery room or when anesthesia is initiated. At that point, medical restraints may be ordered by the attending physician should they be seen as medically indicated.
8. The supervising officer will not leave the presence of an unrestrained inmate except during delivery or if requested to do so by medical staff during the performance of other medical procedures. At such times, the officer will remain in the immediate vicinity, accessible to hospital staff as needed.

- F. Correctional Officers are expected to always use good judgment. Circumstances not anticipated in this Administrative Directive may require adjustments in the procedures above. Should deviation from this policy be required, the Correctional Officer must contact the Warden or Duty Warden as soon as the situation necessitating the adjustment has been adequately addressed. The Warden or Duty Warden will notify the Administrator of Medical Services who will review the action to determine whether better alternatives or policy changes are needed.
- G. The facility shall make written findings within ten (10) days regarding the extraordinary medical or security circumstance that dictated the inmate to be restrained. The written findings shall be maintained for at least five (5) years.
- H. If restraints are used during labor, the duty warden should be notified and shall notify the Medical Administrator and duty director who will report the use of restraints during labor to the Secretary of Corrections who will notify the Board of Corrections and the Attorney General.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602

PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6999
Fax: 870-267-6258
www.adc.arkansas.gov



ADMINISTRATIVE DIRECTIVE

SUBJECT: Movement ~~and Restraint~~ of Pregnant Women

NUMBER: ~~19-29-2024-~~

SUPERSEDES: ~~13-60-2019-29~~

APPLICABILITY: Transportation Officers and all facilities housing female inmates.

REFERENCE: ~~— Arkansas Annotated Code 12-29-804; AR 829 Prenatal Care of Pregnant Inmates or Residents AR 829~~

~~Arkansas Code Ann. §§ 12-32-101, 102, and 103~~

~~PAGE 1 of 4~~

~~Adult Correctional Institutions ACA Standards~~

APPROVED:- ~~_____~~ ~~Original signed by Dexter Payne~~ _____

EFFECTIVE DATE: ~~9/9/2019~~

I. POLICY:

~~It is the policy of the Arkansas Division of Correction (ADC) To ensure that the movement of pregnant women outside of a correctional facility is done in a humane manner safeguarding the health of the woman and the fetus without compromising the Division of Correction~~ADC's responsibility to public safety.

II. PURPOSE

Women in labor often experience sudden pain during contractions, need to support their abdomens during movement, and are easily thrown off-balance due to the pronounced shift in weight. Therefore, it is important that they be able to shift their posture to ease pain and work with the contraction. They also need to support their abdomens to cushion bumps in transportation and facilitate changes in posture and position. They need their legs and hands free when standing to maintain balance and to catch themselves without falling on their abdomens whenever they are required to walk.

III. DEFINITIONS:

- A. Labor.~~“Labor”~~ means the period of time before a birth during which regular contractions of the uterus result in dilation and effacement of the cervix;
- ~~B. “Post-partum.” means, as determined by the physician of the inmate, the thirty-day period following delivery of a child; the eight (8) week period following delivery, unless a longer period is determined to be necessary by a health care professional.~~
- ~~B. —~~
- C. “Other health professional.” means a person who performs clinical duties, such as health care practitioners, nurses, licensed professional counselors, social workers, and emergency medical technicians in accordance with each health care professional’s scope of training and applicable licensing, registration, certification, and regulatory requirements; and
- D. “Restraints.” means a physical restraint or mechanical device used to control the movement of an inmate's body or limbs.

IV. PROCEDURE

- A. Pregnant women will be reviewed by the Classification Committee for Class I-B trust~~tee~~ status upon completion of their initial assignments. Class I-B status need not be granted at that time if doubts remain about their trustworthiness.
- B. All of the usual requirements for Class I-B status must be met, except for the availability of ~~a~~ an I-B (outside the fence) job assignment. Medical staff ~~should~~ shall be consulted for restrictions on activities.
- C. Any inmate who is granted I-B status will be allowed movement outside the facility without restraints. The supervision of the inmate by a Correctional Officer is still required. The officer will ~~shall carry~~~~be expected to have~~ the security equipment usually carried when supervising inmates.
- D. The inmate will be medically unassigned for a ~~thirty days~~ six (6) week period following delivery. The inmate will return to classification after the medical provider has determined that she is fit to be assigned to a job.

- E. Transporting pregnant inmates and restraint of pregnant inmates will be as follows:
1. Upon determination by medical staff that the inmate is in active labor, the obstetrician will be contacted, per protocol or prior agreement, and the inmate will be transported immediately to the hospital unless the obstetrician instructs otherwise.
 2. To the extent possible, the inmate will be moved by wheelchair from the facility to the transport vehicle and from the transport vehicle to the clinic or hospital.
 3. Under no conditions will any type of restraint circling the abdomen be used.
 4. ADC shall not place an inmate verified to be pregnant, in labor, or in ~~post-partum~~-recovery (~~thirty days~~ six (6) week period following delivery) in restraints unless:
 - a. The inmate presents a substantial flight risk; or
 - b. A medical or security circumstance dictates that the inmate be restrained to ensure the safety and security of:
 - i. The inmate, or child;
 - ii. The staff;
 - iii. Other inmates; or
 - iv. The public.
 5. If restraints are required, the physician, nurse, or other health professional providing inmate obstetric care shall have final decision-making authority on the use of restraints and may request that the inmate not be restrained.
 5. _____
 6. If restraints are used on a pregnant inmate under section IV.E.4:
 - a. Only soft restraints may be used.
 - b. Leg or waist (circling the abdomen) restraints shall not be used on any inmate who is in labor.
 - c. Leg restraints shall not be used on a pregnant inmate who is not in a wheelchair, bed, or gurney.
 - d. Soft hand restraints may be used if the inmate is not actively experiencing contractions (e.g. travel for a clinic visit to the obstetrician). The restraints shall always be forward-facing, designed

to restrain the person's hands in front of the person to protect the person and others.

- e. When the inmate is on a bed or gurney, one hand or one leg may be restrained to the bed or gurney, unless removal of the restraint is requested by medical staff. The inmate should be given the choice of hand or leg restraints unless good security practice dictates otherwise.
7. All restraints will be removed when the inmate is in the labor and delivery room or when anesthesia is initiated. At that point, medical restraints may be ordered by the attending physician should they be seen as medically indicated.
 8. The supervising officer will not leave the presence of an unrestrained inmate except during delivery or if requested to do so by medical staff during the performance of other medical procedures. At such times, the officer will remain in the immediate vicinity, accessible to hospital staff as needed.
- F. Correctional Officers are expected to ~~use good judgment at all times~~ always use good judgment. Circumstances not anticipated in this Administrative Directive may require adjustments in the procedures above. Should deviation from this policy be required, the Correctional Officer must contact the Warden or Duty Warden as soon as the situation necessitating the adjustment has been adequately addressed. The Warden or Duty Warden will notify the Administrator of Medical Services who will review the action to determine whether better alternatives or policy changes are needed.
- G. The facility shall make written findings within ten (10) days regarding the extraordinary medical or security circumstance that dictated the inmate to be restrained. The written findings shall be maintained for at least five (5) years.
- H. If restraints are used during labor, ~~ADC~~ the duty warden should be notified and shall notify the Medical Administrator and duty director who will report the use of restraints during labor to the Secretary of Corrections who will notify the Board of Corrections ~~and to~~ the Attorney General.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Visitation

NUMBER: 2024-11

SUPERSEDES: 24-06

APPLICABILITY: Employees, Inmates, and Visitors

PAGE: 1 of 9

REFERENCE: AR 865 Inmate Visitation, SD Access to Facilities by Attorneys, AD Punitive Segregation, AD Inmate Disciplinary Manual, AD Searches of Inmates, AD Unit Searches and Control of Contraband, AD Unit Entry Procedures for the Control of Contraband

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 03/14/2024

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to permit inmates to have visits with family, friends, attorneys, and spiritual advisors under conditions that are consistent with the security and good order of division operations. Visitation privileges for inmates are essential to maintaining good morale, sustaining family life, and ensuring relationships in the community upon release. Due to limited space, staff availability, scheduling considerations, and security requirements of correctional facilities, certain rules and guidelines must be established to govern Inmate Visitation. Nothing in this policy shall interfere with or restrict the authority of the ADC to determine an inmate's unit of assignment.

II. DEFINITIONS:

1. Contraband. Any item or items determined by the Board of Corrections (Board) or the ADC to jeopardize the safety, security, or good order of its institutions, including but not limited to items which are illegal or banned by any relevant policy.
2. Contact Visitation. A visit between an inmate and visitor that is conducted under staff supervision in an open area, allowing for limited physical contact and movement within the area.
3. Immediate Family. For the purpose of this policy, consists of the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as stepmother, stepfather, grandparents, aunts, or uncles; or, whose relationship with the inmate has been verified as that of a child/ward such as a foster child, stepson, stepdaughter, niece, or nephew. This list includes stepfamily members and half siblings.
4. Minor. A person that is 17 or younger.
5. Non-Contact Visitation. The placement of an inmate and visitor in separate locations where no physical contact can be made but visual and auditory communication can occur.
6. Special Visits. Upon approval of the Warden, visits outside regular visitation hours/days may be allowed for attorneys, spiritual advisors, ministers of record, and persons residing outside a three hundred (300) mile radius from the facility.
7. Video Visitation. A visual communication system that allows family members and friends (approved for visitation and phone calls) to schedule and participate in pre-paid video sessions with an inmate.

8. Visitor. Any individual who is on the inmate's approved visitor list.
9. Warden. For this policy, includes Deputy Warden, Superintendent, and Work Release Center Supervisor or the Administrator of a facility/unit.

III. PROCEDURES:

A. Approval of Visitors

1. Inmates are not allowed visitors during Intake (initial reception and orientation). Inmates will receive general information about visitation during Intake. Inmates will receive an orientation about procedures governing visitation within the first week after arrival at each facility.
2. After arrival to the ADC, inmates will be allowed visits only with immediate family members for the first thirty (30) days. Inmates must give accurate and truthful information about immediate family members to establish a temporary visitation list. The family relationship must be validated by the inmate's information on record. If it is determined that an inmate has provided false information and a person has visited under false pretenses during the 30-day period, that visitor will be denied future visitation privileges, and disciplinary action will be taken on the inmate. (For example, if an inmate lists a female visitor as his sister, and then after the 30-day period is up, the same female applies for visitation as his girlfriend or fiancé.)
3. After the expiration of the initial thirty (30) day period, visitors that have gone through the screening process and are on an inmate's approved visitation list will be allowed to visit. Individuals not on the inmate's approved visitation list will no longer be allowed to visit.
 - a. A Visitation/Telephone Contact and Authorization Form (application) must be received from all persons wishing to visit before they can be added to the inmate's visitation list.
 - i. The inmate is responsible for mailing applications to all persons who would like to request visitation privileges.
 - ii. All applications must be mailed back into the inmate's unit of assignment to the attention of the Unit Visitation Clerk.
 - b. Applications must be filled out in their entirety. Any incomplete application will be rejected and returned to the applicant for the completion of mandatory information.
 - c. Once the completed application is received, the visitation clerk or designee will perform a criminal history or background check on each applicant.
 - d. The inmate will be advised in writing by the Visitation Clerk of the Unit Warden's decision to either approve or deny the visitation application. It is the responsibility of the inmate to inform family/friends whether they are approved or denied.

B. Visitation Denials

1. The inmate will receive written notification but will not get specific details on the reason for denial;
2. The inmate must inform the applicant of the denial;
3. The applicant may then contact the Unit Visitation Clerk to seek the reason for the denial and any further instructions; and
4. If an applicant does not agree with the reason for the denial, he/she may file an appeal to the Director's Office through mail. The Director or the Director's designee will review the appeal and make the final decision to approve or deny visitation.

C. Visitation Approvals

1. The visitor's name and address shall be placed on the inmate's approved visitation list; the inmate will receive notification of the approval; and the inmate must inform visitor(s) of their approval.
 - a. A maximum of twenty (20) people may be placed on an inmate's approved visitation list. Once this number is reached, the inmate cannot add another visitor without removing one.
 - b. Any additional applications that are received when the maximum number of visitors is established will be placed in the inmate's visitation file. If the inmate does not remove an approved visitor to add a new applicant, the application will be shredded 120 days from the date of receipt.
 - c. Any application that is rejected (other than those that are incomplete) or is for a visitor who has been removed from the visitation list may be shredded.

2. Additions to the approved visitation list may be made at any time. A restriction can be applied after a complete (20 approved visitors) visitation list has been established. Excessive is defined as the addition of five (5) or more visitors in a 30-day period. After twenty (20) approved visitors on an inmate's visitation list have been reached, all future applications will be shredded until a visitor is removed from the list.
3. Approved visitors may not be listed on more than one inmate's visitation list unless the visitor is confirmed as an immediate family member of each inmate and is approved by the Warden of each facility.
4. Approved visitors must submit a new application to the Unit Visitation Clerk whenever the visitor has a change of:
 - a. Legal name;
 - b. Address; or
 - c. Telephone number.
5. A visitor must submit the following to be removed from an inmate's visitation list:
 - a. A letter requesting removal to the Unit Visitation Clerk;
 - b. A copy of his/her Driver's License or State I.D.; and
 - c. The inmate's name and ADC number.
6. An inmate must submit an Inmate Request Form to the Unit Visitation Clerk to remove a visitor from the approved list.
7. Visitors with Convictions
 - a. Immediate family members with felony convictions may not apply for visitation until six (6) months after their release from confinement. If the visitor is currently on probation/parole, his/her community supervision officer must submit written approval directly to the Unit. Regardless, the visitation must be approved by the Warden.
 - b. Non-immediate family members with a felony conviction may be granted visitation privileges only by the Director or Director's designee.
 - c. Any applicant with a misdemeanor conviction may be granted visitation privileges by the Warden.
8. Current/Former Employees, Contractors, Interns, or Students
 - a. Current ADC employees and contract employees (working in an ADC facility) shall not be approved for visitation unless, prior to their employment, they were immediate family members of the inmate.
 - b. Former ADC employees and former contract employees shall not be approved for visitation for a period of three (3) years from their last date of employment unless, prior to their employment, they were an immediate family member of the inmate. Waivers of the three (3) year period for former employees, contractors, interns, or students may be granted by the Warden if the employee left in good standing and is an immediate family member and/or an attorney of record for the inmate.
 - c. Former Employees that left employment under negative circumstances or for inappropriate involvement with inmates will be ineligible for visitation for a minimum of seven (7) years. After seven (7) years, a decision will be made based on the severity of the incident by the appropriate Chief/Deputy Director whether to reinstate visitation privileges.
9. Volunteers/Former Volunteers
 - a. Volunteers, including interns, with the ADC shall not be placed on an inmate's visitation list unless they were immediate family members of the inmate prior to their work or the inmate's incarceration.
 - b. Former volunteers and interns may be placed on an inmate's visitation list eighteen (18) months following their last date as a volunteer. Waivers can be granted by the Warden if the volunteer left in good standing and is an immediate family member and/or an attorney of record for the inmate.
10. Attorney Visits - Please refer to the current Secretarial Directive on Access to Facilities by Attorneys.
11. Spiritual Advisors/Pastoral Visits - Spiritual Advisor Visits and Pastoral Visits by approved ministers of record may be arranged and conducted in accordance with Religious Services Policy

and Procedure Policy 425 and Policy 665, respectively, and are arranged through Chaplaincy Services.

D. Special Visits for those residing over three hundred (300) miles away

1. Upon approval of the Warden, visits may be granted for any two (2) business days during a calendar week to approved visitors whose residence has been verified on record to be more than three hundred (300) miles from the unit/center.
2. The visitor must request the visit at least twenty-four (24) hours in advance during regular business hours.
3. Visitation may be approved for two (2) days at regular visiting hours. These visits will count toward the inmate's allowed number of monthly visits. Visits will not be granted if they exceed the inmate's allowed number of monthly visits.

E. Video Visitation

1. Kiosks are provided for video visitation during set hours for use at each unit.
2. Approved visitors are required to create an online account with the ADC's approved vendor to register for video visits.
3. Visitors must prepay and schedule all appointments at least forty-eight (48) hours prior to start time.
4. Visits are thirty (30) minutes in length and will begin promptly at the scheduled time.
5. If an inmate receives a suspension from visitation or telephone privileges, all prior appointments will be cancelled.
6. All regular visitation rules apply, including dress code guidelines.
7. Video visits are monitored/reviewed by staff and can be terminated at any time.
8. Violation of the rules including displaying sexual acts or other prohibited behavior will result in immediate termination of the visit and the removal of the visitor from all visitation and phone lists.
9. The recording or photographing of a video visit is prohibited. Individuals found to be in violation, or facilitating a violation of this policy, will have their visitation privileges suspended for a minimum of one (1) year from the date the ADC became aware of the violation. A subsequent violation will result in the permanent loss of the visitation privileges of the violator.
10. The Warden may deny a visitor the privilege of visiting a facility and restrict a visitor to Video Visitation privileges only, based upon, but not limited to:
 - a. security and safety restrictions;
 - b. space availability;
 - c. disruptive conduct of the inmate or visitor;
 - d. abuse of visiting privileges by the inmate or visitor; and
 - e. violation of state or federal laws or ADC rules by the inmate or visitor.

F. News Media - News media requests for inmate visits and interviews are governed by AR 011.

1. Representatives of news organizations wishing to conduct in-person interviews with an inmate in the custody of the ADC shall submit their requests in writing to the Department of Corrections (DOC) Communications Director.
2. All requests for in-person interviews shall be reviewed by the DOC Communications Director, who will then forward the request and a recommendation to the Director. The Director will approve or deny the requests.
3. Any news media visit can be denied, canceled, or restricted by the Director, DOC Communications Director, or Warden if there are security concerns based on present circumstances, including, but not limited to:
 - a. Pending appeals or legal matters related to the inmate's criminal conviction(s) or charges not yet adjudicated;
 - b. Institutional adjustment;
 - c. A prior escape; or
 - d. Re-victimization if a victim(s) has been registered in eOMIS by the ADC Victim Services Coordinator.
4. Inmates must be Class I or II to be eligible to receive face to face media visits.

5. Requests from an entertainment-based program or publication that would provide, or attempt to provide, compensation to the inmate or which would impose a burden on the ADC's limited resources will be denied.
6. Inmates in Intake, punitive/administrative segregation, or restrictive housing are not eligible for in-person news media interviews.
7. Inmates having served sixty (60) days or less of their initial assignment are not eligible for in-person news media interviews.

G. Special Status/Assignment

1. Inmates on special status/assignment include, but are not limited to Investigative Status, Restrictive Housing, those in residential Mental Health programs or Protective Custody may be allowed to visit, consistent with good security, as designated by the Warden.
2. Inmates admitted to an ADC infirmary or hospital may be allowed to receive visits after receiving approval of the Warden after conferring with the Unit Health Services Administrator.

H. Outside Medical Facilities

1. Any visits at outside medical facilities will comply with the facilities' visitation rules in addition to those in this policy.
2. Inmates hospitalized in outside facilities may be allowed visitation by the Medical Services Administrator if admission is for a critical condition, or the hospitalization is for an extended period (greater than 7-10 days duration). The visits shall not exceed four (4) hours in duration.
3. When visits for surgical procedures are approved:
 - a. Visits will occur prior to surgery or after returning from recovery;
 - b. Visitors will be restricted to immediate family members on the inmate's approved visitation list; and
 - c. These provisions may be modified at the discretion of the Medical Services Administrator in conjunction with the Warden of the inmate's unit/center of assignment.
4. The Medical Services Administrator may approve and coordinate visits for inmates who are hospitalized in outside facilities in cases of terminal illness or critical condition.
 - a. Special arrangements may be made by the Medical Services Administrator with the approval of the Warden of the inmate's assigned unit for individuals not on the inmate's approved visitation list and may include minors; and
 - b. When the Medical Services Administrator cannot be reached, the Warden may approve visits on an emergency basis after consulting with the ADC's Hospital Security Coordinator or a Deputy Director consistent with the facility's policies.

I. Department of Human Services - Division of Children and Family Services (DHS-DCFS)

Consistent with the provisions of Arkansas Code Annotated § 9-27-303, the ADC will support the efforts of the DHS-DCFS to "reunify a family after a child is placed out of his or her home" by facilitating special visits between incarcerated parents, their minor child(ren) involved in an active DHS-DCFS case, and DHS-DCFS staff. The DHS-DCFS may identify other individuals to attend the visit who are appropriate to assist the DHS-DCFS in reunification efforts. However, the Warden may deny admission to a visitor, or limit the number of visitors, based upon security considerations or staffing limitations.

1. These visits will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement with the Warden. The DHS-DCFS is entitled to establish initial contact with an incarcerated parent via a prescheduled telephone call arranged through the Unit Chaplain.
2. A request for special visitation shall be submitted in writing to the Warden a minimum of five (5) business days in advance of the requested visit. The request must include a completed visitation form for each person requesting to come to the visit.
3. Visitors involved in these efforts will be subject to a comprehensive background check and must possess valid government issued photo identification. The results of a background check will be valid for twelve (12) months from the date of the verified check on record.
4. Except for waivers granted in this section, visitors involved in these efforts will be subject to the same entrance procedures and conduct guidelines applicable to a regular visitor. Visitors involved in these efforts will adhere to dress code guidelines and be reminded that no metal should be worn. Any metal required for the visit, such as writing instruments, must clear the x-ray machine. Visitors

involved in these efforts will be allowed to bring in documents as necessary to involve an incarcerated parent in case planning. All case planning documents must remain in the possession of the visitor during and after the special visit.

IV. VISITATION SCHEDULE

- A. All eligible inmates shall be entitled to visitation privileges only in accordance with the following schedule:
1. Saturdays and Sundays will be designated visitation days for all routine visits.
 2. There will be no visitation on holidays unless the holiday falls on a regular visitation day.
 3. Hours for visitation will be in two (2), two (2) hour blocks from 11:30 am to 1:30 pm and 2:00 pm to 4 pm, except as authorized by the Director.
 4. The scheduling of special visits shall be performed in accordance with unit/center procedures at the discretion of the Warden.
 5. All Class I inmates will be permitted a maximum of four (4) or five (5) visits a month depending upon the number of weekends.
 6. All Class II, III, and IV inmates will be permitted a maximum of two (2) visits a month.
 7. All visitation appointments are scheduled through Telegov.egov/docrequest. The deadline to request a visit for Saturday appointments is Wednesday at 11:59pm Central Standard Time (CST) and Sunday appointments is Thursday at 11:59pm CST. All appointments must be vetted and finalized by unit visitation staff before 2:30pm CST on Friday.

V. VISITATION PROCEDURES

- A. Entrance
1. All visitors shall register in and out of the unit/center point of entry and are subject to biometric identification. Records are to be maintained and/or destroyed according to the ADC's Records Retention policy.
 2. All visitors twelve (12) years of age or older will be required to show a valid State issued photo I.D, driver's license, or military I.D. Approved adult visitors may vouch for the identity of minor visitors under the age of twelve (12) years.
 3. Visitors will be allowed to carry in only the following items: a clear plastic bag containing a small amount of cash for purchasing refreshments; prescription medication in the visitor's name and in the original pharmacy container (only the amount needed during the visit); government issued identification; baby bottles, diapers, and wipes; car keys; and jewelry (being worn). The ADC accepts no responsibility for the property of visitors. The Warden or Warden's designee may set limits on the amount of money, or any item listed above that a visitor will be allowed to bring into the facility.
 4. Visitors must leave ALL electronic devices such as cell phones, tablets, computers, laptops, Bluetooth headsets, fitness tracking bands, smartwatches, and cameras locked securely in their vehicles. Any attempt to bring any electronic device into the facility will be construed as attempting to introduce contraband and could result in loss of visitation privileges and/or criminal charges.
 5. Visitors must leave all tobacco products (cigarettes, e-cigarettes, chewing tobacco) out of view and locked in their vehicle.
 6. Visitors will not be admitted when the apparent odor or effect of alcohol or drugs are detected.
- B. Searches
1. Approval of an individual on a visitation list is conditioned upon the signing of a consent form authorizing searches of one's person, vehicle, and personal belongings pursuant to ADC policies on searches. For minors, the parent/guardian must sign consent in addition to the minor.
 2. Several different electronic scanning devices such as x-ray machines, metal detectors, ion scanners, advanced imaging scanners, and cell towers are used to detect the presence of contraband. Visitors must clear all scanning devices before being granted entrance to the unit.

3. Visitors are encouraged to avoid wearing any clothing items containing metal (snaps, buttons, buckles, under wires, support materials) which may cause the scanning devices to alarm and may require removal of clothing items.
 4. Anyone unable to clear the scanning devices will be required to follow the procedures outlined in AD Unit Entry Procedures for the Control of Contraband.
 5. Failure to fully cooperate and comply with all entry procedures, including the verbal instructions of entry personnel, by visitors will result in their indefinite suspension from the inmate's visitation and phone lists.
 6. In addition to searches required to enter a facility, visitors may be required to submit to an additional search for contraband prior to, during, and after the visitor's meeting with the inmate if the search has been authorized by the Warden.
 - a. Any person or vehicle entering a correctional unit can be searched for contraband. Visitors in wheelchairs and those wearing wigs or religious headgear are also subject to search. If a wig or religious headgear is being worn, the visitor will be searched outside the presence of other visitors by an employee of the same gender. Entrance will be denied if a visitor is not willing to submit to a search and clear all security procedures. The visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden.
 - b. Any visitor who knowingly brings or attempts to bring any contraband onto the unit/center grounds shall be dealt with according to the appropriate administrative rules(s) and directive(s) governing searches for and control of contraband. The visitor's privileges to visit will be revoked and may only be reinstated by the Warden or through an appeal to the Director's Office. The visitor may also be subject to criminal prosecution.
- C. Dress Code
1. Visitors' clothing must be conservative, modest, and appropriate for the age and prison environment.
 2. All visitors must wear under garments.
 3. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks.
 4. Skirts and dresses must reach the top of the knee while standing.
 5. Children ten (10) years of age and under will be allowed to wear shorts of an appropriate length.
 6. The following are prohibited:
 - a. halter-tops, tank tops
 - b. any spandex material
 - c. overalls/coveralls
 - d. clothing with provocative or obscene images or texts
 - e. hats, bandanas, doo-rags
 - f. shorts
 - g. skirts/dresses that do not reach the top of the knee while standing
 - h. see-through clothing
 - i. ripped jeans
 - j. leggings, jeggings
 - k. flip flops
 - l. camouflage attire
 - m. white t-shirts or white pants
 - n. low cut blouses or low-rise jeans or otherwise provocative clothing
- D. Visitation Activities and Restrictions
1. No more than four (4) persons shall be permitted to visit an inmate during one (1) visitation period.
 - a. Minor children will not be allowed to visit unless accompanied by an approved adult visitor or upon proof of emancipation.
 - b. Minor children of the inmate may exceed the limit of four (4) visitors; however, only two (2) approved adult visitors may accompany the minor children when the limit of four (4) is exceeded. The Warden must authorize any other exception.
 2. Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.

3. Inmates and visitors may briefly embrace upon arrival and departure.
 4. Visitors who have been admitted to the unit/center to visit an inmate shall not visit any other inmate unless specific prior permission is granted for such a visit by the Warden.
 5. Visits may be denied, terminated, or modified for the health condition of the inmate or visitor, or the inmate's program participation.
 6. Any behavior on the part of the inmate or visitor that is or may be disruptive to the security and good order of institutional operations or violates DOC rules will result in denial of or termination of the visit.
 7. Inmates are allowed to wear a wedding band and must wear state issued footwear.
 8. Where facilities allow, the inmate and the visitors may eat and drink items sold through available vending operations or as designated by the Warden. Inmates and visitors may purchase items that can be consumed during the visitation period. Items not consumed during visitation must be taken out by the visitor or be thrown away. No other objects, property, or articles may be exchanged between visitors and inmates.
- E. Conditions for Visitation
1. Visits shall be held in a relaxed manner under the observation of correctional staff.
 2. Correctional staff shall always remain professional and courteous.
 3. Correctional staff must present a good appearance, be pleasant, tactful, alert to any problems that may arise, and refer such problems to appropriate officials if necessary.
 4. When a visit is a threat to the security and good order of the unit/center, the visit shall be terminated.
 5. During an institutional emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden or designee.
 6. The Warden has the authority to restrict contact visitation, consistent with unit policy and the security needs of the unit.
 7. Inmates who violate the following rules may be restricted from visitation and only allowed Video Visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one-year restriction period to start over from the date of the conviction of the new violation.
 - a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical, or any medication in an unauthorized manner.
 - b. Refusal to submit to substance abuse testing.
 - c. Possession or introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical staff.
 - d. Possession or movement of money or currency, unless specifically authorized.
 - e. Possession of clothing or property not issued nor authorized by the Center/Unit.
 - f. Correspondence/conduct with a visitor in violation of regulations.
 - g. Possession/introduction/use of a cell phone, unauthorized messaging device, unauthorized electronic devices, parts of one, or their components.
 - h. Indecent exposure.
 - i. Access to social media.

VI. SUSPENSION/TERMINATION OF VISITATION PRIVILEGES

1. Visitation is a privilege and will be denied when the ADC determines a visitor or inmate has attempted to violate ADC rules or regulations.
2. Any visitor on the property of any ADC facility who has been found to have knowingly introduced, or attempted to introduce contraband, who has refused or who refuses to comply with a search requested by staff may be removed from the inmate's visitation list for a minimum of one (1) year. The visitor must reapply for visitation privileges for any inmate through the application process.
3. Any visitor found to have knowingly introduced, or attempted to introduce, drugs, cell phones, weapons, implements of escape, tobacco products, or any other items that threaten the security and good order of the institution may be permanently prohibited from visiting at any ADC location. At the completion of a minimum of one (1) year since denial and after submission of a written request for

reconsideration, the Warden may reconsider the decision to permanently deny visitation privileges after assessing the nature and extent of the incident.

4. Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation, will result in cancellation of all visitation privileges for one (1) year.
5. Any changes in the visitation status such as suspensions will be listed in the eOMIS and will be sent to the ADC's approved vendor for Video Visitation.
6. A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred (even when the visitor removes him/herself), shall wait a minimum of six (6) months before being eligible to be placed on any inmate's visitation list. This six (6) month wait shall not apply to mentors who are on the visitation list as part of a program approved by the DOC.

VII. NOTATIONS IN THE ELECTRONIC RECORD

1. As appropriate, a notation will be entered into eOMIS under the visitation file by the visitation clerk or designated staff member so that correctional staff who are supervising visitation are aware of important information when allowing a visitor entrance into the Unit.
2. Notations should not result in the denial of a visit, but staff should be more cautious and vigilant of such visitors.
3. The following are examples of what should be entered as a notation in eOMIS:
 - a. Any visitor whose visitation privileges have been suspended or terminated in the past;
 - b. Any current or former employee, contractor, intern, or volunteer;
 - c. Any visitor suspected of introducing contraband during a prior visit; and
 - d. Any visitor placed on a suspicion list by the Warden due to correspondence, phone calls, or other credible information that causes a security concern.

VIII. VISITOR'S ARREST

The procedures listed below shall be followed when notification has been made of an approved visitor's arrest:

1. The Visitation Clerk will compare the arrest information against visitation information on file to verify accuracy of the information and verify identity of the visitor.
2. The Warden will place the visitor on suspension status.
3. The visitor will be advised of the suspension in writing through U.S. Mail. Visitation privileges will remain suspended until the following information is provided for review (see Attachment III):
 - a. Copies of arrest reports;
 - b. Written statement detailing the circumstances of the arrest;
 - c. Court records and/or disposition of the charges; and
 - d. Other documents as requested.
4. The inmate will receive a notice advising of the suspension but will not be provided details.
5. Once the requested information has been received, the Warden will re-evaluate the visitor's visitation status.
6. Following the re-evaluation, the Warden may:
 - a. Return the visitor to approved status;
 - b. Continue the suspension for a specific period; or
 - c. Permanently revoke visitation privileges.
7. The inmate shall be advised, in writing, of the Warden's decision. It is the responsibility of the inmate to inform visitors of the final decision following the re-evaluation.

IX. ATTACHMENTS

- #1 Visitation/Telephone Contact Request and Authorization Form
- #2 Rules Governing Visitation
- #3 Approved Visitation List
- #4 Visitor Suspension Notice

VISITATION/TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM

Please check applicable selection: ___NEW ___CHANGE

PLEASE CHECK SELECTION: PHONE LIST ___ VISITATION LIST ___ ALL ___ (This includes video visitation.)

Inmate's Name: _____ ADC# _____

Applicant's Name: _____
PRINT NAME AS IS APPEARS ON STATE I.D. OR DRIVER'S LICENSE

Physical Address _____
Street City State Zip Code

Mailing Address _____
Street/P.O. Box City State Zip Code

Date of Birth: _____ Telephone Number: _____ Social Security #: _____
Month Day Year

Sex: _____ Race: _____ If age 12 or older, State Issued Photo ID/Valid Driver's License Number: _____

State of Issuance: _____ Relationship to Inmate: _____

ARE YOU PRESENTLY APPROVED ON ANY OF THE FOLLOWING LISTS OF ANOTHER INMATE(S) INCARCERATED WITHIN THE DIVISION OF CORRECTION: PHONE (P) VISITATION (V) VIDEO VISITATION (VV) ALL (A)

If Yes, Please list by completing the following...Use additional paper if needed.

Inmate Name ADC # _____ Relationship _____ Unit (P) (V) (VV) (A) _____

Inmate Name _____ ADC # _____ Relationship: _____ Unit: _____ (P) (V) (VV) (A)

Inmate Name _____ ADC # _____ Relationship: _____ Unit: _____ (P) (V) (VV) (A)

Are you a CURRENT or PREVIOUS ADC employee, CONTRACT employee, VOLUNTEER, or INMATE? YES NO

If yes, date last employed _____, volunteered _____, or incarcerated: _____ Unit of Assignment: _____

If form is for an Attorney request, provide State Bar Number: _____

AUTHORIZATION

I, _____ of _____
Name City, State

request permission from the Arkansas Division of Correction, to Visit in person or through Video Visitation and/or contact by telephone, with the above listed inmate. I have read and fully understand the rules and regulations on the back of this form. I do agree to abide by such rules and regulations. I understand that there will be consequences should I fail to follow the rules and regulations governing visitation and telephone usage, both those located on the back of this application and rules posted at the Unit. In consideration for being granted permission to visitation and/or telephone usage, I consent to recording of telephone calls and a criminal background check(s). I am also aware that all persons, property, and vehicles entering ADC property shall be subject to search, and I give consent to search.

Print Applicant's Name (Must be Legible or Form Cannot Be Processed)

Signature of Applicant

Any minor (under 18 years of age) must have a Legal Guardian's approval to visit, and consent to a search of the minor's person and possessions or contact by telephone. Additionally, the legal guardian must accompany the minor to all visits. Signature of Parent or Legal Guardian constitutes "consent" or approval.

I, legal guardian, certify there is no active court order, or legal disposition that prohibits visiting privileges between the minor and inmate.

Relationship to Applicant (Legal Guardian or Parent)

Legal Guardian or Parent Signature

Legal Guardian or Parent's Name (Clearly Print)

RETURN THIS FORM TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK

Form must be completed legibly and in its entirety.

Rules Governing Inmate Visits

1. In order to be placed on the approved visitation list, this form must be legibly completed in its entirety and **RETURNED TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK. DO NOT RETURN THE APPLICATION TO THE INMATE.** It is the responsibility of the inmate to notify you if your application is approved for visitation, visitation schedule, and any changes to either. Upon request, an inmate may remove any or all visitors from his/her approved visitation list.
2. You may contact the unit visitation clerk to confirm the visitation schedule at that unit. Visits will not be scheduled on a holiday unless the holiday occurs on the inmate's regularly scheduled visitation day.
3. In units where a secure environment is not available, visits will only be allowed by video.
4. All persons, property, and vehicles entering State property shall be subject to search(es). Any refusal to comply with searches will result in denial of future entry into the facility. Additionally, all applicants and visitors will be subject to a criminal background check during screening of the visitation application.
5. No more than four (4) persons shall be permitted to visit an inmate during any visitation period. All visitors must be on the approved visitation list. A person of any age is counted as one of the four persons allowed to visit. When an inmate has minor children that would exceed the number of allowed visitors, a maximum of two (2) adults will be allowed to accompany the inmate's minor children during the visitation period. The Warden must authorize any other exceptions.
6. Brief cut, provocative, or inappropriate clothing will not be permitted. No halter-tops, tank tops, hats, shorts, skirts/dresses that do not reach the top of the knee while standing, see-through clothing, leggings, jeggings, or camouflage attire, any spandex material, overalls/coveralls, ripped jeans, white shirts, white pants, clothing with provocative images or writings, or flip flops may be worn. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks. All visitors must wear undergarments. Female visitors are strongly encouraged to refrain from wearing underwire bras. Clothing containing metal (such as snaps, buttons, buckles, under wires, etc.) should be avoided as those items may prevent the visitor from clearing certain security devices, which could result in denial/cancellation of visiting, cause delays and lead to additional searches. Children 10 years of age and under will be allowed to wear shorts of an appropriate length.
7. Visitors will be allowed to carry in only the following items: state issued photo I.D. card, baby bottle, diapers and wipes, car keys and jewelry (being worn). A Warden may place a limit on the amount of money or other items that can be brought into the visitation area.
8. Visitors will not be permitted to bring an inmate money, gifts, food, or any other items. **THE FURNISHING OR INTRODUCTION OF ANY PROHIBITED ARTICLE INTO A DEPARTMENT FACILITY IS IN VIOLATION OF ARKANSAS CODE 5-54-119 AND IS A FELONY PUNISHABLE BY LAW. THIS INCLUDES TOBACCO, ANY SMOKING PARAPHERNALIA, ELECTRONIC COMMUNICATION DEVICES, ALCOHOL AND/OR DRUGS.**
9. Visitors who have been admitted to the institution to visit an inmate shall not visit any other inmate during the visit, unless the Warden or designee grants specific permission for such visit in advance.
10. Improper conduct of a visitor shall result in immediate termination of the visit and may result in suspension or revocation of visiting privileges. Children must be kept from running and as quiet as possible to avoid interfering with other visits.
11. Any visitor under the influence of alcohol and/or drugs, or who knowingly brings, or attempts to bring, any alcohol, drugs, tobacco, electronic communication devices, etc., into the institution, or upon its grounds, may be detained for arrest by the appropriate authorities or removed from the institution grounds immediately. The incident shall be reported to the Prosecuting Attorney for appropriate action. In addition, incidents shall result in the indefinite suspension of all visiting privileges of such person(s).

*** Current and former ADC employees and contract employees shall not be approved for visitation or telephone calls for a period of three (3) years from last date of employment unless they are immediate family members and were so prior to their employment. Any person who has participated as a volunteer at any time within the last eighteen (18) months shall not be placed on any inmate's visitation or telephone list unless they are immediate family members and were so prior to their work as a volunteer or the inmate's incarceration. Waivers can be granted by wardens if employees or volunteers left in good standing.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



Visitor's Name
Visitor's Mailing Address
City, State, Zip Code

Dear [Visitor's Name]:

Your visitation privileges have been suspended due to your arrest on Date _____ with [Arresting Agency].

Please provide the following information to assist in the re-evaluation of your visitation status:

1. Copy of the arrest report(s);
2. A written statement detailing the circumstances of the arrest;
3. Court records indicating disposition of the charges;
4. Other information as explained below:
[Explanation of other information]

Your visitation privileges will remain suspended until the information requested is received and the re-evaluation is completed. Once the investigation is complete, you will be advised of the decision in writing.

If you have any questions, please contact the visitation clerk at:

Visitation Clerk's Name

Visitation Clerk's Telephone Number

Sincerely,

Warden's Signature

Warden's Name

cc: Inmate's Visitation File



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

OFFICE OF THE DIRECTOR
DEXTER PAYNE

6814 Princeton Pike
Pine Bluff, AR 71602



ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Visitation

NUMBER: 2024-06

SUPERSEDES: ~~18-3124-06~~

APPLICABILITY: Employees, Inmates, and Visitors

PAGE: 1 of ~~940~~

REFERENCE: AR 865 Inmate Visitation, [SD Access to Facilities by Attorneys](#), AD Punitive Segregation, AD Inmate Disciplinary Manual

[AD Searches of Inmates](#), [AD Unit Searches and Control of Contraband](#), [AD Unit Entry Procedures for the Control of Contraband](#), ~~[SD 22-15 Access to Facilities by Attorneys](#)~~

APPROVED: ~~Original signed by Dexter Payne~~

EFFECTIVE DATE: ~~02/16/2024~~

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to permit inmates to have visits with family, friends, attorneys, and spiritual advisors under conditions that are consistent with the security and good order of division operations. Visitation privileges for inmates are essential to maintaining good morale, sustaining family life, and ensuring relationships in the community upon release. Due to limited space, staff availability, scheduling considerations, and security requirements of correctional facilities, certain rules and guidelines must be established to govern Inmate Visitation. Nothing in this policy shall interfere with or restrict the authority of the ADC to determine an inmate's unit of assignment.

II. DEFINITIONS:

1. Contraband. Any item or items determined by the Board of Corrections (Board) or the ADC to jeopardize the safety, security, or good order of its institutions, including but not limited to items which are illegal or banned by any relevant policy.
2. Contact Visitation. A visit between an inmate and visitor that is conducted under staff supervision in an open area, allowing for limited physical contact and movement within the area.
3. Immediate Family. For the purpose of this policy, consists of the inmate's father, mother, sisters, brothers, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as ~~mother-in-law~~ stepmother, ~~father-in-law~~ stepfather, grandparents, aunts, or uncles; or, whose relationship with the inmate has been verified as that of a child/ward such as a foster child, ~~son-in-law~~ stepson, ~~daughter-in-law~~ stepdaughter, niece, or nephew. This list includes stepfamily members and half siblings.
4. Minor. A person that is 17 or younger.
5. Non-Contact Visitation. The placement of an inmate and visitor in separate locations where no physical contact can be made but visual and auditory communication can occur.

6. Special Visits. Upon approval of the Warden, ~~special~~ visits outside regular visitation hours/days may be allowed for attorneys, spiritual advisors, ministers of record, and persons residing outside a three hundred (300) mile radius from the facility.
7. Video Visitation. A visual communication system that allows family members and friends (approved for visitation and phone calls) to schedule and participate in pre-paid video sessions with an inmate.
8. Visitor. Any individual who ~~is is neither an inmate nor staff, including but not limited to inmate family members, friends, vendors, state officials, law enforcement, members of the media, etc. on the inmate's approved visitor list.~~
9. Warden. For this policy, includes Deputy Warden, Superintendent, and Work Release Center Supervisor or the Administrator of a facility/unit.

III. PROCEDURES:

A. **Approval of Visitors**

1. Inmates are not allowed visitors during Intake (initial reception and orientation). Inmates will receive general information about visitation during Intake. Inmates will receive an orientation about procedures governing visitation within the first week after arrival at each facility.
2. ~~After the completion of Intake and transfer to their initial Unit of assignment~~ After arrival to the ADC, inmates will be allowed visits only with immediate family members for the first thirty (30) days. Inmates must give accurate and truthful information about immediate family members to establish a temporary visitation list. The family relationship must be validated by the inmate's information on record. If it is determined that an inmate has provided false information and a person has visited under false pretenses during the 30-day period, that visitor will be denied future visitation privileges, and disciplinary action will be taken on the inmate. ~~(i.e. For example, if an inmate lists a female visitor as his sister, and then after the 30-day period is up, the same female applies for visitation as his girlfriend or fiancé.)~~
3. After the expiration of the initial thirty (30) day period, visitors that have gone through the screening process and are on an inmate's approved visitation list will be allowed to visit. Individuals not on the inmate's approved visitation list will no longer be allowed to visit.
 - a. A Visitation/Telephone Contact and Authorization Request Form (application) must be received from all persons wishing to visit before they can be added to the inmate's visitation list.
 - i. The inmate is responsible for mailing applications to all persons who would like to request visitation privileges.
 - ii. All applications must be mailed back into the inmate's unit of assignment to the attention of the Unit Visitation Clerk.
 - b. Applications must be filled out in their entirety. Any incomplete application will be rejected and returned to the applicant for the completion of mandatory information.
 - c. Once the completed application is received, the visitation clerk or designee will perform a criminal history or background check on each applicant.
 - d. The inmate will be advised in writing by the Visitation Clerk of the Unit Warden's decision to either approve or deny the visitation application. It is the responsibility of the inmate to inform family/friends whether they are approved or denied.

B. **Visitation Denials**

1. The inmate will receive written notification but will not get specific details on the reason for denial;
2. The inmate must inform the applicant of the denial;
3. The applicant may then contact the Unit Visitation Clerk to seek the reason for the denial and any further instructions; and
4. If an applicant does not agree with the reason for the denial, he/she may file an appeal to the Director's Office through mail. The Director or the Director's designee will review the appeal and make the final decision to approve or deny visitation.

C. **Visitation Approvals**

1. The visitor's name and address shall be placed on the inmate's approved visitation list; the inmate will receive notification of the approval; and the inmate must inform visitor(s) of their approval; ~~scheduled visitation days and time, and any changes to either.~~
 - a. A maximum of twenty (20) people may be placed on an inmate's approved visitation list. Once this number is reached, the inmate cannot add another visitor without removing one.
 - b. Any additional applications that are received when the maximum number of visitors is established will be placed in the inmate's visitation file. If the inmate does not remove an approved visitor to add a new applicant, the application will be shredded 120 days from the date of receipt.
 - c. Any application that is rejected (other than those that are incomplete) or is for a visitor who has been removed from the visitation list may be shredded, ~~but a copy of the application shall be scanned into Electronic Offender Management Information System (eOMIS).~~
2. Additions to the approved visitation list may be made at any time. ~~However, due to delays caused by excessive submissions, a~~ restriction can be applied after a complete (20 approved visitors) visitation list has been established. Excessive is defined as the addition of five (5) or more visitors in a 30-day period. ~~A warden may restrict an inmate's ability to add visitors for a period of ninety (90) days due to excessive submissions. After twenty (20) approved visitors on an inmate's visitation list has been reached, all future applications will be shredded until a visitor is removed from the list.~~
3. Approved visitors may not be listed on more than one inmate's visitation list unless the visitor is confirmed as an immediate family member of each inmate and is approved by the Warden of each facility.
4. Approved visitors must submit a new application to the Unit Visitation Clerk whenever the visitor has a change of:
 - a. Legal name;
 - b. Address; or
 - c. Telephone number.
5. A visitor must submit the following to be removed from an inmate's visitation list:
 - a. A letter requesting removal to the Unit Visitation Clerk;
 - b. A copy of his/her Driver's License or State I.D.; and
 - c. The inmate's name and ADC number.
6. An inmate must submit an Inmate Request Form to the Unit Visitation Clerk to remove a visitor from the approved list.
7. Visitors with Convictions
 - a. Immediate family members with felony convictions may not apply for visitation until six (6) months after their release from confinement. If the visitor is currently on probation/parole, his/her community supervision officer must submit written approval directly to the Unit. Regardless, approval for the visitation must be approved by the Warden.
 - b. Non-immediate family members with a felony conviction may be granted visitation privileges only by the Director or Director's designee.
 - c. Any applicant with a misdemeanor conviction may be granted visitation privileges by the Warden.
8. Current/Former Employees, Contractors, Interns, or Students
 - a. Current ADC employees and contract employees (working in an ADC facility) shall not be approved for visitation unless, prior to their employment, they were immediate family members of the inmate.
 - b. Former ADC employees and former contract employees shall not be approved for visitation for a period of three (3) years from their last date of employment unless, prior to their employment, they were an immediate family member of the inmate. Waivers of the three (3) year period for former employees, contractors, interns, or students may be granted by the Warden if the employee left in good standing and is an immediate family member and/or an attorney of record for the inmate.
9. Volunteers/Former Volunteers

- a. Volunteers, including interns, with the ADC shall not be placed on an inmate's visitation list unless they were immediate family members of the inmate prior to their work or the inmate's incarceration.
 - b. Former volunteers and interns may be placed on an inmate's visitation list eighteen (18) months following their last date as a volunteer. Waivers can be granted by the Warden if the volunteer left in good standing and is an immediate family member and/or an attorney of record for the inmate.
10. Attorney Visits - ~~(Please refer to [the](#) current Secretarial Directive on Access to Facilities by Attorneys.)~~
~~Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement (a minimum of twenty four [24] hours in advance) with the Warden or designee.~~
- ~~a. An attorney visiting area shall be provided to ensure privileged communications between offenders and their attorneys; however, the area used for these visits is subject to general staff supervision.~~
 - ~~b. Visiting attorneys must complete a visitation application and will be subject to one (1) criminal background check per year for access to facilities. The date and the facility the background check was conducted at must be noted in their attorney's visitation file in eOMIS and initialed by the employee who facilitated the check. Background checks may be conducted at the first facility visited, and a new background check must be performed if the current background check on file is more than one (1) year old.~~
 - ~~c. Any assistant or agent to an attorney who is not a licensed attorney will be subject to one (1) background check on the same basis as an attorney. Attorneys wishing to be accompanied by, or to send non-attorney assistants/agents for inmate visits, must also provide a letter on the attorney's letterhead verifying their staff member's name, title, and date of birth. Attorneys are responsible for submitting a list of their staff to the Warden/Center Supervisor every ninety (90) days or as soon as possible when there are any changes to their staff.~~
 - ~~d. Attorney staff may be denied who have been convicted of or pled nolo contendere to felonies or misdemeanors in federal or state courts or who have pending criminal charges. If an attorney's staff or attorney is denied entry into a facility, the Warden or Center Supervisor must notify in writing the reason(s) for the denial. The Warden or Center Supervisor must also notify the Division General Counsel of the denial as soon as possible.~~
 - ~~e. Attorneys must adhere to the dress code guidelines and clear all electronic screening devices before entrance into a facility as outlined in this policy. Any metal required for the visit, such as writing instruments, must be cleared through the x ray machine.~~
 - ~~f. Attorneys and their staff may use video visitation for visits with offenders when in-person visitation is not possible. They must adhere to the applicable provisions for video visitation including the scheduling and registration requirements. Video visitation may be subject to monitoring for security purposes.~~
11. Spiritual Advisors/Pastoral Visits - Spiritual Advisor Visits and Pastoral Visits by approved ministers of record may be arranged and conducted in accordance with Religious Services Policy and Procedure Policy 425 and Policy 665, respectively, and are arranged through Chaplaincy Services.

D. Special Visits for those residing over three hundred (300) miles away ~~Visitation Other Than Regular Visitation Days~~

1. Upon approval of the Warden, visits may be granted for any two (2) business days during a calendar week to approved visitors whose residence has been verified on record to be more than three hundred (300) miles from the unit/center.
2. The visitor must request the visit at least twenty-four (24) hours in advance during regular business hours.

3. Visitation may be approved for two (2) days at regular visiting hours. These ~~are not extra visits and visits~~ will count toward the inmate's allowed number of monthly visits. Visits will not be granted if they exceed the inmate's allowed number of monthly visits.

E. Video Visitation

- ~~1. Video Visitation is a visual communication service that allows family and friends who are approved for visitation and phone calls the privilege of visiting with inmates from home.~~
- ~~2~~1. Kiosks are provided for video visitation during set hours for use at each unit.
- ~~3-2~~2. Approved visitors are required to create an online account with the ~~Division's ADC's~~ approved vendor to register for video visits.
- ~~4-3~~3. Visitors must prepay and schedule all appointments at least ~~forty-eight (48)~~ hours prior to start time.
- ~~5-4~~4. Visits are ~~thirty (30)~~ minutes in length and will begin promptly at the scheduled time.
- ~~6-5~~5. If an inmate receives a suspension from visitation or telephone privileges, all prior appointments will be cancelled.
- ~~7-6~~6. All regular visitation rules apply, including dress code guidelines.
- ~~8-7~~7. Video visits are monitored/~~reviewed~~ by staff and can be terminated at any time.
- ~~9-8~~8. Violation of the rules including displaying sexual acts or other prohibited behavior will result in immediate termination of the visit and the removal of the visitor from all visitation and phone lists.
- ~~10-9~~9. The recording or photographing of a video visit is prohibited. Individuals found to be in violation, or facilitating a violation of this policy, will have their visitation privileges suspended for a minimum of one (1) year from the date the ~~Division ADC~~ became aware of the violation. A subsequent violation will result in the permanent loss of the visitation privileges of the violator.
- ~~11. Inmates will be ineligible for video visitation privileges if found guilty of a major disciplinary for:~~
 - ~~a. possession/introduction/use of a cell phone;~~
 - ~~b. any cell phone component (e.g., sims card, charger, battery, etc.);~~
 - ~~c. an unauthorized messaging device; or~~
 - ~~d. social media use.~~
- ~~12-10~~10. The Warden may deny a visitor the privilege of visiting a facility and restrict a visitor to Video Visitation privileges only, based upon, but not limited to:
 - a. security and safety restrictions;
 - b. space availability;
 - c. disruptive conduct of the ~~offender-inmate~~ or visitor;
 - d. abuse of visiting privileges by the ~~offender-inmate~~ or visitor; and
 - e. violation of state or federal laws or ~~ADC Division~~ rules by the ~~offender-inmate~~ or visitor.

F. News Media -

News media requests for inmate visits and interviews are governed by ~~Board of Corrections Administrative Rule R~~
011.

1. Representatives of news organizations wishing to conduct in-person interviews with an inmate in the custody of the ADC shall submit their requests in writing to the Department of Corrections (DOC) Communications Director.
- ~~1-2~~2. All requests for in-person interviews shall be reviewed by the DOC Communications Director, who will then forward the request and a recommendation to the Director. The Director will approve or deny the requests.
- ~~2-3~~3. Any news media visit can be denied, canceled, or restricted by the ~~Director~~, DOC Communications Director, or Warden if there are security concerns based on present circumstances, including, but not limited to:
 - a. Pending appeals or legal matters related to the inmate's criminal conviction(s) or charges not yet adjudicated;
 - b. Institutional adjustment;
 - c. A prior escape; or
 - d. Re-victimization if a victim(s) has been registered in eOMIS by the ADC Victim Services Coordinator.
- ~~3-4~~4. Inmates must be Class I or II to be eligible to receive face to face media visits.

- ~~4.5.~~ Requests from an entertainment-based program or publication that would provide, or attempt to provide, compensation to the inmate or which would impose a burden on the ~~agency's ADC's~~ limited resources will be denied.
- ~~5.6.~~ Inmates in Intake, punitive/administrative segregation, or restrictive housing are not eligible for in-person news media interviews.
- ~~7.6.~~ Inmates having served sixty (60) days or less of their initial assignment are not eligible for in-person news media interviews.
- ~~7.~~ ~~All requests for in person interviews shall be reviewed by the DOC Communications Director, who will then forward the request and a recommendation to the Director. The Director will approve or deny the requests.~~

G. **Special Status/Assignment**

1. Inmates on special status/assignment include, but are not limited to Investigative Status, Restrictive Housing, those in residential Mental Health programs or Protective Custody may be allowed to visit, consistent with good security, as designated by the Warden.
2. Inmates admitted to an ADC infirmary or hospital may be allowed to receive visits after receiving approval of the Warden after ~~concurring~~ conferring with the Unit Health Services Administrator.

H. **Outside Medical Facilities**

1. Any visits at outside medical facilities will comply with the facilities' visitation rules in addition to those in this policy.
2. Inmates hospitalized in outside facilities may be allowed visitation by the Medical Services Administrator if admission is for a critical condition, or the hospitalization is for an extended period (greater than 7-10 days duration). The visits shall ~~occur on the same days and times as the inmate's approved visitation schedule at their assigned unit and shall~~ not exceed four (4) hours in duration.
3. When visits for surgical procedures are approved:
 - a. Visits will occur prior to surgery or after returning from recovery;
 - b. Visitors will be restricted to immediate family members on the inmate's approved visitation list; and
 - c. These provisions may be modified at the discretion of the Medical Services Administrator in conjunction with the Warden of the inmate's unit/center of assignment.
4. The Medical Services Administrator may approve and coordinate visits for inmates who are hospitalized in outside facilities in cases of terminal illness or critical condition.
 - a. Special arrangements may be made by the Medical Services Administrator with the approval of the Warden of the inmate's assigned unit for individuals not on the inmate's approved visitation list and may include minors; and
 - b. When the Medical Services Administrator cannot be reached, the Warden may approve visits on an emergency basis after consulting with the ~~Division's ADC's~~ Hospital Security Coordinator or a Deputy Director consistent with the facility's policies.

I. **Department of Human Services - Division of Children and Family Services (DHS-DCFS)**

Consistent with the provisions of Arkansas Code Annotated § 9-27-303, the ADC will support the efforts of the DHS-DCFS to "reunify a family after a child is placed out of his or her home" by facilitating special visits between incarcerated parents, their minor child(ren) involved in an active DHS-DCFS case, and DHS-DCFS staff. The DHS-DCFS may identify other individuals to attend the visit who are appropriate to assist the DHS-DCFS in reunification efforts. However, the Warden may deny admission to a visitor, or limit the number of visitors, based upon security considerations or staffing limitations.

1. These visits will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangement with the Warden. The DHS-DCFS is entitled to establish initial contact with an incarcerated parent via a prescheduled telephone call arranged through the Unit Chaplain.
2. A request for special visitation shall be submitted in writing to the Warden a minimum of five (5) business days in advance of the requested visit. The request must include a completed visitation form for each person requesting to come to the visit.
3. Visitors involved in these efforts will be subject to a comprehensive background check and must possess valid government issued photo identification. The results of a background check will be valid for twelve (12) months from the date of the verified check on record.

4. Except for waivers granted in this section, visitors involved in these efforts will be subject to the same entrance procedures and conduct guidelines applicable to a regular visitor. Visitors involved in these efforts will adhere to dress code guidelines and be reminded that no metal should be worn. Any metal required for the visit, such as writing instruments, must clear the x-ray machine. Visitors involved in these efforts will be allowed to bring in documents as necessary to involve an incarcerated parent in case planning. All case planning documents must remain in the possession of the visitor during and after the special visit.

IV. VISITATION SCHEDULE

- A. All eligible inmates shall be entitled to visitation privileges only in accordance with the following schedule:
 1. Saturdays and Sundays will be designated visitation days for all routine visits.
 2. There will be no visitation on holidays unless the holiday falls on a regular visitation day.
 3. Hours for visitation will be in two (2), two (2) hour blocks from 11:30 am to 1:30 pm and 2:00 pm to 4 pm, except as authorized by the Director.
 - ~~4. All Class I inmates will be permitted weekly visits on Sundays.~~
 - ~~5. All Class II, III and IV inmates will be permitted two (2) visits a month, either the first and third Saturday of the month or the second and fourth Saturday of the month as determined by the Unit's schedule. In cases where inmates of the same immediate family are housed at the same unit/center, the Warden may approve requests by those inmates to visit on the same day, per the schedule of the inmate with the lower classification.~~
 - ~~6. Where space is limited, the Warden is authorized, as approved by the Director, to divide the inmate population in such a manner to balance the number of visitors present on either visitation day.~~
 4. The scheduling of special visits shall be performed in accordance with unit/center procedures at the discretion of the Warden.
 5. All Class I inmates will be permitted a maximum of four (4) or five (5) visits a month depending upon the number of weekends.
 6. All Class II, III, and IV inmates will be permitted a maximum of two (2) visits a month.
 7. All visitation appointments are scheduled through Telegov.egov/docrequest. Deadline to request a visit for Saturday appointments is Wednesday at 11:59pm Central Standard Time (CST) and Sunday appointments is Thursday at 11:59pm CST. All appointments must be vetted and finalized by unit visitation staff before 2:30pm CST on Friday.
 - ~~8. Where space for non-contact visits is limited, the duration of these visits may be reduced to two (2) hours with approval of the Director.~~

V. VISITATION PROCEDURES

- A. Entrance
 1. All visitors shall register in and out of the unit/center point of entry and are subject to biometric identification. Records are to be maintained and/or destroyed according to the ~~Division's~~ ADC's Records Retention policy.
 2. All visitors twelve (12) years of age or older will be required to show a valid State issued photo I.D, driver's license, or military I.D. Approved adult ~~eseorts-visitors~~ may vouch for the identity of minor visitors under the age of twelve (12) years.
 3. Visitors will be allowed to carry in only the following items: a clear plastic bag containing a small amount of cash for purchasing refreshments; prescription medication in the visitor's name and in the original pharmacy container (only the amount needed during the visit); government issued identification; baby bottles, ~~baby~~ diapers, and baby wipes; car keys; and jewelry (being worn). The ADC accepts no responsibility for the property of visitors. The Warden or Warden's designee may set limits on the amount of money, or any item listed above that a visitor will be allowed to bring into the facility.
 4. Visitors must leave ALL electronic devices such as cell phones, tablets, computers, laptops, Bluetooth headsets, fitness tracking bands, smartwatches, and cameras locked securely in their

vehicles. Any attempt to bring any electronic device into the facility will be ~~conceived~~construed as attempting to introduce contraband and could result in loss of visitation privileges and/or criminal charges.

5. Visitors must leave all tobacco products (cigarettes, e-cigarettes, chewing tobacco) out of view and locked in their vehicle.
6. Visitors will not be admitted when the apparent odor or effect of alcohol or drugs are detected.

B. Searches

1. Approval of an individual on a visitation list is conditioned upon the signing of a consent form authorizing searches of one's person, vehicle, and personal belongings pursuant to DOC-ADC policies on searches. For minors ~~under the age of eighteen (18)~~, the parent/guardian must sign consent; in addition to the minor.
2. Several different electronic scanning devices such as x-ray machines, metal detectors, ion scanners, advanced imaging scanners, and cell towers are used to detect the presence of contraband. Visitors must clear all scanning devices before being granted entrance to the unit.
3. Visitors are encouraged to avoid wearing any clothing items containing metal (snaps, buttons, buckles, under wires, support materials) which may cause the scanning devices to alarm and may require removal of clothing items.
4. Anyone unable to clear the scanning devices will be required to be denied entry and the visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden follow the procedures outlined in AD Unit Entry Procedures for the Control of Contraband.
5. Failure to fully cooperate and comply with all entry procedures, including the verbal instructions of entry personnel, by visitors will result in their indefinite suspension from the inmate's visitation and phone lists.
6. In addition to searches required to enter a facility, visitors may be ~~requested~~required to submit to an additional search for contraband prior to, during, and after the visitor's meeting with the inmate if the search has been authorized by the Warden.
 - a. Any person or vehicle entering a correctional unit can be searched for contraband. Visitors in wheelchairs and those wearing wigs or religious headgear are also subject to search. If a wig or religious headgear is being worn, the visitor will be searched outside the presence of other visitors by an employee of the same gender. Entrance will be denied if a visitor is not willing to submit to a search and clear all security procedures. The visitor's privileges to visit will then be suspended indefinitely. The visitor's privileges may only be reinstated by the Warden.
 - b. Any visitor who knowingly brings or attempts to bring any contraband onto the unit/center grounds shall be dealt with according to the appropriate administrative rules(s) and directive(s) governing searches for and control of contraband. The visitor's privileges to visit will be revoked and may only be reinstated by the Warden or through an appeal to the Director's Office. The visitor may also be subject to criminal prosecution.

C. Dress Code

1. Visitors' clothing must be conservative, modest, and appropriate for the age and prison environment.
2. All visitors must wear under garments.
3. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks.
4. Skirts and dresses must reach the top of the knee while standing.
5. Children ten (10) years of age and under will be allowed to wear shorts of an appropriate length.
6. The following are prohibited:
 - a. halter-tops, tank tops
 - b. any spandex material
 - c. overalls/coveralls
 - d. clothing with provocative or obscene images or texts
 - e. hats, bandanas, doo-rags
 - f. shorts
 - g. skirts/dresses that do not reach the top of the knee while standing
 - h. see-through clothing

- i. ripped jeans
 - j. leggings, jeggings
 - k. flip flops
 - l. camouflage attire
 - m. white t-shirts or white pants
 - n. low cut blouses or low-rise jeans or otherwise provocative clothing.
- D. Visitation Activities and Restrictions
1. No more than four (4) persons shall be permitted to visit an inmate during one (1) visitation period. ~~Except for minor children, a person of age is counted as one (1) of the four (4).~~
 - a. Minor children, ~~under the age of eighteen (18)~~, will not be allowed to visit unless accompanied by an approved adult visitor, ~~or~~ upon proof of emancipation.
 - b. Minor children of the inmate ~~allowed to visit~~ may exceed the limit of four (4) visitors; however, only two (2) approved adult visitors may accompany the minor children when the limit of four (4) is exceeded. The Warden must authorize any other exception.
 2. Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.
 3. Inmates and visitors may briefly embrace upon arrival and departure ~~and may sit side by side.~~
 4. Visitors who have been admitted to the unit/center to visit an inmate shall not visit any other inmate unless specific prior permission is granted for such a visit by the Warden.
 5. Visits may be denied, terminated, or modified for the health condition of the inmate or visitor, or the inmate's program participation.
 6. Any behavior on the part of the inmate or visitor that is or may be disruptive to the security and good order of institutional operations or violates DOC rules will result in denial of or termination of the visit.
 7. Inmates are allowed to wear a wedding band and must wear state issued footwear ~~or footwear issued by the medical department if required by a current medical script.~~
 8. Where facilities allow, the inmate and the visitors may eat and drink items sold through available vending operations or as designated by the Warden. Inmates and visitors may purchase items that can be consumed during the visitation period. Items not consumed during visitation must be taken out by the visitor or be thrown away. No other objects, property, or articles may be exchanged between visitors and inmates.
- E. Conditions for Visitation
1. Visits shall be held in a relaxed manner under the observation of correctional staff.
 2. Correctional staff shall always remain professional and courteous.
 3. Correctional staff must present a good appearance, be pleasant, tactful, alert to any problems that may arise, and refer such problems to appropriate officials if necessary.
 4. When a visit is a threat to the security and good order of the unit/center, the visit shall be terminated.
 5. During an institutional emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden or designee.
 6. The Warden has the authority to restrict contact visitation, consistent with unit policy and the security needs of the unit.
 7. Inmates who violate the following rules may ~~be restricted from visitation and only allowed to be placed on Non-Contact Visitation and restricted from~~ Video Visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one-year restriction period to start over from the date of the conviction of the new violation.
 - a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
 - b. Refusal to submit to substance abuse testing.
 - c. Possession or introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical staff.
 - d. Possession or movement of money or currency, unless specifically authorized.
 - e. Possession of clothing or property not issued nor authorized by the Center/Unit.
 - f. Correspondence/conduct with a visitor in violation of regulations.

- g. Possession/introduction/use of a cell phone, unauthorized messaging device, unauthorized electronic devices or parts of one, or their components.
- h. Indecent exposure.
- i. Access to social media.

VI. SUSPENSION/TERMINATION OF VISITATION PRIVILEGES

1. Visitation is a privilege and will be denied when the Division ADC determines a visitor or inmate has attempted to violate ADC rules or regulations.
2. Any visitor on the property of any ADC facility who has been found to have knowingly introduced, or attempted to introduce contraband, who has refused or who refuses to comply with a search requested by staff may be removed from the inmate's visitation list for a minimum of one (1) year. The visitor must reapply for visitation privileges for any inmate through the application process.
3. Any visitor found to have knowingly introduced, or attempted to introduce, drugs, cell phones, weapons, implements of escape, tobacco products, or any other items that threaten the security and good order of the institution may be permanently prohibited from visiting at any ADC location. At the completion of a minimum of one (1) year since denial and after submission of a written request for reconsideration, the Warden may reconsider the decision to permanently deny visitation privileges after assessing the nature and extent of the incident.
4. Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation, will result in cancellation of all visitation privileges for one (1) year.
5. Any changes in the visitation status such as suspensions will be listed in the eOMIS and will be sent to the Divisions'ADC's approved vendor for Video Visitation.
6. A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred (even when the visitor removes him/herself), shall wait a minimum of six (6) months before being eligible to be placed on any inmate's visitation list. This six (6) month wait shall not apply to mentors who are on the visitation list as part of a program approved by the DOC.

VII. NOTATIONS IN THE ELECTRONIC RECORD

1. As appropriate, Aa notation will be entered into eOMIS under the visitation file by the visitation clerk or designated staff member so that correctional staff who are supervising visitation are aware of important information when allowing a visitor entrance into the Unit.
2. -Notations should not result in the denial of a visit, but staff should be more cautious and vigilant of such visitors.
3. The following are examples of what should be entered as a notation in eOMIS:
 - a. Any visitor whose visitation privileges have been suspended or terminated in the past;
 - b. Any current or former employee, contractor, intern, or volunteer;
 - c. Any visitor suspected of introducing contraband during a prior visit; and
 - d. Any visitor placed on a suspicion list by the Warden due to correspondence, phone calls, or other credible information that causes a security concern.

A. VIII. Visitor's ArrestVISITOR'S ARREST

The procedures listed below shall be followed when notification has been made of an approved visitor's arrest:

1. The Visitation Clerk will compare the arrest information against visitation information on file to verify accuracy of the information and verify identity of the visitor.
2. The Warden will place the visitor on suspension status.
3. The visitor will be advised of the suspension in writing through U.S. Mail. Visitation privileges will remain suspended until the following information is provided for review (see Attachment III):
 - a. Copies of arrest reports;
 - b. Written statement detailing the circumstances of the arrest;

- c. Court records and/or disposition of the charges; and
- d. Other documents as requested.

~~4.~~—The inmate will receive a notice advising of the ~~suspensionsuspension but will not be provided details. -~~
(~~Inmates will not be given details.~~)

~~4.~~

~~5.~~—Once the requested information has been received, the Warden will re-evaluate the visitor’s visitation status.

~~5.~~

~~2.6.~~ Following the re-evaluation, the Warden may:

- a. Return the visitor to approved status;
- b. Continue the suspension for a specific period; or
- c. Permanently revoke visitation privileges.

~~7.~~ The inmate shall be advised, in writing, of the Warden’s decision. It is the responsibility of the inmate to ~~in~~inform visitors of the final decision following the re-evaluation.

~~3.~~

IX.

VIII. ATTACHMENTS

- #1 Visitation/Telephone Contact Request and Authorization Form
- #2 Rules Governing Visitation
- #3 Approved Visitation List
- #4 Visitor Suspension Notice

VISITATION/TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM

Please check applicable selection: NEW CHANGE

PLEASE CHECK SELECTION: PHONE LIST VISITATION LIST ALL (This includes video visitation.)

Inmate's Name: _____ ADC# _____

Applicant's Name: _____
PRINT NAME AS IS APPEARS ON STATE I.D. OR DRIVER'S LICENSE

Physical Address _____
Street City State Zip Code

Mailing Address _____
Street/P.O. Box City State Zip Code

Date of Birth: _____ Telephone Number: _____ Social Security #: _____
Month Day Year

Sex: _____ Race: _____ If age 12 or older, State Issued Photo ID/Valid Driver's License Number: _____

State of Issuance: _____ Relationship to Inmate: _____

ARE YOU PRESENTLY APPROVED ON ANY OF THE FOLLOWING LISTS OF ANOTHER INMATE(S) INCARCERATED WITHIN THE DIVISION OF CORRECTION: **PHONE (P)** **VISITATION (V)** **VIDEO VISITATION (VV)** **ALL (A)**

If Yes, Please list by completing the following...Use additional paper if needed.

Inmate Name ADC # _____ Relationship _____ Unit (P) (V) (VV) (A) _____

Inmate Name _____ ADC # _____ Relationship: _____ Unit: _____ (P) (V) (VV) (A)

Inmate Name _____ ADC # _____ Relationship: _____ Unit: _____ (P) (V) (VV) (A)

Are you a CURRENT or PREVIOUS ADC employee, CONTRACT employee, VOLUNTEER, or INMATE? YES NO

If yes, date last employed _____, volunteered _____, or incarcerated: _____ Unit of Assignment: _____

If form is for an Attorney request, provide State Bar Number: _____

SEARCH AUTHORIZATION

I, _____ of _____
Name City, State

request permission from the Arkansas Division of Correction, to Visit in person or through Video Visitation and/or contact by telephone, with the above listed inmate. I have read and fully understand the rules and regulations on the back of this form. I do agree to abide by such rules and regulations. I understand that there will be consequences should I fail to follow the rules and regulations governing visitation and telephone usage, both those located on the back of this application and rules posted at the Unit. In consideration for being granted permission to visitation and/or telephone usage, I consent to recording of telephone calls and a criminal background check(s). I am also aware that all persons, property, and vehicles entering ADC property shall be subject to search, and I give consent to search.

Print Applicant's Name (Must be Legible or Form Cannot Be Processed)

Signature of Applicant

Any minor (under 18 years of age,) must have a Legal Guardian's approval to visit, and consent to a search of the minor's person and possessions or contact by telephone. Additionally, the legal guardian must accompany the minor to all visits. Signature of Parent or Legal Guardian constitutes "consent" or approval.

I, legal guardian, certify there is no active court order, or legal disposition that prohibits visiting privileges between the minor and inmate.

Relationship to Applicant (Legal Guardian or Parent)

Legal Guardian or Parent Signature

Legal Guardian or Parent's Name (Clearly Print)

RETURN THIS FORM TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK

Form must be completed legibly and in its entirety.

Rules Governing Inmate Visits

1. In order to be placed on the approved visitation list, this form must be legibly completed in its entirety and **RETURNED TO THE INMATE'S ASSIGNED UNIT TO THE ATTENTION OF THE UNIT VISITATION CLERK. DO NOT RETURN THE APPLICATION TO THE INMATE.** It is the responsibility of the inmate to notify you if your application is approved for visitation, visitation schedule, and any changes to either. Upon request, an inmate may remove any or all visitors from his/her approved visitation list.
2. You may contact the unit visitation clerk to confirm the visitation schedule at that unit. Visits will not be scheduled on a holiday unless the holiday occurs on the inmate's regularly scheduled visitation day.
3. ~~Visits for inmates assigned to administrative segregation may be arranged by contacting the Visitation Office. These visits will be conducted in a more secure setting. Inmates assigned to punitive status may be permitted to receive visits up to two (2) hours one time per month. These visits must be requested at least 24 hours in advance and must be approved by the Warden or designee based on the inmate's behavior. In units where a secure environment is not available, visits will only be allowed by video.~~
4. All persons, property, and vehicles entering State property shall be subject to search(es). Any refusal to comply with searches will result in denial of future entry into the facility. Additionally, all applicants and visitors will be subject to a criminal background check during screening of the visitation application.
5. No more than four (4) persons shall be permitted to visit an inmate during any visitation period. All visitors must be on the approved visitation list. A person of any age is counted as one of the four persons allowed to visit. When an inmate has minor children that would exceed the number of allowed visitors, a maximum of two (2) adults will be allowed to accompany the inmate's minor children during the visitation period. The Warden must authorize any other exceptions.
6. Brief cut, provocative, or inappropriate clothing will not be permitted. No halter-tops, tank tops, hats, shorts, skirts/dresses that do not reach the top of the knee while standing, see-through clothing, leggings, jeggings, or camouflage attire, any spandex material, overalls/coveralls, ripped jeans, white shirts, white pants, clothing with provocative images or writings, or flip flops may be worn. Visitors must not wear clothing that reveals the shoulders, breasts, or buttocks. All visitors must wear undergarments. Female visitors are strongly encouraged to refrain from wearing underwire bras. Clothing containing metal (such as snaps, buttons, buckles, under wires, etc.) should be avoided as those items may prevent the visitor from clearing certain security devices, which could result in denial/cancellation of visiting, cause delays and lead to additional searches. Children 10 years of age and under will be allowed to wear shorts of an appropriate length.
7. Visitors will be allowed to carry in only the following items: state issued photo I.D. card, baby bottle, diapers and wipes, car keys and jewelry (being worn). A Warden may place a limit on the amount of money or other items that can be brought into the visitation area.
8. Visitors will not be permitted to bring an inmate money, gifts, food, or any other items. **THE FURNISHING OR INTRODUCTION OF ANY PROHIBITED ARTICLE INTO A DEPARTMENT FACILITY IS IN VIOLATION OF ARKANSAS CODE 5-54-119 AND IS A FELONY PUNISHABLE BY LAW. THIS INCLUDES TOBACCO, ANY SMOKING PARAPHERNALIA, ELECTRONIC COMMUNICATION DEVICES, ALCOHOL AND/OR DRUGS.**
9. Visitors who have been admitted to the institution to visit an inmate shall not visit any other inmate during the visit, unless the Warden or designee grants specific permission for such visit in advance.
10. Improper conduct of a visitor shall result in immediate termination of the visit and may result in suspension or revocation of visiting privileges. Children must be kept from running and as quiet as possible to avoid interfering with other visits.
11. Any visitor under the influence of alcohol and/or drugs, or who knowingly brings, or attempts to bring, any alcohol, drugs, tobacco, electronic communication devices, etc., into the institution, or upon its grounds, may be detained for arrest by the appropriate authorities or removed from the institution grounds immediately. The incident shall be reported to the Prosecuting Attorney for appropriate action. In addition, incidents shall result in the indefinite suspension of all visiting privileges of such person(s).

*** Current and former ADC employees and contract employees shall not be approved for visitation or telephone calls for a period of three (3) years from last date of employment unless they are immediate family members and were so prior to their employment. Any person who has participated as a volunteer at any time within the last eighteen (18) months shall not be placed on any inmate's visitation or telephone list unless they are immediate family members and were so prior to their work as a volunteer or the inmate's incarceration. Waivers can be granted by wardens if employees or volunteers left in good standing.



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602



Visitor's Name
Visitor's Mailing Address
City, State, Zip Code

Dear [Visitor's Name]:

Your visitation privileges have been suspended due to your arrest on Date _____ with [Arresting Agency].

Please provide the following information to assist in the re-evaluation of your visitation status:

1. Copy of the arrest report(s);
2. A written statement detailing the circumstances of the arrest;
3. Court records indicating disposition of the charges;
4. Other information as explained below:
[Explanation of other information]

Your visitation privileges will remain suspended until the information requested is received and the re-evaluation is completed. Once the investigation is complete, you will be advised of the decision in writing.

If you have any questions, please contact the visitation clerk at:

Visitation Clerk's Name

Visitation Clerk's Telephone Number

Sincerely,

Warden's Signature

Warden's Name

cc: Inmate's Visitation File



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION**

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



ADMINISTRATIVE DIRECTIVE

SUBJECT: Weapons and Security Equipment

NUMBER: AD 2024-01

SUPERSEDES: AD 18-29

APPLICABILITY: All Employees

PAGES: 1-15

REFERENCE: Arkansas Code Annotated (A.C.A.) §§ 5-2-605 et seq., 5-64-501, 5-73-103, 5-73-104, 5-73-105, 12-27-132, 12-29-115, 12-27-143, 16-93-103.

APPROVED: Signature On File **EFFECTIVE DATE:** 2/07/2024

I. POLICY:

It is the policy of the Arkansas Division of Community Correction (ACC) to prepare specific employees to function effectively across a force continuum by providing training and authorizing an assortment of security equipment and firearms as provided by this policy. ACC employees may only be issued weapons and security equipment when they meet the requirements in this policy. Weapons and security equipment must only be issued and carried by employees as described on the form Weapons & Security Equipment Authorization Listing (Attachment 1). Any modification to the list requires written approval from the Director.

II. DEFINITIONS:

- A. Certified Armorer or Gunsmith. Employee trained and certified to work on the specific firearm model and make.
- B. Chemical Agent. A deterrent, such as pepper spray or foam, is used in self-defense or the defense of others.
- C. Control Officer. Authorized officer designated to maintain weapons and/or security equipment.
- D. Duty Weapon. A firearm issued or assigned to an ACC employee to be carried while the employee pursues his or her job duties.
- E. Impairment. Conditions that can affect judgment, reaction time, or motor skills, specifically the ability to act or handle a firearm or less-than-lethal weapon safely and proficiently.
- F. Internal Affairs (IA) Office. Office responsible for conducting internal investigations.
- G. Less-Than-Lethal Weapon. Non-lethal weapon (ex. Baton, taser) intended to minimize injury or death.
- H. Law Enforcement Officer (LEO). Any Employee designated by a Division Director or the Secretary who has met or in the process of meeting law enforcement certification by the Executive Commission of Law Enforcement Standards and Training (CLEST).
- I. Restricted. The authorization to carry or use a duty weapon is limited to a supervisor.

- J. Revoked. The authorization to carry an issued duty weapon is permanently rescinded.
- K. Security Equipment. Items (i.e., leg irons, restraint chairs, batons, tasers, chemical agent) used to maintain security and the safety of employees, offenders, and other individuals.
- L. Suspended. Authorization to carry a duty weapon is rescinded temporarily or for a specified time.
- M. Uniformed Personnel. ACC Special Response Team (SRT) Officers, Community Supervision Officers, Residential Food Service Employees, Security Officers, and Residential Supervisors.

III. GUIDANCE:

- A. The following employees are authorized to issue weapons and security equipment pursuant to policy and guidance in the SD Armory Inventory and Procedures.
 - 1. Deputy Directors.
 - 2. Assistant Directors.
 - 3. Center Supervisors.
 - 4. Community Supervision Managers.
 - 5. Transportation Supervisor.
 - 6. Special Response Team Commander.
- B. The initial issuance of firearms and security equipment may take place prior to completion of training when the issuing authority ensures the new employee understands and meets the requirements described on the form titled, "Temporary Receipt of Firearm and Security Equipment for Practice Only."
- C. Authorization to Carry Firearm on Duty. To carry a firearm on duty, an employee must:
 - 1. Be in an authorized position or as designated by the Director and authorized by the approval of the Secretary of Corrections.
 - 2. Be a LEO having met applicable CLEST requirements, and ACC requirements which include a medical/physical evaluation, psychological examination, and substance abuse testing.
 - 3. Successfully complete "New Employee Training Requirements" and be current with annual refresher training requirements described in the Secretarial Directive (SD) on Employee Training and Certification.
 - 4. Be a law-abiding citizen and be free of all felony convictions and any misdemeanor convictions of domestic violence.
 - 5. Comply with other applicable requirements in this policy.
- D. For state-issued firearms, complete the form, "Receipt and Authorization to Carry Weapons and Security Equipment" or form "Temporary Receipt of Firearm and Security Equipment for Temporary Use for Practice Only."

ACC Issued Weapons and Security Equipment.

- 1. Authorized employees may carry ACC-issued weapons, ammunition, security equipment and a chemical agent while they are actively pursuing the obligations and duties of their position.
- 2. Community Supervision Officers may carry their state-issued or approved firearm while off duty pursuant to **A.C.A. § 16-93-103**. However, the officer shall not use a state-issued firearm while actively working at employment for another organization.

3. Residential Center Employees. Security employees who have received the required training may be authorized by the Senior Residential Supervisor, Assistant Center Supervisor, Center Supervisor or above to carry security equipment within the following parameters:
 - a. Any security employee, with the Warden's approval, may be authorized to carry a chemical agent for on-site supervision.
 - b. Security employees who are trained may be authorized to carry a firearm and chemical agent while transporting offenders and when supervising off-site community work crews.
 - c. Security employees on the Emergency Response Team (ERT) may be issued stun shields, riot helmets, batons, and other security equipment only with the approval of the Senior Residential Supervisor, Assistant Center Supervisor, Center Supervisor or above.
4. Additional Carrying Requirements.
 - a. When carrying a firearm on duty, uniformed personnel must also carry an ACC-issued chemical agent. SRT Officers, and Intensive Supervision Program (ISP) Officers must carry a chemical agent or Taser.
 - b. When carrying a firearm that is visible on duty, an employee's law enforcement badge must also be visible.
 - c. An employee must carry their ACC photo identification card while on duty.
 - d. Firearms must be in an approved holster.
 - e. When in uniform, chemical agents and tasers must be in a carrier or belt case.
 - f. An employee is prohibited from carrying a firearm while under the influence of any medication or other substance that may impair his/her ability to perform the duties of the job.
 - g. An employee is prohibited from carrying a firearm when precluded from doing so by his or her supervisor, in accordance with the provisions of this policy or by law.
 - h. Firearms must be properly maintained and used in a manner to prevent accidental discharges.
- E. Carrying A Backup Personal Firearm While on Duty. To carry a backup firearm on duty, the firearm must be between .380 and .45 caliber. Any employee carrying a backup weapon must carry their duty weapon, an exception may be made when transporting with the Flying Arms Team. To carry a backup personal firearm while on duty, the following requirements must be met:
 1. Furnish the backup firearm and all expenses related to the personal firearm to include ammunition used for practice, qualification and carry, a holster and any necessary maintenance to the firearm.
 2. The backup personal firearm, ammunition, and holster must be approved by the ACC range instructor, area manager and deputy or assistant director.
 3. Secure the backup firearm and conceal it while on duty. The firearm permitted under the Concealed Handgun Permit and Concealed Handgun Act is not approved for carry or use when on duty as an ACC employee unless the firearm and holster is approved on the form, "Backup Weapon Inspection and Qualification."

4. Qualify with the backup firearm through an ACC certified firearm instructor prior to carrying the firearm and re-qualify as required by the Division policy.
5. Ensure the backup firearm is secured in an approved holster when worn on duty and secured when not worn.

F. First Aid/Emergency Medical Services. First aid or emergency medical services must be promptly rendered following the injury and/or contamination of an individual by a firearm, chemical agent, or security equipment.

G. Responsibility to Inform of Physical or Emotional Impairment and Suspension of Authorization to Carry.

1. Employees who are authorized to carry a firearm and/or less-than-lethal weapon must notify their immediate supervisor immediately of any physical, psychological, or pharmacological conditions causing physical or emotional impairment that could affect their ability to perform the essential functions of their duties to carry and/or use a firearm or less-than-lethal weapon safely. Supervisors must protect such medical information pursuant to law and Department of Corrections (Department) policy.
2. When warranted, supervisors are required to suspend an employee's authorization to carry a firearm and less-than-lethal weapon.
3. Authorization will be reinstated upon the cessation of the medication effects or with the physician's determination that the physical/psychological condition and/or medication's potential effects would not interfere with handling a firearm or less-than-lethal weapon, driving a motor vehicle safely, or safely performing other essential job functions.

H. LEO Personnel Actions.

1. The Community Supervision Services Deputy Director and Residential Services Deputy Director must ensure proper notification to the Commission on Law Enforcement Standards and Training (CLEST) of all LEO personnel actions, pursuant to the CLEST Manual.
2. Notifications of personnel actions going to CLEST must be routed through the ACC Training Section, as appropriate.
3. Initial training on chemical agents will require contamination while being video recorded. If a person has a medical concern, the employee may be excused. The training instructor must promptly notify the person's immediate supervisor, and the ACC Training Section Manager, so a determination may be made on the medical excuse and whether the employee can perform the essential functions of the job.

I. Training Requirements for the Issue and Use of Weapons and Security Equipment.

Initial Firearms Qualification. Achieving certification begins with attending the Community Supervision Officer Basic Training Academy. An employee who is authorized to carry a firearm must qualify with the firearm and must ensure successful completion of firearms qualification with at least eighty (80) percent accuracy. Failure to qualify during the Academy will result in employment termination.

1. Firearm Re-qualification. Authorized employees must re-qualify semi-annually. Re-qualification training will be conducted by certified firearms instructors and will include use of force, weapons and security equipment, fundamentals of

marksmanship, and other related safety plans. Attempts to re-qualify with the firearm may be made no sooner than six (6) months following the anniversary date of the previous qualification. If the employee fails to re-qualify, when necessary, within two (2) months of their initial attempt to re-qualify, the employee will be provided three (3) additional dates to re-qualify, not to exceed four (4) attempts per date. Each subsequent attempt to re-qualify shall be preceded by appropriate remedial training conducted by a certified firearm instructor.

2. Failure to qualify or re-qualify. An employee authorized to carry a firearm who fails to qualify or re-qualify with his/her duty weapon within the time allowed, no longer meets the essential functions of his/her position, and will be removed from that position.

J. Security and Control of Weapons and Security Equipment.

1. Community Supervision Managers, Center Supervisors and SRT Commanders are responsible for weapons accountability and security equipment. Refer to the Secretarial Directive governing Armory Inventory and Procedures.
2. Employees are responsible for the weapons and security equipment issued to them.
3. Managers and Supervisors may designate a firearms-certified Weapons Control Officer to manage weapons and security equipment to include coordinating with the Local Physical Asset Control Officer to ensure compliance with the Equipment Inventory, Transfer, and Disposition policy. All weapons and security equipment must be stored in designated areas that are locked, inaccessible to offenders and other unauthorized persons, protected from the weather, and secured from loss or theft.
4. When not being worn, authorized firearms, ammunition, and other security equipment must be secured.
5. Firearms must be loaded and unloaded in a designated safe area approved by the Area Manager, Center Supervisor or Firearm Instructor. Each safe area must have at least a five (5) gallon barrel of sand. Employees must point the firearm at the sand barrel when loading and unloading or when pulling the trigger prior to cleaning or removing the slide.
6. Firearms must not be worn at a Community Correction Centers (Center) except in an emergency, as authorized by the Center Supervisor, or when carried by a LEO outside of the secured facility before departure and upon return. Facility firearms must be properly secured in the facility armory. Visiting LEOs must secure their weapons in their vehicle, according to this Administrative Directive, or in the center or facility's armory prior to entering the facility. No person will be allowed to carry a firearm into a Center. This prohibition does not preclude an ACC employee from storing a firearm in the employee's private vehicle while the vehicle is on ACC property, if the employee has declared in writing their intent to carry an approved weapon and received written approval to carry an approved weapon from the Secretary or the Secretary's designee.
7. ACC will provide a portable lockbox to each certified officer when they are issued their firearm. Lockboxes must be secured to the frame of a vehicle and locked to be considered properly secured. The vehicle must be locked. Portable lockboxes are provided to the ACC officers for their benefit to properly secure their firearm in personal/state vehicles or in their residences.

8. The Resident Visitation policy prohibits visitors from bringing firearms onto Center property; therefore, visitors are prohibited from storing a firearm in a vehicle while on Center property.
 9. Processing Firearms and Security Equipment.
 - a. The process of assigning firearms and security equipment must include the employee's name and weapon serial number on Form 1, "Authorization and Receipt for Weapon and Security Equipment," and Arkansas Administrative Statewide Information System (AASIS) record keeping system and be kept for a minimum of three (3) years after the final entry.
 - b. Area Managers must ensure their firearms instructors have a process in place for keeping up with ammunition received and issued. All ammunition received by a Community Supervision Area, or Center must be tracked by an agency approved inventory management system.
 - c. An employee may leave an authorized weapon in an office overnight only if it is in a secured area approved by the Area Manager or Assistant Area Manager. LEOs are encouraged to take their firearm home and when doing so, the firearm must be kept secure. This is not applicable to Center operations.
 10. The Center Supervisor must develop and provide annual written supplemental guidance, to include at a minimum:
 - a. Procedures for issuing weapons and security equipment to emergency response teams, transportation teams and individuals.
 - b. Key control.
 - c. Access control.
 - d. Inventories, safety, and security procedures.
- K. Less Than Lethal Weapons. Any use of less than lethal weapons/equipment requires an incident report.
1. Chemical Agent Specifications. Chemical agents must be issued by the ACC, non-flammable and meet Environmental Protection Agency (EPA) standards.
 2. Tasers. The Taser must be worn in an approved holster or pouch on the side opposite the officer's duty weapon, so that the officer would need to reach across his/her body (cross draw) to remove the Taser with his/her prevalent hand.
 - a. Never hold both a firearm and Taser device at the same time unless lethal force is justified.
 - b. Never aim a laser into the eyes of another because it may permanently impair his/her vision.
 - c. The use of the Taser device on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer:
 - i. Individuals who are known to be pregnant.
 - ii. Elderly individuals or obvious juveniles.
 - iii. Individuals with obviously low body mass.
 - iv. Individuals who are handcuffed or otherwise restrained.

- d. A verbal warning of the intention to use a Taser device should be given to other officers and individuals before using the Taser unless it would endanger officers/bystanders or circumstances make a warning not practical.
 - e. The Taser device should only be used when its operator can safely approach the subject within the operational range of the device.
3. 12 Gauge shotguns.
- a. Less than lethal shotguns and ammunition shall be plainly marked in such a manner as to be able to be readily identifiable. The less than lethal shotgun shall be marked in clear identifiable wording to read, "Less Than Lethal."
 - b. Any employee, Special Response Team, or Officer, who is issued and trained in the use of less than lethal weapons to only deploy less than Lethal shotguns if and only when there are sufficient Special Response Agents/Officers to provide for lethal cover.
 - c. Less than Lethal Shotgun shall fall in the Force Continuum at a level equal to taser or pepper spray.
 - d. Less than Lethal Shotgun training and qualification is to be on a yearly basis, not to extend over 364 days.
 - e. The use of Less than Lethal Shotguns on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer:
 - i. Individuals who are known to be pregnant
 - ii. Elderly individuals or obvious juveniles
 - iii. Individuals with obviously low body mass
 - iv. Individuals who are handcuffed or otherwise restrained.
 - f. A verbal warning of the intention to use a Less Than Lethal shotgun should be given to other officers and individuals before using the Less than Lethal shotgun unless it would endanger officers/bystanders or circumstances make a warning not practical. The phrase, "impact" or similar word indicating to other Officers present that a Less than Lethal shotgun is to be deployed and fired if a situation dictates use of less than lethal, as to prevent the possibility of sympathetic use of deadly force by other officers present.
 - g. The "Stand Off Range", or distance required to engage a target, as to minimize risk of injury to the target shall be set by the individual manufacturer of the less than lethal ammunition to be used. To minimize risk of multiple range requirements, every Officer issued or qualified in the use of less than lethal shotguns shall not have in their possession any other ammunition other than provided by the Agency.
 - h. When deploying the less than Lethal shotgun ensure it is in accordance with the Agencies Use of Force Policy. The Deploying Agent/Officer shall make every attempt to aim for areas of the body, to decrease the risk of physical harm to the target. Officers shall use the main targeted area of the body described in the training and qualification of Less Than Lethal shotguns.

- i. If a situation dictates the use of deadly force. The Less than Lethal shotguns, standoff distance, and targeting areas will fall under the use of deadly force.
 - j. The use of a less than Lethal shotgun shall require the Officer to contact medical personnel if needed or requested, render aid, notification to supervisor, and take photos. If available, photos of the individual struck by a less lethal round shall be taken the day of and the next day.
- L. Dogs and Handlers. Dogs and handlers from the Division of Correction or a local law enforcement agency may be used for contraband detection and tracking purposes when approved by the Director, Deputy Director, Assistant Director, Center Supervisor, Assistant Center Supervisor, or SRT Commander.
- M. Retired ACC Law Enforcement Officers (LEO).
 1. ID Badges. LEOs retiring from the ACC and State government may request a Retired Law Enforcement Officer identification card. The request will be handled by the Human Resources (HR) Section of the Department.
 2. Duty Weapon. ACC certified law enforcement officers may submit a request to the appropriate Deputy Director for their duty weapon via the “Award of Duty Weapon” Form. A duty weapon may be awarded pursuant to **A.C.A. § 12-27-143**. The Director may, with the recommendation from the employee’s supervisor, award a Community Supervision Officer his/her weapon upon retirement or death pursuant to State Law or Department policy.
- N. Wearing Protective Vests.
 1. Protective vests will be worn when making home visits, serving warrants (unless serving the warrant is in the office or at a jail), transporting offenders, firing weapons on the range, accompanying local law enforcement on investigations or operations, when assisting in apprehending an escapee, and at the LEO’s discretion.
 2. SRT and the Intensive Supervision Program (ISP) members may use their discretion, after supervisory consultation and approval, on when to use their tactical or protective vests.
- O. Incidents Involving Weapons and/or Security Equipment. Incidents involving weapons and/or security equipment will be managed and reported in accordance with Secretarial Directive governing “Incident Notification Procedures.”
- P. Confiscation, Surrender, Loss, Damage, and Disposition of Firearms or Security Equipment. Follow guidance in the SD Armory Inventory and Procedures.
 1. Surrender of Firearms. An employee who voluntarily or involuntarily leaves ACC employment must immediately surrender his/her assigned weapon and security equipment to his/her supervisor. The only exception is when the Director has awarded an employee his or her duty weapon pursuant to **A.C.A. § 12-27-143**.
 2. Lost or Stolen ACC Weapons. Weapons that are lost or stolen must be reported immediately to the employee’s supervisor. If any stated-issued weapon or security equipment is lost or stolen, and it is determined by the appropriate Supervisor, Administrator, or Center Supervisor that such loss was caused by

carelessness or negligence, the employee must reimburse the ACC within thirty (30) days of the determination of negligence for replacement cost, unless an alternative payment schedule is approved. The circumstances surrounding the loss or theft may result in disciplinary action, up to and including employment termination, consistent with the Secretarial Directive on Employee Conduct Standards and Discipline. Refer to SD Incident Notification.

3. Damaged Firearm. A damaged or faulty ACC firearm must be reported to the immediate supervisor, the firearms instructor if detected during training or firearms qualification, and to the Weapons Control Officer as soon as detected. Firearms in need of repair must be referred to a certified armorer or gunsmith through regular purchasing procedures.
4. Disposition of ACC Firearms. Following the appropriate Deputy Director's written approval, a firearm for which the ACC has no use must be disposed of through the ACC Asset Manager, according to the ACC policy, "Equipment Inventory, Transfer and Disposition AD."
5. Damaged/Used Chemical Agent Turn-In and Disposal. Damaged or used chemical agents will be turned in to the Supervisor or Weapons Control Officer for proper disposal and adjustments to supply/inventory records.

Q. Decision to Suspend or Revoke Firearm Privileges.

1. A supervisor is required to suspend or revoke the authorization to carry a weapon when reasonable cause exists. When the authority to carry a firearm has been suspended or revoked, the employee is also restricted from performing duties that might require the use of a firearm. The manager or supervisor must complete the appropriate section of the form, "Authorization and Receipt for Weapons and Security Equipment" and forward it to the Parole/Probation Assistant Director or Deputy Director of Residential Services. When a supervisor suspends or revokes the authorization to carry a firearm and less-than-lethal weapon and the weapon belongs to the Department, it must be seized and secured. Follow guidance in the SD Armory Inventory and Procedures.
2. When an employee's authorization to carry an ACC-issued firearm is revoked or suspended, the employee's authorization to carry a backup firearm while on duty is also revoked or suspended.
3. Some of the factors that may be considered in deciding to suspend or revoke the carrying and use of a firearm and less-than-lethal weapon includes but not limited to the following:
 - a. Job performance.
 - b. Participation in a substance abuse or psychiatric treatment program.
 - c. Carelessness, horseplay, negligence, misuse, or other inappropriate conduct.
 - d. Incident involving the discharge of a weapon.
 - e. Action is determined to be in the best interest of public safety and the efficient operation of the ACC.
 - f. Employee use of medications or other substances that cause physical impairment and/or mental impairment.
 - g. When warranted, pending completion of an investigation.
 - h. Failure to qualify or re-qualify.

R. Firearm Safety, Maintenance, and Inspection.

1. In accordance with the Secretarial Directive on Armory Inventory and Procedures, fifteen (15) ACC armory locations are identified with operating procedures for the inventory of weapons and ammunition. The operating procedures include semi-annual training of employees responsible for the operation of armories, monthly review of inventory by supervisors, and quarterly audits of inventory conducted by the area's Assistant Director regarding inventory records maintained by each location. An audit schedule coinciding with the state fiscal year will be conducted annually.
2. All unassigned firearms and security equipment must be inspected and maintained at least annually by a LEO or other authorized employee designated by the supervisor. At the direction of a supervisor, an issued weapon is subject to inspection at any time by certified firearms instructors.
3. Only certified armorers will make or cause to be made modifications or repairs to the ACC firearms. Any modification or substantial repair must be documented in writing. Reports must be filed and provided to the appropriate supervisor.
4. Each authorized employee is responsible for cleaning, maintaining, and inspecting his/her issued security equipment and authorized firearms.
5. Each authorized employee is responsible for reporting in writing any unresolved deficiencies in firearms and security equipment when there is a potential or actual problem that may or does cause the firearm or security equipment to be unsafe or unreliable. Firearms and security equipment found to be unsafe or inoperable must be promptly removed from service and tagged to indicate the problem. The report should be made according to the SD "Armory Inventory and Procedures." Reports must be filed and provided to the appropriate supervisor.
6. A firearm that has been fired in connection with an incident may not be cleaned without a release from the Internal Affairs Administrator (IA) and approval of the appropriate Director or designee.
7. Employees must adhere to standard safety instructions provided by the ACC training procedures. Weapons must always be maintained and used in a manner that precludes accidental discharges. Irresponsible acts such as horseplay or practical jokes involving a weapon are prohibited.

- S. Handcuffs. Handcuffs must be black or silver in color and have the ability to double lock.

IV. ATTACHMENT AND FORMS.

- | | |
|--------------|--|
| Attachment 1 | Weapons and Security Equipment Authorization Listing. |
| Attachment 2 | Temporary Receipt of Firearm and Security Equipment for Practice Only. |
| Attachment 3 | Receipt for and Authorization to Carry Weapons and Security Equipment. |
| Attachment 4 | Backup Weapon Inspection and Qualification. |
| Attachment 5 | Award of Duty Weapon. |



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION**

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



WEAPONS & SECURITY EQUIPMENT AUTHORIZATION LISTING

ITEM	ISP	Parole/Probation Services	SRT	Residential Services	Others
	Intensive Supervision Program (ISP)	Deputy Director, Assistant Director, Manager, Assistant Manager, Agent, & Supervision Officer.	Special Response Team. (SRT)		Director, Deputy Directors, & Others Designated by the Director.
Ballistic Shield.	—	—	X	—	—
Batons.	—	—	—	ERT	X
Riot Helmets.	—	—	—	ERT	—
Helmet, Ballistic.	—	—	X	—	—
ACC-Issued or Approved Handgun & Ammunition.	X	X	X See Note 5	As Designated See Note 4	X
ACC-Issued or Approved Holster, Cartridge, Case & Clip. See Note 1.	X	X	X	As Designated See Note 4	X
Approved Personal Handgun. (See details in this Policy). See Note 1.	X	X	X	—	X
Chemical Agent & Carrier.	X	X	X	As Designated See Note 4	X
Stun Shields.	—	—	—	ERT	—
Taser/Electronic Restraint Devices.	X	(ISP Only) X	X	As Designated See Note 4	See Note 6
Semi-Automatic Rifle.	—	—	X	—	See Note 6
Shotgun With Orange on the Stock.	—	—	X See Note 2	ERT	—
Shotgun Without Orange.	—	—	X See Note 2	As Designated See Note 4	See Note 6
Portable Weapon Lockboxes.	X	X	X	X	X
Leg Irons & Belly Chains. (Pool)	X	X	X See Note 3	X	X
Handcuff & Case (Black and/or Silver).	X	X	X	X	X
Flex Cuff. (Pool)	X	X	X	X	X
Protective Vests.	X	X	X	As Designated See Note 4	X
Video Camera.	—	—	—	—	—



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WEAPONS & SECURITY EQUIPMENT AUTHORIZATION LISTING

Attachment 1 (Continued)

ERT. Emergency Response Team.

Pool. Equipment available in the office for sharing.

SRT. Special Response Team.

ISP. Intensive Supervision Program.

Note 1. Law Enforcement Officers may purchase their own holster but must be approved pursuant to this policy.

Note 2. Only less-than-lethal ammunition is authorized for ACC-issued shotguns with orange stocks. Other shotguns may use buck shots or slugs.

Note 3. Leg irons, belly chains, and flex cuffs may be issued to individual SRT members instead of using a pool.

Note 4. As designated pursuant to Paragraph III. C., "Authorization to Carry Firearm on Duty."

Note 5. The SRT Commander may issue a backup firearm to SRT members.

Note 6. As designated by the Director pursuant to this policy.



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RECEIPT FOR AND AUTHORIZATION TO CARRY WEAPONS AND SECURITY EQUIPMENT

Attachment 3

Employee's Name: _____ Employee Number: _____

Supervisor's Name: _____ Location: _____

The weapons and security equipment below are authorized to be carried by and were issued to the employee named above; or were returned, as indicated. Use a separate form to issue/authorize another firearm.

Complete Description	Serial / ID Number	Asset Number (ACC)	Quantity Issued	Date Returned and Initials of Receiving Supervisor	
Firearm Issued – Description: (Manufacturer, Model, Caliber) (Issued with duty ammunition).					
Chemical Agent. Exp. Date:					
Handcuffs.					
Protective Vest. Exp. Date:					
ACC ID Card.					
Law Enforcement Badge.					
Portable Lockbox.					
List other weapons and security equipment below:					

I hereby accept responsibility for the above-issued equipment.

Signature of Receiver Date Signature of Issuing Supervisor or Designee

Notice of Weapons Suspension or Employment Ended			
Effective Date: _____			
<u>Weapons carrying privileges of the individual named above are:</u>			
<input type="checkbox"/> Suspended Until _____	<input type="checkbox"/> Employment Ended (Complete CLEST Form F-4)		
Reason for Action: _____			
_____ Signature of Employee	_____ Date	_____ Signature of Supervisor	_____ Date

- ❖ To reinstate privileges, the supervisor must prepare, sign, and retain a new form with all issued items. ORIGINAL: Weapons Control Officer. Copy to Employee. Copy to Local Physical Asset Control Officer. Copy to HR only when the "Notice of Weapons Suspension or Employment Ended" section is complete.



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DIVISION OF COMMUNITY CORRECTION

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BACKUP WEAPON INSPECTION AND QUALIFICATION

Instructions: Print legibly or type.

Attachment 4

Employee Name: _____ Area: _____

The completed form must be placed in the employee's training file and training must be documented in Relias. The weapon has been inspected and found to be in good working order. Ammunition used for qualification is new factory ammunition. (This can be new practice ammunition or new duty ammunition. It CANNOT be reloaded ammunition).

Weapon Make/Model: _____ Caliber: _____ Serial: _____ Description of Ammunition (hollow point, caliber, brand): _____

The above-named employee has completed a standard approved qualification course with the weapon listed above.

Qualifying score: _____ Date: _____ Description of holster/purse used for security: _____ _____ <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> _____ Firearms Instructor </div> <div style="text-align: center;"> _____ Employee </div> </div>

The above description of firearm, ammunition and holster/purse security items is acceptable. The instructor is a certified firearms instructor.

Date

Area Manager

To my knowledge, the information is correct.

Date

Deputy Director / Assistant Director



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



AWARD OF DUTY WEAPON

Attachment 5

Pursuant to A.C.A. § 12-27-143, when a Division of Community Correction (ACC) employee dies while still employed with the Department, retires from service with at least twenty (20) years of service, or retires due to an injury obtained in the line of duty, in recognition of and appreciation for the service of the retiring or deceased employee, the Director of the ACC may award the service weapon carried by the employee at the time of his or her retirement from service or death.

Officer Name: _____ Date of Retirement: _____

Weapon Description: _____ Serial Number: _____

Asset Number: _____ Date Awarded: _____

If recipient is not the officer, please list the recipient's name: _____

Criteria has been verified by (name & title): _____

- Retired recipient has completed ___ years ___ months of service.
- Officer retired due to an injury obtained in the line of duty.
- Officer died while employed with ACC.

Approval to issue weapon to recipient is granted by:

Director: _____ Signature: _____ Date: _____

I have removed the duty weapon described above from ACC inventory.

Date: _____

Printed Name: _____ Job Title: _____

Signature: _____



ARKANSAS DEPARTMENT OF CORRECTIONS
 DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
 North Little Rock, AR 72114
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Phone: (501) 682-9510 | Fax: (501) 682-9513



ADMINISTRATIVE DIRECTIVE

SUBJECT: Weapons & Security Equipment

NUMBER: AD 2023-XX

~~_____~~ **SUPERSEDES:** AD 18-29

APPLICABILITY: All Employees

~~_____~~ **PAGES:** 1-154

REFERENCE: Arkansas Code Annotated (A.C.A.) §§ 5-2-605 et seq., 5-64-501, 5-73-103,
 _____ 5-73-104, 5-73-105, 12-27-132, 12-29-115, 12-27-143, 16-93-103.

APPROVED: _____

EFFECTIVE DATE: _____

I. **POLICY:**

~~I.~~

It is the policy of the Arkansas Division of Community Correction (ACC) to prepare specific employees to function effectively across a force continuum by providing training and authorizing an assortment of security equipment and firearms as provided by this policy. ACC employees may only be issued weapons and security equipment when they meet the requirements in this policy. Weapons and security equipment must only be issued and carried by employees as described on the form Weapons & Security Equipment Authorization Listing (Attachment 1). Any modification to the list requires written approval from the Director.

II. DEFINITIONS:

- A. Certified Armorer or Gunsmith. Employee trained and certified to work on the specific firearm model and make.
- B. Chemical Agent. A deterrent, such as pepper spray or foam, used in self-defense or the defense of others.
- C. Control Officer. Authorized officer designated to maintain weapons and/or security equipment.
- D. Duty Weapon. A firearm issued or assigned to an ACC employee to be carried while the employee pursues his or her job duties.

- E. Impairment. Condition that can affect judgment, reaction time, or motor skills, specifically the ability to act or handle a firearm or less-than-lethal weapon safely and proficiently.
- F. Internal Affairs (IA) Office. Office responsible for conducting internal investigations.
- G. Less-Than-Lethal Weapon. Non-lethal weapon (ex. Baton, taser) intended to minimize injury or death.
- H. Law Enforcement Officer (LEO). ~~Parole/Probation Officer, Parole/Probation Assistant Manager, Parole/Probation Manager, Parole/Probation Assistant Director, Deputy Director Parole/Probation Services, or other employees designated by the Director who have met or are in the process of meeting Arkansas Law Enforcement certification of Specialized Policy Personnel. Any Employee designated by a Division Director or the Secretary who has met or in the process of meeting law enforcement certification by the Executive Commission of Law Enforcement Standards and Training (CLEST).~~
- I. Restricted. The authorization to carry or use a duty weapon is limited to a supervisor.
- J. Revoked. The authorization to carry an issued duty weapon is permanently rescinded.
- K. Security Equipment. Items (i.e., leg irons, restraint chairs, batons, tasers, chemical agent) used to maintain security and the safety of employees, offenders, and other individuals.
- L. Suspended. Authorization to carry a duty weapon is rescinded temporarily or for a specified time.
- M. Uniformed Personnel. ACC Special Response Team (SRT) Officers, ~~Parole/Probation~~Community Supervision –Officers, Residential Food Service Employees, Security Officers, and Residential Supervisors.

III. GUIDANCE:

- A. The following employees are authorized to issue ~~initial~~ weapons and security equipment pursuant to policy:
 - 1. Deputy Directors. ~~3.~~
 - 2. Assistant Directors. 4. Community Supervision Managers.~~enter~~
 - 3. Parole/Probation Ce
nter Supervisors.
Managers. 5. Transportation Supervisor.
 - 6. Special Response Team Commander.
- B. The initial issuance of firearms and security equipment may take place prior to completion of training when the issuing authority ensures the new employee understand and meets the requirements described on the form entitled, “Temporary Receipt of Firearm and Security Equipment for Practice Only.”
- C. Authorization to Carry Firearm on Duty. ~~In order to~~To carry a firearm on duty, The an employee must:
 - 1. Be in an authorized position or as designated by the ~~Director~~Director and authorized by the approval of the Secretary of Corrections.
 - 2. Be a LEO ~~with having met~~ applicable CLEST requirements and ~~the~~ ACC requirements which include a medical/physical evaluation, psychological examination, and substance abuse testing.

3. Successfully complete “New Employee Training Requirements” and be current with annual refresher training requirements described in the Secretarial Directive (SD) on Employee Training and Certification.
 4. Be a law-abiding citizen and be free of all felony convictions and any misdemeanor convictions of domestic violence.
 5. Comply with other applicable requirements in this policy.
- D. For state-issued firearms, complete the form, “Receipt and Authorization to Carry Weapons and Security Equipment” or form “Temporary Receipt of Firearm and Security Equipment for Temporary Use for Practice Only.”

ACC Issued Weapons and Security Equipment.

1. Authorized employees may carry ACC-issued weapons, ammunition, security equipment and a chemical agent while they are actively pursuing the obligations and duties of their position.
2. ~~Parole/Probation~~Community Supervision Officers may carry their state-issued or approved firearm while off duty pursuant to **A.C.A. § 16-93-103**. However, the officer shall not use a state-issued firearm while actively working at employment for another organization.
3. Residential Center Employees. Security employees who have received the required training may be authorized by the Senior Residential Supervisor, Assistant Center Supervisor, Center Supervisor or above to carry security equipment within the following parameters:
 - a. Any security employee, with the Warden’s approval, ~~at the rank of Sergeant or above~~ may be authorized to carry a chemical agent for on-site supervision.
 - b. Security employees who are trained may be authorized to carry a firearm and chemical agent while transporting offenders and when supervising off-site community work crews.
 - c. Security employees on the Emergency Response Team (ERT) may be issued stun shields, riot helmets, batons, and other security equipment only with the approval of the Senior Residential Supervisor, Assistant Center Supervisor, Center Supervisor or above.
4. Additional Carrying Requirements.
 - a. When carrying a firearm on duty, uniformed personnel must also carry an ACC-issued chemical agent. ~~An exception, the Special Response Team (SRT) Officers~~, and Intensive Supervision Program (ISP) Officers must carry a chemical agent or Taser.
 - b. When carrying a firearm that is visible on duty, an employee’s law enforcement badge must also be visible.
 - c. An employee must carry their ACC photo identification card while on duty.
 - d. Firearms must be in an approved holster.
 - e. When in uniform, chemical agents and tasers must be in a carrier or belt case.
 - f. An employee ~~must not carry~~ is prohibited from carrying a firearm while under the influence of any medication or other substance that may impair his/her ability to perform the duties of the job.

- g. An employee ~~must not carry~~ is prohibited from carrying a firearm when precluded from doing so by ~~the his or her~~ supervisor, in accordance with the provisions of this policy or by law.
- h. Firearms must be properly maintained and used in a manner to prevent accidental discharges.

E. Carrying A Backup Personal Firearm While on Duty. To carry a backup firearm on duty, the firearm must be between .380 and .45 caliber. Any employee carrying a backup weapon must carry their duty weapon, an exception may be made when transporting with the Flying Arms Team. ~~Following are the requirements to~~ To carry a backup personal firearm while on duty, ~~the following requirements must be met:~~

1. Furnish the backup firearm and all expenses related to the personal firearm to include ammunition used for practice, qualification and carry, a holster and any necessary maintenance to the firearm.
2. The backup personal firearm, ammunition, and holster must be approved by the ACC range instructor, area manager and deputy or assistant director.
3. Secure the backup firearm and conceal it while on duty. The firearm permitted under the Concealed Handgun Permit and Concealed Handgun Act is not approved for carry or use when on duty as an ACC employee unless the firearm and holster is approved on the form, "Backup Weapon Inspection and Qualification."
4. Qualify with the backup firearm through an ACC certified firearm instructor prior to carrying the firearm and re-qualify as required by the Division policy.
5. -Ensure the backup firearm is secured in an approved holster when worn on duty and secured when not worn.

~~F.~~ First Aid/Emergency Medical Services. First aid or emergency medical services must be promptly rendered following the injury and/or contamination of an individual by a firearm, chemical agent, or security equipment.

~~F.~~
~~G.~~

~~H.G.~~ Responsibility to Inform of Physical or Emotional Impairment and
~~Suspending~~ Suspension of- Authorization to Carry.

1. Employees who are authorized to carry a firearm and/or less-than-lethal weapon must notify their immediate supervisor immediately of any physical, psychological, or pharmacological conditions causing physical or emotional impairment that could affect their ability to perform the essential functions of their duties to carry and/or use a firearm or less-than-lethal weapon safely. Supervisors must protect such medical information pursuant to law and agency Department of Corrections (Department) policy.
2. When warranted, supervisors ~~must~~ are required to suspend an employee's authorization to carry a firearm and less-than-lethal weapon.
3. Authorization will be reinstated upon the cessation of the medication effects or with the physician's ~~ruling~~ determination that the physical/psychological condition and/or medication's potential effects would not interfere with

handling a firearm or less-than-lethal weapon, driving a motor vehicle safely, or safely performing other essential job functions.

H.H. LEO Personnel Actions.

1. The ~~Parole/Probation~~Community Supervision Services Deputy Director and Residential Services Deputy Director must ensure proper notification to the Commission on Law Enforcement Standards and Training (CLEST) of all LEO personnel actions, pursuant to the CLEST Manual.
2. Notifications of personnel actions going to CLEST must be routed through the ACC Training Section, as appropriate.
3. Initial training on chemical agents will require contamination while being video recorded. If a person has a medical concern, the employee may be excused. The training instructor must promptly notify the person's immediate supervisor, and the ACC Training Section Manager so a determination may be made on the medical excuse and whether the employee can perform the essential functions of the job.

H.I. Training Requirements for Issue and Use of Weapons and Security Equipment.

~~1. _____~~ Firearms Qualification and Security Equipment Requirements.

Initial Firearms Qualification. Achieving certification begins with attending the ~~Parole/Probation~~Community Supervision Officer Basic Training Academy. An employee who is authorized to carry a firearm must qualify with the firearm and must ensure successful completion of firearms qualification with at least eighty (80) percent accuracy. Failure to qualify during the Academy will result in employment termination.

~~2.~~

~~3-1.~~ Firearm Re-qualification. Authorized employees must re-qualify semi-annually. Re-qualification training will be conducted by certified firearms instructors and will include use of force, weapons and security equipment, fundamentals of marksmanship, and other related safety plans. ~~scenarios in which an employee should shoot or not shoot.~~ Attempts to re-qualify with the firearm may be made no sooner than six (6) months following the anniversary date of the previous qualification. If the employee fails to re-qualify, when necessary, within two (2) months of their initial attempt to re-qualify, the employee will be provided three (3) additional dates to re-qualify, not to exceed four (4) attempts per date. Each subsequent attempt to re-qualify shall be preceded by appropriate remedial training conducted by a certified firearm instructor.

~~4-2.~~ Failure to qualify or re-qualify. An employee authorized to carry a firearm who fails to qualify or re-qualify with his/her duty weapon within the time allowed, no longer meets the essential functions of his/her position, and ~~must~~will be removed from that position.

H.J. Security and Control of Weapons and Security Equipment.

1. ~~Parole/Probation~~Community Supervision Managers, Center Supervisors and SRT Commanders are responsible for weapons accountability and security equipment. Refer to ~~SD~~the Secretarial Directive governing Armory Inventory and Procedures.

2. Employees are responsible for the weapons and security equipment issued to them.
3. Managers and Supervisors may designate a firearms-certified Weapons Control Officer to manage weapons and security equipment to include coordinating with the Local Physical Asset Control Officer to ensure compliance with the Equipment Inventory, Transfer, and Disposition policy. All weapons and security equipment must be stored in designated areas that are locked, inaccessible to offenders and other unauthorized persons, protected from the weather, and secured from loss or theft.
4. When not being worn, authorized firearms, ammunition, and other security equipment must be secured.
5. Firearms must be loaded and unloaded in a designated safe area approved by the Area Manager, Center Supervisor or Firearm Instructor. Each safe area must have at least a five (5) gallon barrel of sand. Employees must point the firearm at the sand barrel when loading and unloading or when pulling the trigger prior to cleaning or removing the slide.
6. Firearms must not be worn at a Community Correction Centers (Center) except in an emergency, as authorized by the Center Supervisor, or when carried by an ~~authorized employee~~ LEO outside of the secured facility before departure and upon return. Facility firearms must be properly secured in the ~~control center or~~ facility armory. Visiting LEOs must secure their weapons in their vehicle, according to the ~~ACC's Administrative Directive~~ policy, or in the ~~control center or facility's~~ armory prior to entering the facility. No person will be allowed to carry a firearm into a Center. This prohibition does not ~~prohibit-preclude~~ an ACC employee from storing a firearm in the employee's private vehicle, while the vehicle is on ACC property, if the employee has declared in writing their intent to carry a weapon and received written approval to carry a weapon from the Secretary or the Secretary's designee previously registered the firearm with the Warden/Center Supervisor and stores the firearm in a locked commercial storage container which is physically attached to the vehicle according to the ACC policy.
7. ACC will provide a portable lockbox to each certified officer when they are issued their firearm. Lockboxes must be secured to the frame of a vehicle and locked to be considered properly secured. The vehicle must be locked. Portable lockboxes are provided to the ACC officers for their benefit to properly secure their firearm in personal/state vehicles or in their residences.
8. The Resident Visitation policy prohibits visitors from bringing firearms onto Center property; therefore, visitors are prohibited from storing a firearm in a vehicle while on Center property.
9. Processing Firearms and Security Equipment.
 - a. The process ~~for assigning signing~~ firearms and security equipment ~~in and out~~ must include the employee's name and weapon serial number ~~(when there is one) on~~ Form 1, "Authorization and Receipt for Weapon and Security Equipment," ~~or a bound book with pre-numbered pages must be used for this purpose~~ and Arkansas Administrative Statewide Information System (AASIS) record keeping system kept for a minimum of three (3) years after the final entry. ~~Annotations may be made to indicate transfer of active records from one permanent logbook that has been filled to a new one.~~
 - b. Area Managers must ensure their firearms instructors have an approved process in place for keeping up with ammunition received and issued. All

ammunition received by a Community Supervision Parole/Probation Area, or Center must be tracked in QuickBooks.

- c. An employee may leave an authorized weapon in an office overnight only if it is in a secured area approved by the Area Manager or Assistant Area Manager. LEOs are encouraged to take their firearm home, and when doing so the firearm must be kept secure. This is not applicable to Center operations.

10. The Center Supervisor must develop and provide annual written supplemental guidance, to include at a minimum:

- a. Procedures for issuing weapons and security equipment, emergency response teams, transportation teams and individuals.
- b. Key control.
- c. Access control.
- d. Inventories.
- e. Safety and security procedures.

L.K. Chemical Agent Specifications. Chemical agents must be non-flammable and meet Environmental Protection Agency (EPA) standards.

M.L. Dogs and Handlers. Dogs and handlers from the Division of Correction or a local law enforcement agency may be used for contraband detection and tracking purposes when approved by the Director, Deputy Director, Assistant Director, Center Supervisor, Assistant Center Supervisor, or SRT Commander.

M. Retired ACC Law Enforcement Officers (LEO).

~~N.~~

1. ID Badges. LEOs retiring from the ACC and State government may request a Retired Law Enforcement Officer identification card. The request will be handled by the Human Resources (HR) Section of the Department.
2. Duty Weapon. ACC certified law enforcement officers may submit a request to the appropriate Deputy Director ~~to request for~~ their duty weapon using via the ~~form,~~ “Award of Duty Weapon” Form. A duty weapon may be awarded pursuant to **A.C.A. § 12-27-143.** ~~The request for award of a duty weapon will be handled by the Director and Deputy Directors.~~ The Director may, with the recommendation from the employee’s supervisor, award a Parole/ProbationCommunity Supervision —Officer his/her weapon upon retirement or death pursuant to State Law or agency Department policy.

O.N. Wearing Protective Vests.

1. Protective vests will be worn when making home visits, serving warrants (unless serving the warrant is in the office or at a jail), transporting offenders, firing weapons on the range, accompanying local law enforcement on investigations or operations, when assisting in apprehending an escapee, and at the LEO’s discretion.

2. SRT and the Intensive Supervision Program (ISP) members may use their discretion, after supervisory consultation and approval, on when to use their tactical or protective vests.

P.O. Incidents Involving Weapons and/or Security Equipment. Incidents involving weapons and/or security equipment will be managed and reported in accordance with Secretarial Directive ~~(SD)~~-governing “Incident Notification Procedures.”

Q.P. Confiscation, Surrender, Loss, Damage, and Disposition of Firearms or Security Equipment.

1. Surrender of Firearms. An employee who voluntarily or involuntarily leaves ~~the~~ ACC employment must immediately surrender his/her assigned weapon and security equipment to his/her supervisor, ~~with one exception, the “Award of Duty Weapon, see Attachment Four (4).”~~ The only exception is when the Director has awarded an employee his or her duty weapon pursuant to A.C.A. § 12-27-143.
2. Lost or Stolen ACC Weapons. Weapons that are lost or stolen must be reported immediately to the employee’s supervisor. If any stated-issued weapon or security equipment is lost or stolen and it is determined by the appropriate Supervisor, Administrator, or Center Supervisor that such loss was caused by carelessness or negligence, the employee must reimburse the ACC within thirty (30) days of the determination of negligence for replacement cost, unless an alternative payment schedule is approved. The circumstances surrounding the loss or theft may result in disciplinary action, up to and including employment termination, consistent with the Secretarial Directive ~~(SD)~~ on Employee Conduct Standards and Discipline. Refer to the ~~policies on SD~~ Secretarial Directive on Incident Notification Procedures, and the Administrative Directive on “Reporting and Investigating Incidents, Hazards and Maltreatment for Reporting Stolen or Lost Weapons.”
3. Damaged Firearm. A damaged or faulty ACC firearm must be reported to the immediate supervisor, the firearms instructor if detected during training or firearms qualification, and to the Weapons Control Officer as soon as detected. Firearms in need of repair must be referred to a certified armorer or gunsmith through regular purchasing procedures.
4. Disposition of ACC Firearms. Following the appropriate Deputy Director’s written approval, a firearm for which the ACC has no use must be disposed of through the ACC Asset Manager, according to the ACC policy, “Equipment Inventory, Transfer and Disposition AD.”
5. Damaged/Used Chemical Agent Turn-In and Disposal. Damaged or used chemical agents will be turned in to the Supervisor or Weapons Control Officer for proper disposal and adjustments to supply/inventory records.

R.Q. Decision to Suspend or Revoke Firearm Privileges.

1. A supervisor is required to suspend or revoke the authorization to carry a weapon when reasonable cause exists. When the authority to carry a firearm has been suspended or revoked, the employee is also restricted from performing duties that might require the use of a firearm. The manager or supervisor must complete the appropriate section of the form, “Authorization and Receipt for

Weapons and Security Equipment” and forward it to the Parole/Probation Assistant Director or Deputy Director of Residential Services. When a supervisor suspends or revokes the authorization to carry a firearm and less-than-lethal weapon and the weapon belongs to the agency Department, it must be seized and secured.

2. When an employee’s authorization to carry an ACC-issued firearm is revoked or suspended, the employee’s authorization to carry a backup firearm while on duty is also revoked or suspended.
3. Some of the factors that may be considered in deciding to suspend or revoke the carrying and use of a firearm and less-than-lethal weapon includes but not limited to the following:
 - a. Job performance.
 - b. Participation in a substance abuse or psychiatric treatment program.
 - c. Carelessness, horseplay, negligence, misuse, or other inappropriate conduct.
 - d. Incident involving the discharge of a weapon.
 - e. Action is determined to be in the best interest of public safety and the efficient operation of the ACC.
 - f. Employee use of medications or other substances that cause physical impairment and/or mental impairment.
 - g. When warranted, pending completion of an investigation.
 - h. Failure to qualify or re-qualify.

S-R. Firearm Safety, Maintenance, and Inspection.

1. In accordance with ~~SD~~the Secretarial Directive on Armory Inventory and Procedures, fifteen (15) ACC armory locations are identified with operating procedures for the inventory of weapons and ammunition. The operating procedures include semi-annual training of employees responsible for the operation of armories, monthly review of inventory by supervisors, and quarterly audits of inventory conducted by the area’s Assistant Director regarding inventory records maintained by each location. An audit schedule coinciding with the state fiscal year will be conducted annually.
- 4.2. All unassigned firearms and security equipment must be inspected and maintained at least annually by a LEO or other authorized employee designated by the supervisor. At the direction of a supervisor, an issued weapon is subject to inspection at any time by certified firearms instructors.
- 2.3. Only certified armorers will make or cause to be made modifications or repairs to the ACC firearms. Any modification or substantial repair must be documented in writing. Reports must be filed and provided to the appropriate supervisor.
- 3.4. Each authorized employee is responsible for cleaning, maintaining, and inspecting his/her issued security equipment and authorized firearm.
- 4.5. Each authorized employee is responsible for reporting in writing any unresolved deficiencies in firearms and security equipment when there is a potential or actual problem that may or does cause the firearm or security equipment to be unsafe or unreliable. Firearms and security equipment found to be unsafe or inoperable must be promptly removed from service and tagged to indicate the problem. The report should be made on the form, “Incident or Hazard Report/Witness Statement – For Employee Use.” Reports must be filed and provided to the appropriate supervisor.

- 5.6. A firearm that has been fired in connection with an incident may not be cleaned without a release from the Internal Affairs Administrator (IA) and approval of the appropriate Director or designee.
- 6.7. Employees must adhere to standard safety instructions provided by the ACC training procedures. Weapons must always be maintained and used in a manner that precludes accidental discharges. Irresponsible acts such as horseplay or practical jokes involving a weapon are prohibited.

T.S. _____ H
andcuffs. Handcuffs must be black or silver in color and have the ability to double lock.

IV. ATTACHMENT AND FORMS.

- Attachment 1 Weapons and Security Equipment Authorization Listing.
- Attachment 2 Temporary Receipt of Firearm and Security Equipment for Practice Only.
- Attachment 3 Receipt for and Authorization to Carry Weapons and Security Equipment.
- Attachment 4 Backup Weapon Inspection and Qualification.
- Attachment 5 Award of Duty Weapon.



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Community Corrections - Director's Office

1302 Pike Avenue, Suite B
 1302 Pike Avenue, Suite B
 North Little Rock, Arkansas 72114



Phone: (501) 682-9510 | Fax: (501) 682-9513

WEAPONS & SECURITY EQUIPMENT AUTHORIZATION LISTING

<u>ITEM</u>	<u>ISP</u>	<u>Parole/Probation Services</u>	<u>SRT</u>	<u>Residential Services</u>	<u>Others</u>
	<u>Intensive Supervision Program (ISP)</u>	<u>Deputy Director, Assistant Director, Manager, Assistant Manager, Agent, & Supervision Officer.</u>	<u>Special Response Team. (SRT)</u>		<u>Director, Deputy Directors, & Others Designated by the Director.</u>
<u>Ballistic Shield.</u>	—	—	<u>X</u>	—	—
<u>Batons.</u>	—	—	—	<u>ERT</u>	<u>X</u>
<u>Riot Helmets.</u>	—	—	—	<u>ERT</u>	—
<u>Helmet, Ballistic.</u>	—	—	<u>X</u>	—	—
<u>ACC-Issued or Approved Handgun & Ammunition.</u>	<u>X</u>	<u>X</u>	<u>X</u> See Note 5	<u>As Designated</u> See Note 4	<u>X</u>
<u>ACC-Issued or Approved Holster, Cartridge, Case & Clip. See Note 1.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>As Designated</u> See Note 4	<u>X</u>
<u>Approved Personal Handgun. (See details in this Policy). See Note 1.</u>	<u>X</u>	<u>X</u>	<u>X</u>	—	<u>X</u>
<u>Chemical Agent & Carrier.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>As Designated</u> See Note 4	<u>X</u>
<u>Stun Shields.</u>	—	—	—	<u>ERT</u>	—
<u>Taser/Electronic Restraint Devices.</u>	<u>X</u>	<u>(ISP Only)</u> <u>X</u>	<u>X</u>	<u>As Designated</u> See Note 4	<u>See Note 6</u>
<u>Semi-Automatic Rifle.</u>	—	—	<u>X</u>	—	<u>See Note 6</u>
<u>Shotgun With Orange on the Stock.</u>	—	—	<u>X</u> See Note 2	<u>ERT</u>	—
<u>Shotgun Without Orange.</u>	—	—	<u>X</u> See Note 2	<u>As Designated</u> See Note 4	<u>See Note 6</u>
<u>Portable Weapon Lockboxes.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Leg Irons & Belly Chains. (Pool)</u>	<u>X</u>	<u>X</u>	<u>X</u> See Note 3	<u>X</u>	<u>X</u>

<u>Handcuff & Case (Black and/or Silver).</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Flex Cuff. (Pool)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Protective Vests.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>As Designated</u> <u>Sec Note 4</u>	<u>X</u>
<u>Video Camera.</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

Attachment 1

Attachment 1




**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION**

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



ITEM	ISP	Parole/Probation Services	SRT	Residential Services	Others
	Intensive Supervision Program (ISP)	Deputy Director, Assistant Director, Manager, Assistant Manager, Agent, & Supervision Officer.	Special Response Team. (SRT)		Director, Deputy Directors, & Others Designated by the Director.
Ballistic Shield.	<u>—</u>	<u>—</u>	<u>X</u>	<u>—</u>	<u>—</u>
Batons.	<u>—</u>	<u>—</u>	<u>—</u>	ERT	<u>X</u>
Riot Helmets.	<u>—</u>	<u>—</u>	<u>—</u>	ERT	<u>—</u>
Helmet, Ballistic.	<u>—</u>	<u>—</u>	<u>X</u>	<u>—</u>	<u>—</u>
ACC Issued or Approved Handgun & Ammunition.	<u>X</u>	<u>X</u>	<u>X</u> See Note 5	As Designated See Note 4	<u>X</u>
ACC Issued or Approved Holster, Cartridge, Case & Clip. See Note 1.	<u>X</u>	<u>X</u>	<u>X</u>	As Designated See Note 4	<u>X</u>
Approved Personal Handgun. (See details in this Policy). See Note 1.	<u>X</u>	<u>X</u>	<u>X</u>	<u>—</u>	<u>X</u>
Chemical Agent & Carrier.	<u>X</u>	<u>X</u>	<u>X</u>	As Designated See Note 4	<u>X</u>
Stun Shields.	<u>—</u>	<u>—</u>	<u>—</u>	ERT	<u>—</u>
Taser/Electronic Restraint Devices.	<u>X</u>	(ISP Only) <u>X</u>	<u>X</u>	As Designated See Note 4	See Note 6
Semi-Automatic Rifle.	<u>—</u>	<u>—</u>	<u>X</u>	<u>—</u>	See Note 6
Shotgun With Orange on the Stock.	<u>—</u>	<u>—</u>	<u>X</u> See Note 2	ERT	<u>—</u>
Shotgun Without Orange.	<u>—</u>	<u>—</u>	<u>X</u> See Note 2	As Designated See Note 4	See Note 6
Portable Weapon Lockboxes.	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

	✘	✘	✘	✘	✘
	ARKANSAS DEPARTMENT OF CORRECTIONS				
	Division of Community Correction – Director’s Office				
	✘	1302 Pike Avenue, Suite B			✘
	✘	North Little Rock, Arkansas 72114			✘
✘	Phone: (501) 682-9510 Fax: (501) 682-9513			✘	
✘	✘	✘	✘	✘	✘

WEAPONS & SECURITY EQUIPMENT AUTHORIZATION LISTING

Attachment 1 (Continued)

- ERT.** Emergency Response Team.
- Pool.** Equipment available in the office for sharing.
- SRT.** Special Response Team.
- ISP.** Intensive Supervision Program.

- Note 1. Law Enforcement Officers may purchase their own holster but must be approved pursuant to this policy.
- Note 2. Only less-than-lethal ammunition is authorized for ACC-issued shotguns with orange stocks. Other shotguns may use buck shots or slugs.
- Note 3. Leg irons, belly chains, and flex cuffs may be issued to individual SRT members instead of using a pool.
- Note 4. As designated pursuant to Paragraph III. C., “Authorization to Carry Firearm on Duty.”
- Note 5. The SRT Commander may issue a backup firearm to SRT members.
- Note 6. As designated by the Director pursuant to this policy.



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TEMPORARY RECEIPT OF FIREARM AND SECURITY EQUIPMENT

FOR PRACTICE ONLY

Attachment 2

Because you have not yet successfully completed the required classroom and firearm training, **you are not authorized to carry this firearm.** Keep this firearm and ammunition in a secure place and only practice with it when accompanied by a certified firearm instructor. Upon successful completion of training, another form will be submitted that authorizes you to carry the firearm.

Supervisor: When the employee has completed required law enforcement training and completed all requirements for carrying a firearm, complete the form, “Receipt for and Authorization to Carry Weapons and Security Equipment” and discard this form. **Do Not** issue a badge before Academy graduation.

Employee Name: _____ Employee Personnel Number: _____

Employee's Name: _____ Employee Number: _____

Supervisor's Name: _____ Location: _____

The weapons and security equipment below are authorized to be carried by and were issued to the employee named above; or were returned, as indicated. Use a separate form to issue/authorize another firearm.

Complete Description	Serial / ID Number	Asset Number (ACC)	Quantity Issued	Date Returned and Initials of Receiving Supervisor	
Firearm Issued – Description: (Manufacturer, Model, Caliber) (Issued with duty ammunition).					
Chemical Agent. Exp. Date:					
Handcuffs.					
Protective Vest. Exp. Date:					
ACC ID Card.					
Law Enforcement Badge.					
Portable Lockbox.					
List other weapons and security equipment below:					

I hereby accept responsibility for the above-issued equipment.

Signature of Receiver Date Signature of Issuing Supervisor or Designee

Notice of Weapons Suspension or Employment Ended

Effective Date: _____

Weapons carrying privileges of the individual named above are:

Suspended Until _____ Employment Ended (Complete CLEST Form F-4)

Reason for Action: _____

Signature of Employee Date Signature of Supervisor Date

❖ To reinstate privileges, the supervisor must prepare, sign, and retain a new form with all issued items.

ORIGINAL: Weapons Control Officer. Copy to Employee. Copy to Local Physical Asset Control Officer.
Copy to HR only when the "Notice of Weapons Suspension or Employment Ended" section is complete.



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ARKANSAS DEPARTMENT OF CORRECTIONS
ARKANSAS DEPARTMENT OF CORRECTIONS's Office
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AWARD OF DUTY WEAPON

Attachment 5

Pursuant to A.C.A. § 12-27-143 ~~which became effective on July 28, 2021~~, when a Division of Community Correction (ACC) employee dies while still employed with the Department, retires from service with at least twenty (20) years of service, or retires due to an injury obtained in the line of duty, in recognition of and appreciation for the service of the retiring or deceased employee, the Director of the ACC may award the service weapon carried by the employee at the time of his or her retirement from service or death.

Officer Name: _____ Date of Retirement: _____

Weapon Description: _____ Serial Number: _____

Asset Number: _____ Date Awarded: _____

If recipient is not the officer, please list the recipient's name: _____

Criteria has been verified by (name & title): _____

- Retired recipient has completed ____ years ____ months of service. ~~Certified LEO with DOC.~~
- Officer retired due to an injury obtained in the line of duty.
- Officer died while employed with ACC.

Approval to issue weapon to recipient is granted by:

Director: _____ Signature: _____ Date: _____

I have removed the duty weapon described above from ACC inventory.

Date: _____

Printed Name: _____ Job Title: _____

Signature: _____



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



ADMINISTRATIVE DIRECTIVE

SUBJECT: Use of Force

NUMBER: AD 2024-02

SUPERSEDES: AD 16-23

APPLICABILITY: All Employees

PAGE: 1 - 6

REFERENCE: Arkansas Code Annotated §§ 5-2-607 to -613

APPROVED: Signature On File

EFFECTIVE DATE: 2/07/2024

I. POLICY.

It is the policy of the Arkansas Division of Community Correction (ACC) to provide its employees with proper training and guidance on the permissible use of force and that force is only used when appropriate and only to a degree necessary based on the facts and circumstances perceived at the time. An employee may use the amount of force reasonable to effectively bring a situation under control and to protect the lives of the employee and others.

II. DEFINITIONS.

- A. Deadly Physical Force. Physical force that under the circumstances in which it is used, is readily capable of causing death or serious physical injury.
- B. Internal Affairs (IA). Office responsible for conducting internal investigations.
- C. Law Enforcement Officers (LEO). Any Employee designated by a Division Director or the Secretary of Corrections who has met or is in the process of meeting law enforcement certification by the Executive Commission of Law Enforcement Standards and Training (CLEST).
- D. Non-deadly Physical Force. Physical force that, under the circumstances in which it is used, is not intended and not reasonably likely to cause death or serious physical injury.
- E. Officers. ACC employees who are employed as Community Supervision Officers or Correctional Officers.
- F. Physical Force. Any bodily impact, restraint, or physical confinement, or the threat thereof.
- G. Resistance Control Continuum. The application of force guide taught in ACC's defensive tactics classes along with judgment, discretion, de-escalation, and the concept of ability, opportunity, and jeopardy.
- H. Weapons and Security Equipment. An assortment of security equipment and firearms authorized by the Director.

III. GUIDANCE.

- A. Application of Force in General. Based on the facts and circumstances perceived at the time, an employee may use the amount of force reasonable to effectively bring a situation under control and to protect the lives of the employee and others. In no event is physical force justifiable as punishment. The goal in every encounter is to minimize injury to everyone involved. However, nothing in this policy requires an employee to sustain injury before applying reasonable force.
- B. Ability, Opportunity, and Jeopardy Concept. The factors to be considered when determining the amount of force reasonable under the circumstances are as follows.
1. Ability. This refers to the perceived ability of the aggressor to do harm.
 2. Opportunity. This is the distance relationship between the aggressor and the defender. For the opportunity to be present, the defender must be within usable range of the aggressor's ability. Opportunity expands as the aggressor's ability increases. The presence of weapons may extend the opportunity range.
 3. Jeopardy. This is the defender's perception of the aggressor's intent. When the defender reasonably believes that the aggressor, by word or action, intends to use his ability, the defender is in jeopardy.
- C. Physical Force.
1. An employee may use, or threaten to use, non-deadly physical force as follows:
 - a. When it is reasonably believed to be necessary to prevent escape from custody.
 - b. In the defense of self or others from what is reasonably believed to be the use or imminent use of unlawful physical force by another person.
 - c. To prevent another person from committing suicide or self-inflicting serious physical injury.
 - d. To the extent reasonable, to maintain order and discipline.
 - e. When it is necessary to effect a lawful arrest.
 - f. To prevent the destruction of property.
 - g. When in lawful possession of a vehicle or property, to prevent or end an actual or attempted criminal trespass in or on a vehicle or property.
 - h. When aiding a LEO in effecting an arrest of someone reasonably believed to be committing or to have committed a felony; or in preventing the escape of someone reasonably believed to have committed a felony.
 - i. In carrying out a LEO's direction.
 2. A LEO is justified in using non-deadly physical force or threaten to use deadly physical force if he or she reasonably believes it is necessary to:
 - a. Effect an arrest or to prevent the escape from custody of an arrested person unless the LEO knows that the arrest is unlawful; or
 - b. Defend himself or herself or a third person from what the LEO reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.
- D. Deadly Physical Force.
1. An employee is justified in using deadly physical force when the employee reasonably believes:
 - a. The other person is committing or about to commit a felony involving physical force or violence; or

- b. The other person is using or about to use unlawful deadly physical force; or
 - c. The other person is imminently endangering someone's life; or
 - d. It is necessary to protect himself/herself from the use or threatened use of a chemical agent when he/she reasonably believes that deadly physical force will be used against him/her if he/she becomes incapacitated by a chemical agent.
2. An employee is justified in using deadly physical force when directed by a LEO to assist in effecting an arrest or in preventing an escape if the employee reasonably believes the use of deadly physical force is necessary to defend himself or herself or a third person from what the employee reasonably believes to be the use or imminent use of deadly physical force.
 3. In addition to other circumstances that may warrant use of force, a LEO is justified in using deadly physical force if the LEO reasonably believes that the use of deadly physical force is necessary to:
 - a. Effect an arrest or to prevent the escape from custody of an arrested person whom the LEO reasonably believes has committed or attempted to commit a felony and is armed or dangerous; or
 - b. Defend himself or herself or a third person from what the LEO reasonably believes to be the use or imminent use of deadly physical force.
 4. Warning shots must not be fired under any circumstances.

E. Forced Entry.

1. Forced entry by Special Response Team (SRT) Officers.
 - a. Before forcing entry, SRT officers must:
 - i. Ensure there is an active warrant for arrest of a parolee or probationer who is reasonably believed to be in the building.
 - ii. Conduct a verbal operations briefing.
 - iii. Document the briefing in e-OMIS "Supervision Contacts" when time permits.
 - iv. Exceptions are permitted only when an officer has reasonable cause to believe a person is in imminent danger of death or serious bodily harm.
 - b. After forcing entry, SRT officers must:
 - i. Complete the form "SRT Arrest Report" if an arrest is made.
 - ii. Complete an incident report and refer the use of force incident to IA. Follow guidance provided in the Secretarial Directive on Incident Notification Procedures and Secretarial Directive on Internal Investigations & Criminal Evidence Handling.
2. Forced entry by a Community Supervision Officer:
 - a. When forced entry is appropriate to apprehend a parolee or probationer, Community Supervision officers shall request that SRT handle the situation or request support from Local Law Enforcement, unless there are extenuating circumstances. In these instances, the guidance below must be followed.
 - b. Before forcing entry, a Community Supervision Officer must:
 - i. Ensure there is an active warrant for arrest of a parolee or probationer who is reasonably believed to be in the building.
 - ii. Obtain Assistant Director or higher authority for approval.
 - iii. Conduct a pre-arrest briefing.
 - iv. Document the briefing in e-OMIS "Supervision Contacts" when time permits.
 - v. Follow the Secretarial Directive on Internal Investigations and Criminal Evidence Handling for Incident Reporting.

- vi. Exceptions are permitted only when an officer has reasonable cause to believe a person is in imminent danger of death or serious bodily harm.

F. Training.

The Resistance Control Continuum training material and any subsequent revisions to the Resistance Control Continuum training must be pre-approved by the Director and authorized by approval of the Secretary of Corrections.

G. When Force has been Used.

1. When the use of force results in injury, ensure first aid is rendered and refer to medical personnel as needed. Injured residents must receive an immediate medical exam and treatment.
2. When applicable, comply with the checklist entitled, "Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge."
3. Comply with applicable policies to include required testing pursuant to the Secretarial Directive on "Personnel Drug Testing."
4. As soon as possible, report the incident pursuant to Secretarial Directive on "Incident Notification Procedures."

IV. FORM.

Form 1 "Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge."



ARKANSAS DEPARTMENT OF CORRECTIONS DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



ACC Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge

Form 1

Involved Employee(s)		
1	Call 911. Request necessary medical and law enforcement support.	
2	Ensure aid is given to any injured person.	
3	Call your Area Manager or Center Supervisor. Give the location and a brief description of the situation.	
4	Secure the scene, assume control and detain/separate witnesses until you can turn the situation over to a supervisor, the Internal Affairs (IA) Administrator or the Local/State Police.	
5	Remain at the incident scene until released by the IAA unless medical care or other circumstances warrant leaving.	
6	Submit to a drug screen as required by the Secretarial Directive on "Personnel Drug Testing."	
7	You may seek legal counsel before making any formal statements; however, you must answer the "Public Safety Questions" when asked. Examples of public safety questions include: <ul style="list-style-type: none"> a. Number of suspects and last known location. b. Description of suspect(s) and vehicle. Last known direction of travel, and location of incident.	
8	Do NOT make any official written reports or statements until you have completed a minimum of two (2) sleep cycles, or a minimum of 48 hours has passed. Then, when asked by the IAA, Arkansas State Police Investigator, or Federal Investigator, answer questions and provide any requested statements. During this process you will be asked to complete the Written Incident Report as described in policy.	
9	Prior to completion of the investigation, do NOT discuss the incident with anyone except others involved in the incident, the investigating agencies, your attorney, or spiritual or mental health advisor, until given permission by the Department. As another exception, you may discuss the incident in general terms with your immediate family.	
Area Manager/Center Supervisor or Designee		
10	Call the IAA. Provide a brief incident description and location.	
11	Follow guidance in the Secretarial Directive on "Incident Notification Procedures."	
12	Go to the scene or send an Assistant Area Manager / Assistant Center Supervisor.	
13	When on the scene: Assume command when appropriate. Assess the scene, ensure safety, and ensure medical aid is given to any injured person. Ensure all non-employee witnesses are detained and separated so they do not discuss the events, and are instructed to write, sign and date a statement. Limit questions of involved employees to public safety questions necessary for apprehending offenders, ensuring safety, and providing medical aid. The IAA and/or State Police will ask investigative questions.	
14	Protect evidence and secure witnesses until this responsibility can be turned over to Local Law Enforcement, the IAA, Arkansas State Police, or the scene is cleared.	
15	Coordinate with the IAA to ensure involved employees are available to answer public safety questions.	



ARKANSAS DEPARTMENT OF CORRECTIONS DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
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ACC Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge

Form 1 (continued)

16	Ensure employees who intentionally or accidentally discharged a firearm during an incident are tested for drugs and alcohol within two (2) hours, as described in greater detail in the Secretarial Directive on "Personnel Drug Testing" policy. Use discretion in determining whether other employees at the scene require drug/alcohol testing or medical treatment.	
17	Allow the involved employees to contact immediate family or arrange for notification of the involved employee's immediate family.	
18	Per Act 537 of 2023, employees who experience a traumatic event while in the course of duty, will be offered up to twelve (12) counseling sessions per year with a licensed counselor other than the State's Employee Assistance Program (EAP). The counseling session will be paid for by the ACC.	
19	Refer the employee for a Psychological Fitness for Duty evaluation whenever there is an objective and reasonable basis for believing that the employee may be unable to safely and/or effectively perform his or her duties due to a psychological condition or impairment. An objective basis is one that is not merely speculative but derives from direct observation, credible third-party report, or other reliable evidence. When a firearm is seized, promptly issue another firearm unless a decision is made to suspend, revoke, or restrict firearm privileges pursuant to the "Weapons and Security Equipment" policy.	
20	Provide involved employees with contact information for the State Employee Assistance Program (EAP) in case additional individual counseling services are needed. Use of force incidents can also affect employees who were not directly involved. As appropriate, arrange for EAP group counseling services for your employees including those not directly involved.	



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DIVISION OF COMMUNITY CORRECTION
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JOE PROFIRI
SECRETARY

ADMINISTRATIVE DIRECTIVE

SUBJECT: Use of Force

NUMBER: AD 2023-XX

SUPERSEDES: AD 16-23

APPLICABILITY: All Employees

PAGE: 1 - 6

REFERENCE: Arkansas Code Annotated §§ 5-2-607 to -613 ***Update this information...

APPROVED: _____

EFFECTIVE DATE: _____

I. POLICY.

It is the policy of the Arkansas Division of Community Correction (ACC) to provide its employees with proper training and guidance on the permissible use of force and that force is only used when appropriate and only to a degree necessary based on the facts and circumstances perceived at the time. An employee may use the amount of force reasonable to effectively bring a situation under control and to protect the lives of the employee and others.

II. DEFINITIONS.

- A. Deadly Physical Force. Physical force that under the circumstances in which it is used, is readily capable of causing death or serious physical injury.
- B. Internal Affairs (IA). Office responsible for conducting internal investigations.
- C. Law Enforcement Officers (LEO). Any Employee designated by a Division Director or the Secretary of Corrections who has met or in the process of meeting law enforcement certification by the Executive Commission of Law Enforcement Standards and Training (CLEST).
- D. Non-deadly Physical Force. Physical force that, under the circumstances in which it is used, is not intended and not reasonably likely to cause death or serious physical injury.
- E. Officers. ACC employees who are employed as Community Supervision Officers or Correctional Officers.
- F. Physical Force. Any bodily impact, restraint, or physical confinement, or the threat thereof.
- G. Resistance Control Continuum. The application of force guide taught in ACC's defensive tactics classes along with judgment, discretion, de-escalation, and the concept of ability, opportunity, and jeopardy.
- H. Weapons and Security Equipment. An assortment of security equipment and firearms authorized by the Director.

III. GUIDANCE.

- A. Application of Force in General. Based on the facts and circumstances perceived at the time, an employee may use the amount of force reasonable to effectively bring a situation under control and to protect the lives of the employee and others. In no event is physical force justifiable as punishment. The goal in every encounter is to minimize injury to everyone involved. However, nothing in this policy requires an employee to sustain injury before applying reasonable force.
- B. Ability, Opportunity, and Jeopardy Concept. The factors to be considered when determining the amount of force reasonable under the circumstances are as follows.
1. Ability. This refers to the perceived ability of the aggressor to do harm.
 2. Opportunity. This is the distance relationship between the aggressor and the defender. For opportunity to be present, the defender must be within usable range of the aggressor's ability. Opportunity expands as the aggressor's ability increases. The presence of weapons may extend the opportunity range.
 3. Jeopardy. This is the defender's perception of the aggressor's intent. When the defender reasonably believes that the aggressor, by word or action, intends to use his ability, the defender is in jeopardy.
- C. Physical Force.
1. An employee may use, or threaten to use, non-deadly physical force as follows:
 - a. When it is reasonably believed to be necessary to prevent escape from custody.
 - b. In the defense of self or others from what is reasonably believed to be the use or imminent use of unlawful physical force by another person.
 - c. To prevent another person from committing suicide or self-inflicting serious physical injury.
 - d. To the extent reasonable, to maintain order and discipline.
 - e. When it is necessary to effect a lawful arrest.
 - f. To prevent the destruction of property.
 - g. When in lawful possession of a vehicle or property, to prevent or end an actual or attempted criminal trespass in or on a vehicle or property.
 - h. When aiding a LEO in effecting an arrest of someone reasonably believed to be committing or to have committed a felony; or in preventing the escape of someone reasonably believed to have committed a felony.
 - i. In carrying out a LEO's direction.
 2. A LEO is justified in using non-deadly physical force or threaten to use deadly physical force if he or she reasonably believes it is necessary to:
 - a. Effect an arrest or to prevent the escape from custody of an arrested person unless the LEO knows that the arrest is unlawful; or
 - b. Defend himself or herself or a third person from what the LEO reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.
- D. Deadly Physical Force.
1. An employee is justified in using deadly physical force when the employee reasonably believes:
 - a. The other person is committing or about to commit a felony involving physical force or violence; or

- b. The other person is using or about to use unlawful deadly physical force; or
 - c. The other person is imminently endangering someone's life; or
 - d. It is necessary to protect himself/herself from the use or threatened use of a chemical agent when he/she reasonably believes that deadly physical force will be used against him/her if he/she becomes incapacitated by a chemical agent.
2. An employee is justified in using deadly physical force when directed by a LEO to assist in effecting an arrest or in preventing an escape if the employee reasonably believes the use of deadly physical force is necessary to defend himself or herself or a third person from what the employee reasonably believes to be the use or imminent use of deadly physical force.
 3. In addition to other circumstances that may warrant use of force, a LEO is justified in using deadly physical force if the LEO reasonably believes that the use of deadly physical force is necessary to:
 - a. Effect an arrest or to prevent the escape from custody of an arrested person whom the LEO reasonably believes has committed or attempted to commit a felony and is armed or dangerous; or
 - b. Defend himself or herself or a third person from what the LEO reasonably believes to be the use or imminent use of deadly physical force.
 4. Warning shots must not be fired under any circumstances.

E. Forced Entry.

1. Forced entry by Special Response Team (SRT) Officers.
 - a. Before forcing entry, SRT officers must:
 - i. Ensure there is an active warrant for arrest of a parolee or probationer who is reasonably believed to be in the building.
 - ii. Conduct a verbal operations briefing.
 - iii. Document the briefing in e-OMIS "Supervision Contacts" when time permits.
 - iv. Exceptions are permitted only when an officer has reasonable cause to believe a person is in imminent danger of death or serious bodily harm.
 - b. After forcing entry, SRT officers must:
 - i. Complete the form "SRT Arrest Report" if an arrest is made.
 - ii. ~~When required~~ Complete an incident report and refer the use of force incident to IA. Follow guidance provided in the Secretarial Directive on Incident Notification Procedures and Secretarial Directive on Internal Investigations & Criminal Evidence Handling.
2. Forced entry by a Community Supervision Officer:
 - a. When forced entry is appropriate to apprehend a parolee or probationer, Community Supervision officers ~~should~~ shall request that SRT handle the situation or request support from Local Law Enforcement, unless there are extenuating circumstances.
 - b. Before forcing entry, a Community Supervision Officer must:
 - i. Ensure there is an active warrant for arrest of a parolee or probationer who is reasonably believed to be in the building.
 - ii. Obtain Director approval.
 - iii. Conduct a pre-arrest briefing.
 - iv. Document the briefing in e-OMIS "Supervision Contacts" when time permits.
 - v. Follow the Secretarial Directive on Internal Investigations and Criminal Evidence Handling for Incident Reporting.

- vi. Exceptions are permitted only when an officer has reasonable cause to believe a person is in imminent danger of death or serious bodily harm.

F. Training.

The Resistance Control Continuum training material and any subsequent revisions to the Resistance Control Continuum training must be pre-approved by the Director and authorized by approval of the Secretary of Corrections.

G. When Force has been Used.

1. When the use of force results in injury, ensure first aid is rendered and refer to medical personnel as needed. Injured residents must receive an immediate medical exam and treatment.
2. When applicable, comply with the checklist entitled, "Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge."
3. Comply with applicable policies to include required testing pursuant to the Secretarial Directive on "Personnel Drug Testing."
4. As soon as possible, report the incident pursuant to Secretarial Directive on "Incident Notification Procedures."

IV. FORM.

Form 1 "Checklist for Serious Injury or Death Resulting from Use of Force or Accidental Firearms Discharge."



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SECRETARY

**ACC Checklist for Serious Injury or Death
Resulting from Use of Force or Accidental Firearms Discharge**

Involved Employee(s)		
1	Call 911. Request necessary medical and law enforcement support.	
2	Ensure aid is given to any injured person.	
3	Call your Area Manager or Center Supervisor. Give the location and a brief description of the situation.	
4	Secure the scene, assume control and detain/separate witnesses until you can turn the situation over to a supervisor, the Internal Affairs Administrator (IAA) or the Local/State Police.	
5	Remain at the incident scene until released by the IAA unless medical care or other circumstances warrant leaving.	
6	Submit to a drug screen as required by the Secretarial Directive on "Personnel Drug Testing."	
7	You may seek legal counsel before making any formal statements; however, you must answer the "Public Safety Questions" when asked. Examples of public safety questions include: a. Number of suspects and last known location. b. Description of suspect(s) and vehicle. Last known direction of travel, and location of incident.	
8	Do NOT make any official written reports or statements until you have completed a minimum of two (2) sleep cycles, or a minimum of 48 hours has passed. Then, when asked by the IAA, Arkansas State Police Investigator, or Federal Investigator, answer questions and provide any requested statements. During this process you will be asked to complete the Written Incident Report as described in policy.	
9	Prior to completion of the investigation, do NOT discuss the incident with anyone except others involved in the incident, the investigating agencies, your attorney, or spiritual or mental health advisor, until given permission by the Department. As another exception, you may discuss the incident in general terms with your immediate family.	
Area Manager/Center Supervisor or Designee		
10	Call the IAA. Provide a brief incident description and location.	
11	Follow guidance in the Secretarial Directive on "Incident Notification Procedures."	
12	Go to the scene or send an Assistant Area Manager / Assistant Center Supervisor.	
13	When on the scene: Assume command when appropriate. Assess the scene, ensure safety, and ensure medical aid is given to any injured person. Ensure all non-employee witnesses are detained and separated so they do not discuss the events, and are instructed to write, sign and date a statement. Limit questions of involved employees to public safety questions necessary for apprehending offenders, ensuring safety, and providing medical aid. The IAA and/or State Police will ask investigative questions.	
14	Protect evidence and secure witnesses until this responsibility can be turned over to Local Law Enforcement, the IAA, Arkansas State Police, or the scene is cleared.	
15	Coordinate with the IAA to ensure involved employees are available to answer public safety questions.	



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**ACC Checklist for Serious Injury or Death
Resulting from Use of Force or Accidental Firearms Discharge**

16	Ensure employees who intentionally or accidentally discharged a firearm during an incident are tested for drugs and alcohol within two (2) hours, as described in greater detail in the Secretarial Directive on "Personnel Drug Testing" policy. Use discretion in determining whether other employees at the scene require drug/alcohol testing or medical treatment.	
17	Allow the involved employees to contact immediate family or arrange for notification of the involved employee's immediate family.	
18	Work with the Department Human Resources (HR) to ensure affected employees are recommended to attend at least one (1) session with an appropriate mental health professional other than the State's Employee Assistance Program (EAP).	
19	<p>Refer the employee for a Psychological Fitness for Duty evaluation whenever there is an objective and reasonable basis for believing that the employee may be unable to safely and/or effectively perform his or her duties due to a psychological condition or impairment.</p> <p>An objective basis is one that is not merely speculative but derives from direct observation, credible third-party report, or other reliable evidence. When a firearm is seized, promptly issue another firearm unless a decision is made to suspend, revoke, or restrict firearm privileges pursuant to the "Weapons and Security Equipment" policy.</p>	
20	<p>Provide involved employees with contact information for the State Employee Assistance Program (EAP) in case additional individual counseling services are needed.</p> <p>Use of force incidents can also affect employees who were not directly involved. As appropriate, arrange for EAP group counseling services for your employees including those not directly involved.</p>	



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



ADMINISTRATIVE DIRECTIVE

SUBJECT: Use of Restraints

NUMBER: AD 2024-03

SUPERSEDES: AD 19-14

APPLICABILITY: All Employees and Offenders

PAGE: 1-5

REFERENCE: 4-ACRS-6A-03

APPROVED: Signature On File

EFFECTIVE DATE: 2/07/2024

I. POLICY.

It is the policy of the Arkansas Division of Community Correction (ACC) to use restraints only when appropriate and by trained employees as prescribed in this Administrative Directive (AD) and in accordance with the “Use of Force” policy.

II. DEFINITIONS.

- A. Mechanical Restraints. The application of any restrictive device or physical object used to limit a resident or offender’s movement or restrict a person’s physical activity.
- B. Restraints. A device, method or process that is used for the specific purpose of restricting a person’s movement or access to movement to prevent escape, assault, or the commission of some other offense by violent or disruptive offenders, and to protect employees, and other individuals.
- C. Soft Restraints. Soft material or fabric that is padded and designed to safely fit around the limbs of a resident or offender to limit mobility, to prevent self-harm, prevent harm to others and/or escape.
- D. Types of Restraints. Various types of restraints include but not limited to: Leg Irons, Handcuffs, flex cuffs, soft restraints, hard metal handcuffs, a black box, chair, belly chain, a security tether or chain, a convex shield, and / or restraints connecting more than one resident or offender.

III. GUIDANCE.

- A. Situations when Restraints may be appropriate.

Appropriate circumstances for using restraints include protection of self or others, deterrence from escape, control of significant behavioral problems or for medical reasons at the direction of a physician or psychiatrist. The following are examples of situations where restraints may be appropriate:

1. When an offender is being arrested.
2. When an offender is being transported. Exceptions may be made when transporting for work crew/detail, work study, medical appointment of residents and other situations specified by Residential Center Supervisors.

3. When an offender has threatened violence or shown a propensity for violence or self-injury.
4. When a Judge or the Parole Board requires the offender to wear restraints while in Court, at a hearing or otherwise.
5. When necessary to protect staff, offenders, or others from harm or to deter the possibility of escape.
6. When necessary to render medical or mental health care.
7. When being detained upon reasonable suspicion of the violation of a law or Residential Center's Major or Cardinal rules as defined in the Resident Conduct AD.

B. Use of Restraint Equipment.

1. Restraints must only be applied by employees trained to use restraints and in accordance with the "Use of Force" policy. Restraints include flex cuffs, soft restraints, hard metal handcuffs, a black box, leg irons, belly chain, a security tether or chain, a convex shield, and/or restraints connecting more than one resident or offender.
2. Unless circumstances indicate removal is appropriate, restraints should not be removed until the offender is placed in a secure area or delivered to the receiving authority.
3. Use of restraints in a cell must be determined by the Center Supervisor or designee in consultation with a medical/mental health authority.
4. Restraints must not be used as punishment and must not be used longer than necessary.
5. Use of Restraint Chair. The Restraint Chair must be used as described in the form titled "Checklist for Restraint Chair Use."

C. Transporting or Escorting Restrained Offenders.

1. If restraints are used, employees must ensure security procedures and safety precautions are followed (e.g., appropriate restraints properly applied, isolation from others during arrest, proper wearing of identification and weapons, use of well-maintained vehicles for transport) while escorting or transporting residents or offenders. Handcuffs must be black or silver in color and must be double locked when in use.
2. The vehicle used for transportation must be searched prior to and after transport. An arrested offender cannot be handcuffed to a vehicle or any inanimate object.
3. When being transported, an offender must be handcuffed behind their back (unless a belly chain is available) and the offender shall be in leg irons. Use of leg irons are optional by the Flying Arms Team.
4. When an offender is being received from another agency, the offender must be searched by the receiving officer. The transporting officer's restraints must remain in place until the receiving officer has applied their restraints. The exchange of an offender shall be in a secure and well lighted area, and the offender shall remain in visual sight of the officer.
5. When possible, at least one employee of the same gender the resident or offender should be present when transporting a restrained offender. When an offender is allowed to go to the restroom, leg irons will remain in place.
6. To avoid a security breach, restrained offenders are not permitted visits while being transported or escorted.

D. Pregnant Residents.

1. Restraints shall not be applied to a resident or offender verified to be pregnant, in labor, or in post-partum recovery unless:
 - a. An on-site employee reasonably believes the offender poses a substantial flight risk.
 - b. An extraordinary medical or security circumstance dictates the use of restraints to:
 - i. Ensure the safety and security of the resident, offender, or child.
 - ii. Ensure the safety and security of staff of the correctional or medical facility.
 - iii. Ensure the safety and security of other residents or offenders, or the public.
 - c. To prevent the risk of escape by the resident or offender that cannot be reasonably minimized using a safer method other than restraints.
2. If it has been determined that the resident or offender is required to be restrained, the restraints shall be removed if a physician, nurse, or other health professional providing obstetric care requests that the resident or offender not be restrained.
3. The physician, nurse, or other health professional providing obstetric care shall have the final decision-making authority on the use of restraints while in labor or delivery.
4. If restraints are used on a pregnant resident or offender:
 - a. Restraint shall be the least restrictive and be applied in the least restrictive manner necessary.
 - b. Leg or waist restraints shall not be used on any resident or offender who is in labor.
 - c. Leg restraints shall not be used on a resident or offender who is in a wheelchair, bed, or gurney.
 - d. The restraints shall always be forward-facing, designed to restrain the person's hands in front of the person to protect the resident or offenders and others.
 - e. Only soft restraints may be used.
5. The Center Supervisor or designee shall make a written report and findings within ten (10) business days regarding the substantial flight risk or other extraordinary medical or security circumstances that dictated the resident or offender to be restrained to ensure the safety and security of the resident or offender, the child, staff, medical facility, other residents or offenders, or the public. The use of restraints during labor will be reported to the Board of Corrections, Secretary of Corrections, and to the Attorney General.
6. Written findings on the use of restraints on pregnant residents or offenders shall be maintained for at least five (5) years and made available for public inspection. Identifying information of the resident or offender shall not be made available to the public per law and policy.
7. In situations where there exists a valid concern as to the appropriate degree of security restraint device to be applied to a pregnant resident, the Deputy Director of Residential Services or designee shall be contacted.

IV. FORM.

AD 2024-03 Form 1 Checklist for Restraint Chair Use.



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION**

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CHECKLIST FOR RESTRAINT CHAIR USE

AD 2024-03 Form 1

Instructions.

The Restraint Chair must only be used to prevent or intervene in high-risk situations such as to help control combative, self-destructive, or potentially violent residents. Violent behavior may mask serious medical conditions; therefore, restrained residents must be monitored and provided with medical and/or mental health treatment when needed.

This checklist must be followed when use of the Restraint Chair is appropriate.

Involved Employee(s).	
1	Call for assistance when necessary.
2	When possible, before using the Restraint Chair, get approval from the Center Supervisor, Assistant Center Supervisor, or designee.
3	Before using the Restraint Chair, inform medical services of the intent to use the Restraint Chair. However, if delay would add to the risk of injury, notify medical services as soon as the resident/scene is secured.
4	The resident will be placed in the Restraint Chair by staff, at least one of whom must have been trained in Restraint Chair use.
5	Ensure aid is given to any injured person.
6	A person who is trained in Restraint Chair use (who is NOT the person who applied the restraints) is required to check each restraint to ensure the restraints are sufficiently tight for safety, but do not impair blood circulation.
7	If not already done, obtain approval from the Center Supervisor, Assistant Center Supervisor, or designee.
8	If not already done, inform Medical Services.
9	If not already done, inform the Shift Supervisor.
Employees Standing By.	
10	If there are employees present who are not directly involved in subduing the resident, one employee shall record the incident with the facility's video camera to include placement in the Restraint Chair.
The Shift Supervisor.	
11	Ensure the above checklist items have been completed.
12	Make a note of the time and assign a staff member who has been trained in Restraint Chair use to begin monitoring the resident.
13	Ensure the employee monitoring the resident understands and is following procedures.
14	Work with the employee who is monitoring the resident in the Restraint Chair and other staff to ensure procedures are followed. The duty officer in consultation with the shift supervisor reevaluates the decision to keep or remove the resident from the restraint chair every two (2) hours dependent upon resident's behavior.



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CHECKLIST FOR RESTRAINT CHAIR USE

15	<p>The Shift Supervisor must ensure an incident report and security log is completed on all uses of the Restraint Chair that includes the following information:</p> <ul style="list-style-type: none"> a. Behavior leading to the use of the Restraint Chair. b. Name of person authorizing use of the Restraint Chair. c. Time the resident was placed in the Restraint Chair. d. Names of staff involved in securing and managing the resident in the Restraint Chair. e. Description of the resident’s behavior and status at fifteen-minute intervals. 	
The Staff Person Assigned to Monitor the Restrained Resident.		
16	<p>If Medical Services states that the Restraint Chair places the resident at risk due to a medical condition, place the Restraint Chair in the medical area and direct medical staff to monitor and document the health condition of the resident. If this is not prudent, consider alternatives. If placed in the medical area, residential staff must continue to monitor the situation.</p>	
17	<p>If the Restraint Chair is not placed in the Medical Services area, to the extent possible, ensure it is in a place that is:</p> <ul style="list-style-type: none"> a. Away from contact with other residents and in an area secured from unauthorized entry. b. In clear view of a security post, under continuous video monitoring or a member of staff must be assigned to supervise the resident in the Restraint Chair. 	
18	<p>Observe the restrained resident at a minimum every fifteen (15) minutes to ensure the restraints are sufficiently tight for safety, and they are not impairing blood circulation. Make a record of each observation to include the time. This check must be done even when Medical Services staff is observing the resident.</p>	
19	<p>With each fifteen (15) minute observation, consider whether the resident should be released from the Restraint Chair. The Restraint Chair must NOT be used any longer than necessary to ensure that the resident has regained the ability to control the violent or destructive behavior.</p>	
20	<p><u>Every two hours:</u></p> <ul style="list-style-type: none"> a. Obtain approval from the Center Supervisor/designee to authorize continued use of the Restraint Chair. b. Ensure Medical Services conducts a physical assessment every two (2) hours. This assessment must include Vital signs, Mental status, and Circulation status/conditions. c. Provide access to toilet facilities using appropriate alternative restraints. If the resident continues to be so violent that this cannot be safely done, a urinal/bedpan may be obtained from medical services. d. Give the restrained resident the opportunity for unrestrained movement/exercise of hands and feet. This may be done in the Restraint Chair, one limb at a time, if the resident is violent or threatening. Appropriate restraints such as handcuffs and leg irons may be used during this time. e. Provide food and drink as the behavior of the resident allows. f. Consider requesting the Center treatment staff/Chaplain meeting with the restrained resident. 	
Staff Involved in The Incident.		
21	<p>Staff involved in the incident must follow policy guidance for SD Incident Notification Procedures.</p>	



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JOE PROFIRI
SECRETARY

ADMINISTRATIVE DIRECTIVE

SUBJECT: Use of Restraints

NUMBER: AD 2023-XX

SUPERSEDES: AD 19-14

APPLICABILITY: All Employees and Offenders

PAGE: 1-5

REFERENCE: 4-ACRS-6A-03

APPROVED:

EFFECTIVE DATE:

I. POLICY.

It is the policy of the Arkansas Division of Community Correction (ACC) to use restraints only when appropriate and by trained employees as prescribed in this Administrative Directive (AD) and in accordance with the “Use of Force” policy. (~~4-ACRS-6A-03~~)

II. DEFINITIONS.

- A. Mechanical Restraints. The application of any restrictive device or physical object used to limit a resident or offender’s movement or restrict a person’s physical activity.
- B. Restraints. A device, method or process that is used for the specific purpose of restricting a person’s movement or access to movement to prevent escape, assault, or the commission of some other offense by violent or disruptive offenders, and to protect employees, and other individuals.
- C. Soft Restraints. Soft material or fabric that is padded and designed to safely fit around the limbs of a resident or offender to limit mobility, to prevent self-harm, prevent harm to others and/or escape.
- D. Types of Restraints. Various types of restraints include but not limited to: Leg Irons, Handcuffs, flex cuffs, soft restraints, hard metal handcuffs, a black box, chair, ~~chubb cuffs~~, belly chain, a security tether or chain, a convex shield, and / or restraints connecting more than one resident or offender.

III. GUIDANCE.

- A. Situations when Restraints may be appropriate.

Appropriate circumstances for using restraints include protection of self or others, deterrence from escape, control of significant behavioral problems or for medical reasons at the direction of a physician or psychiatrist. The following are examples of situations where restraints may be appropriate:

1. When an offender is being arrested.

2. When an offender is being transported. Exceptions may be made when transporting for work crew/detail, work study, medical appointment of residents and other situations specified by Residential Center Supervisors.
3. When an offender has threatened violence or shown a propensity for violence or self-injury.
4. When a Judge or the Parole Board requires the offender to wear restraints while in Court, at a hearing or otherwise.
5. When necessary to protect staff, offenders, or others from harm or to deter the possibility of escape.
6. When necessary to render medical or mental health care.
7. When being detained upon reasonable suspicion of the violation of a law or Residential Center's Major or Cardinal rules as defined in the Resident Conduct AD.

B. Use of Restraint Equipment.

1. Mechanical Restraints must only be applied by employees trained to use restraints and in accordance with the "Use of Force" policy. Mechanical restraints include flex cuffs, soft restraints, hard metal handcuffs, a black box, ~~chubb cuffs~~, leg irons, belly chain, a security tether or chain, a convex shield, and/or restraints connecting more than one resident or offender.
2. Unless circumstances indicate removal is appropriate, restraints should not be removed until the offender is placed in a secure area or delivered to the receiving authority.
3. Use of restraints in a cell must be determined by the Center Supervisor or designee in consultation with a medical/mental health authority.
4. Restraints must not be used as punishment and must not be used longer than necessary.
5. Use of Restraint Chair. The Restraint Chair must be used as described in the form titled "Checklist for Restraint Chair Use."

C. Transporting or Escorting Restrained Offenders.

1. If restraints are used, employees must ensure security procedures and safety precautions are followed (e.g., appropriate restraints properly applied, isolation from others during arrest, proper wearing of identification and weapons, use of well-maintained vehicles for transport) while escorting or transporting residents or offenders. Restraints must be black or silver in color and have the ability to double lock.
2. The vehicle used for transportation must be searched prior to and after transport. An arrested offender cannot be handcuffed to a vehicle or any inanimate object.
3. When being transported, an offender must be handcuffed behind their back (unless a belly chain is available) and the offender shall be in leg irons except for use by the Flying Arms Team.
4. When an offender is being received from another agency, the offender must be searched and always remain cuffed. Prior to the removal of restraints from the transporting agency, restraints of the receiving officer should be applied. The exchange of an offender shall be in a secure area (police department, well lighted area) and the offender shall remain in visual sight of the officer.
5. When possible, at least one employee of the same gender as the resident or offender should be present when transporting a restrained offender. When an offender is

allowed to go to the restroom, leg irons will remain in place.

6. To avoid a security breach, restrained offenders are not permitted visits while being transported or escorted.

D. Pregnant Residents.

1. Restraints shall not be applied to a resident or offender verified to be pregnant, in labor, or in post-partum recovery unless:
 - a. An on-site employee reasonably believes the offender poses a substantial flight risk..
 - b. An extraordinary medical or security circumstance dictates the use of restraints to:
 - i. Ensure the safety and security of the resident, offender, or child.
 - ii. Ensure the safety and security of staff of the correctional or medical facility.
 - iii. Ensure the safety and security of other residents or offenders, or the public.
 - c. To prevent the risk of escape by the resident or offender that cannot be reasonably minimized using a safer method other than restraints.
2. If it has been determined that the resident or offender is required to be restrained, the restraints shall be removed if a physician, nurse, or other health professional providing obstetric care requests that the resident or offender not be restrained.
3. The physician, nurse, or other health professional providing obstetric care shall have the final decision-making authority on the use of restraints while in labor or delivery.
4. If restraints are used on a pregnant resident or offender:
 - a. Restraint shall be the least restrictive and be applied in the least restrictive manner necessary.
 - b. Leg or waist restraints shall not be used on any resident or offender who is in labor.
 - c. Leg restraints shall not be used on a resident or offender who is in a wheelchair, bed, or gurney.
 - d. The restraints shall always be forward-facing, designed to restrain the person's hands in front of the person to protect the resident or offenders and others.
 - e. Only soft restraints may be used.
5. The Center Supervisor or designee shall make a written report and findings within ten (10) business days regarding the substantial flight risk or other extraordinary medical or security circumstances that dictated the resident or offender to be restrained to ensure the safety and security of the resident or offender, the child, staff, medical facility, other residents or offenders, or the public. The use of restraints during labor will be reported to the Board of Corrections, Secretary of Corrections, and to the Attorney General.
6. Written findings shall be maintained for at least five (5) years and made available for public inspection. Identifying information of the resident or offender shall not be made available to the public per law and policy.
7. In situations where there exists a valid concern as to the appropriate degree of security restraint device to be applied to a pregnant resident, the Deputy Director of Residential Services or designee shall be contacted.

IV. FORM.

AD 2023-XX Form 1 Checklist for Restraint Chair Use.



SARAH HUCKABEE SANDERS
GOVERNOR

**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION**

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



JOE PROFIRI
SECRETARY

CHECKLIST FOR RESTRAINT CHAIR USE

Form 1

Instructions.	
The Restraint Chair must only be used to prevent or intervene in high-risk situations such as to help control combative, self-destructive, or potentially violent residents. Violent behavior may mask serious medical conditions; therefore, restrained residents must be monitored and provided with medical and/or mental health treatment when needed.	
This checklist must be followed when use of the Restraint Chair is appropriate.	
Involved Employee(s).	
1	Call for assistance when necessary.
2	When possible, before using the Restraint Chair, get approval from the Center Supervisor, Assistant Center Supervisor, or designee.
3	Before using the Restraint Chair, inform medical services of the intent to use the Restraint Chair. However, if delay would add to the risk of injury, notify medical services as soon as the resident/scene is secured.
4	The resident will be placed in the Restraint Chair by staff, at least one of whom must have been trained in Restraint Chair use.
5	Ensure aid is given to any injured person.
6	A person who is trained in Restraint Chair use (who is NOT the person who applied the restraints) is required to check each restraint to ensure the restraints are sufficiently tight for safety, but do not impair blood circulation.
7	If not already done, obtain approval from the Center Supervisor, Assistant Center Supervisor, or designee.
8	If not already done, inform Medical Services.
9	If not already done, inform the Shift Supervisor.
Employees Standing By.	
10	If there are employees present who are not directly involved in subduing the resident, one employee shall record the incident with the facility's video camera to include placement in the Restraint Chair.
The Shift Supervisor.	
11	Ensure the above checklist items have been completed.
12	Make a note of the time and assign a staff member who has been trained in Restraint Chair use to begin monitoring the resident.
13	Ensure the employee monitoring the resident understands and is following procedures.
14	Work with the employee who is monitoring the resident in the Restraint Chair and other staff to ensure procedures are followed. The duty officer in consultation with the shift supervisor reevaluate the decision to keep or remove the resident from the restraint chair every two (2) hours dependent upon resident's behavior.



**ARKANSAS DEPARTMENT OF CORRECTIONS
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GOVERNOR

JOE PROFIRI
SECRETARY

CHECKLIST FOR RESTRAINT CHAIR USE

15	<p>The Shift Supervisor must ensure an incident report and security log is completed on all uses of the Restraint Chair that includes the following information:</p> <ul style="list-style-type: none"> a. Behavior leading to the use of the Restraint Chair. b. Name of person authorizing use of the Restraint Chair. c. Time the resident was placed in the Restraint Chair. d. Names of staff involved in securing and managing the resident in the Restraint Chair. e. Description of the resident’s behavior and status at fifteen-minute intervals. 	
The Staff Person Assigned to Monitor the Restrained Resident.		
16	<p>If Medical Services states that the Restraint Chair places the resident at risk due to a medical condition, place the Restraint Chair in the medical area and direct ask medical staff to monitor and document the health condition of the resident. If this is not prudent, consider alternatives. If placed in the medical area, residential staff must continue to monitor the situation.</p>	
17	<p>If the Restraint Chair is not placed in the Medical Services area, to the extent possible, ensure it is in a place that is:</p> <ul style="list-style-type: none"> a. Away from contact with other residents and in an area secured from unauthorized entry. b. In clear view of a security post, under continuous video monitoring or a member of staff must be assigned to supervise the resident in the Restraint Chair. 	
18	<p>Observe the restrained resident at a minimum every fifteen (15) minutes to ensure the restraints are sufficiently tight for safety, and they are not impairing blood circulation. Make a record of each observation to include the time. This check must be done even when Medical Services staff is observing the resident.</p>	
19	<p>With each fifteen (15) minute observation, consider whether the resident should be released from the Restraint Chair. The Restraint Chair must NOT be used any longer than necessary to ensure that the resident has regained the ability to control the violent or destructive behavior.</p>	
20	<p><u>Every two hours:</u></p> <ul style="list-style-type: none"> a. Obtain approval from the Center Supervisor/designee to authorize continued use of the Restraint Chair. b. Ensure Medical Services conducts a physical assessment every two (2) hours. This assessment must include: Vital signs, Mental status, and Circulation status/conditions. c. Provide for access to toilet facilities using appropriate alternative restraints. If the resident continues to be so violent that this cannot be safely done, a urinal/bedpan may be obtained from medical services. d. Give the restrained resident the opportunity for unrestrained movement/exercise of hands and feet. This may be done in the Restraint Chair, one limb at a time, if the resident is violent or threatening. Appropriate restraints such as handcuffs and leg irons may be used during this time. e. Provide food and drink as the behavior of the resident allows. f. Consider requesting the Center treatment staff/Chaplain meeting with the restrained resident. 	
Staff Involved in The Incident.		
21	<p>Staff involved in the incident must follow policy guidance for “Reporting and Investigating Incidents, Hazards, and Maltreatment AD.”</p>	



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION

1302 Pike Avenue, Suite B
North Little Rock, AR 72114



ADMINISTRATIVE DIRECTIVE

SUBJECT: Terroristic Threats

NUMBER: AD 2024-04

SUPERSEDES: AD 03-09

APPLICABILITY: All Employees

PAGE: 1- 5

APPROVED: Signature On File

EFFECTIVE DATE: 2/07/2024

I. POLICY.

It is the policy of the Arkansas Division of Community Corrections (ACC) to equip employees to respond appropriately to threats introduced into the workplace through the mail or other conveyance.

II. DEFINITION.

- A. Credible Threat. A package, letter, or container that contains a powdery substance or written information stating or implying an intent to harm the recipient, and/or the introduction of airborne hazardous chemical, biological, or explosive agents into the workplace.
- B. Non-credible Threat. An object that arouses suspicion but does not constitute a credible threat. The item may be placed in a plastic bag and discarded with a supervisor's permission.
- C. Explosive Material. A reactive substance that contains a great amount of potential energy that can produce an explosion if released suddenly, usually accompanied by the production of light, heat, sound and/or pressure such as fumes, flares, detonators, or corrosive substances.
- D. Emergency Communication Center. The Arkansas Department of Health has established an Emergency Communication Center to respond to inquiries concerning exposure to or the treatment of bio-chemical threats, lethal substances threats, and other public inquiries.

III. GUIDELINES.

- A. Contact Information. Supervisors shall obtain, maintain, and make accessible to the ACC employees telephone numbers including but not limited to the FBI, State Police Communications Center, Local Police, Arkansas Department of Emergency Management, and the Arkansas Department of Health Emergency Communications Center. The National Incident Management System (NIMS) mandatory training & guidelines will be followed.
- B. Lethal Substances / Bio-Chemical Threats / Narcotics.

“Lethal Substances” are poisonous gases or liquids of such a nature that a very small amount of the gas or of the vapor of the liquid mixed or unmixed with air is dangerous to life when inhaled. Lethal refers to anything dangerous enough to cause death.

A biological attack is the intentional release of a pathogen (disease causing agent) or biotoxin (poisonous substance produced by a living organism) against humans, plants, or animals. An attack against people could be used to cause illness, death, fear, societal disruption, and economic damage.

- C. Explosive Material. Potentially explosive material should not be handled. Persons not involved in monitoring the potentially explosive material must be kept at a safe distance from the material. Consider evacuating employees. Do not use a fire alarm that could activate the explosive device. Leave doors open in the area, contact authorities including your supervisor, police, the fire department (bomb squad where available), and building security. Be available when emergency personnel arrive to describe the threat and location.

IV. **PROCEDURES**.

- A. Observing Threats. All employees must be aware of the potential for dangerous objects or mail in the workplace and vehicles. Employees must watch for threats including but not limited to explosive material, contaminated material, firearms, sharp objects, and suspicious or threatening people.
- B. Identifying Suspicious Packages and Letters. Employees must be careful to screen incoming mail. Employees must wear latex gloves when handling mail. Supervisors will ensure gloves are available for this purpose. When screening mail some things to consider or look for may include but are not limited to the following:
1. Letters/packages with evidence of liquid or powder material.
 2. Suspicious markings or threatening correspondence.
 3. Excessive postage.
 4. Handwritten or poorly typed address.
 5. Incorrect titles.
 6. Title, but no name.
 7. Misspellings of common words.
 8. Oily stains, discolorations, or odor.
 9. No return address.
 10. Excessive weight.
 11. Lopsided or an uneven envelope.
 12. Protruding wires or aluminum foil.
 13. Excessive security material such as masking tape, string, etc.
 14. Visual distractions.
 15. Ticking sound.
 16. Marked with restrictive endorsements, such as "Personal" or "Confidential."
 17. The postmark shows a city or State that does not match the return address.
- C. Credible Threats. When responding to credible threats, it is important to act rationally and to guard against panic. The Arkansas Department of Health will not accept an unopened "credible threat" item for analysis but will accept an opened one from a Law Enforcement Officer (LEO).
1. Low Threat. For an unopened package or letter that is a "credible threat" but does not appear to contain explosive material, proceed as follows:
 - a. Notify your supervisor.
 - b. Contact local law enforcement.
 - c. Place the item in a plastic bag, then inside a second (2) and third (3) plastic bag.

- d. Place the triple (3) bagged item in a bio-hazard bag or label it as a biohazard and mark it as "Evidence for the FBI."
 - e. Follow guidance in the Administrative Directives (ADs) "Searches for, Control, and Disposition of Evidence;" policies and Secretarial Directive (SDs) "Incident Notification Procedures."
 - f. In addition to the ACC reporting requirements, send a copy of the incident report to the Arkansas State Police.
 - g. Be alert for potential explosive hazards which may require the assistance of a bomb technician.
2. Medium Threat. For an opened item that is a credible threat where powder or liquid spills out onto the surface, proceed as follows:
- a. **DO NOT** try to clean up the powder or liquid. Cover the spilled contents immediately with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover!
 - b. Leave the room, close the door, or section off the area to prevent others from entering the area. Provide notice that unless specifically authorized to be in the area, all individuals must stay a safe distance away from the area.
 - c. Wash your hands with soap and water to prevent spreading any powder or liquid to your face or body.
 - d. Report the incident to local police and notify your supervisor or designee.
 - e. Remove heavily contaminated clothing as soon as possible and place it in a plastic bag, or some other container that can be sealed. This bag or container should be given to the emergency responders for proper handling.
 - f. Shower with soap and water as soon as possible. Do not use bleach or place disinfectant on your skin.
 - g. Follow guidance in the following policies: "SD Incident Notification Procedures," and AD "Searches for, Control, and Disposition of Evidence."
 - h. If possible, list all people who were in the room or area, especially those who had actual contact with the powder or substance. Give this list to both the local public health authorities so that proper instructions can be given for medical follow-up, and to the local law enforcement officials for further investigation.
3. High Threat. For a room contaminated by a spraying device, an air handling system contamination warning, or warning that a biological agent has been released in a public space, proceed as follows:
- a. Turn off local fans or ventilation units in the area.
 - b. Leave the area immediately.
 - c. Close the door, or section off the area to prevent others from entering (i.e., keep others away). Provide notice that unless specifically authorized to be in the area, all individuals must stay a safe distance away from the area.
 - d. Dial "911" to report the incident to local police and the local FBI field office. Also, notify an available supervisor and your building security official.
 - e. Shut down the air handling system in the building, if possible.
 - f. Follow guidance and procedures in the AD "Searches for, Control, and Disposition of Evidence;" policy, the Secretarial Directives "Incident Notification Procedures" and "Internal Investigation and Criminal Evidence Handling."
 - g. If possible, list all the people who were in the room or area. Give this list to both the local public health authorities (local office of the Arkansas Department of Health and the local health department so that proper instructions can be given

for medical follow-up), and to law enforcement officials for further investigation.

- h. Cooperate with law enforcement and other officials.

D. Telephone Threats.

1. It is vital that employees promptly and properly notify appropriate officials when responding to threats. It is important to obtain and provide as much identifying information as possible (i.e., caller's name, number, etc.) In some instances, the method of doing so will depend on the features and services of phone systems. Employees should become familiar with those features and services to be able to aid in prompt action to gain critical information in the event of a telephone call or other threat.
2. Employees should document all information gained (whether from the caller, information stored in the phone systems, or through observation). The recipient of the call should ask as many questions as the caller will allow while listening carefully and taking notes. The information should be promptly reported to the supervisor of the office/facility or designee.
3. Following are things to listen to and be aware of when receiving a telephone threat include but are not limited to:

<ol style="list-style-type: none"> a. Date and time of call. b. Incoherence, irrational. c. Articulate, sincere. d. Lisp, stutter, slurred speech. e. Angry/calm/stressed. f. Laughing, crying g. Disguised, distinct. h. Squeaky, excited speech i. Speed/volume of tone. 	<ol style="list-style-type: none"> j. Nasal congestion. k. Gender. l. Age (young, middle age, elderly). m. Use of foul language. n. Language spoken. (Spanish/English, etc., accent broken)
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Pay attention to background noises including but not limited to street sounds, motor activity, inside building, animals, factory machinery sounds near or far, office, pots and pans, voices, trucks/buses, type of music and local PA system.



**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTION**

1302 Pike Avenue, Suite B
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BOMB THREAT QUESTIONNAIRE

Identify the Number of the Caller

In all cases, your chances of identifying callers will be better if you *answer calls after the second ring*. Attempt to identify the number by doing the following:

1. Write down the telephone number showing on any LED display on your phone. Your phone instrument may store incoming phone numbers; if so, you will also be able to retrieve the number after you hang up by following instructions supplied with your phone.
2. If no number appears in the display, wait until the end of the phone call, hang up, wait 10 seconds, then pick up the phone and listen for a dial tone. Press *57 and listen for a confirmation announcement, then hang up. (Later, in a safe environment, call the local telephone company.)
3. If threats are being received at a particular phone, it is possible to set up a formal trace known as a "trap." A police report may be required and, if the phone is part of the Centrex system, this must be done by the Department of Information Systems (DIS) and the ACC chain of supervision.

Ask the caller the questions below while listening carefully and taking notes. Complete the form quickly and report the call to the person in charge of your facility who will follow the Emergency Plan Annex for Bomb Threats.

Exact Time Call Received?	AM PM	Date of Call:	LISTEN TO LEARN THESE THINGS	
Exact Words of Caller:			Well Spoken	Foul Mouth
QUESTIONS TO ASK			Incoherent	Taped
When is the bomb going to explode?			Irrational	Educated
Where is the bomb?			Male	Lisp
What does it look like?			Female	Broken
What kind of bomb is it?			Young	Nasal
What will cause it to explode?			Middle Age	Stressed
Did you place the bomb?			Old	Disguised
Why?			Angry	Distinct
Where are you calling from?			Calm	Sincere
What is your phone number?			Rapid	Squeaky
What is your name?			Slow	Excited
What is your address?			Loud	Laughing
What is your organization?			Normal	Giggling
Why kill or injure innocent people?			Deep	Crying
RECORD THIS INFORMATION			Soft	Clearing Throat
Time call ended?			Stutter	Deep Breathing
Number at which call is received?			Ragged	Cracking Voice
Name of person receiving the call?			Slurred	Accent Foreign
OTHER CALL INFORMATION			Describe accent:	
Was Message Read by Threat Maker?			BACKGROUND NOISES	
			Street Noises	Motor
If the voice is familiar, who did it sound like? Agency / Office Receiving Call:			House Noises	Animal
			Factory	Machinery Near By
Did you hear a call waiting@tone during the call? (If a call waiting call comes in the trace will tag that call)			Office	Pots and Pans
			Phone Booth	Voices
Did you hang up, wait 10 seconds and then call * 5 7 to have a trace automatically put on the call?			Street Sounds	Machinery Far Away
			Trucks / Busses	Music, type:
If yes, result? (Call Local Phone Company.)			Local	Other:
Remarks:			PA System	



ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Community Correction – Director’s Office

1302 Pike Avenue, Suite B
 North Little Rock, Arkansas 72114
 Phone: (501) 682-9510 | Fax: (501) 682-9513

ADMINISTRATIVE DIRECTIVE

SUBJECT: Terroristic Threats

NUMBER: AD 2023-XX

SUPERSEDES: AD 03-09

APPLICABILITY: All Employees

PAGE: 1- 4

REFERENCE:

APPROVED:

EFFECTIVE DATE:

I. **POLICY.**

It is the policy of the Arkansas Division of Community Corrections (ACC) to equip employees to respond appropriately to threats introduced into the workplace through the mail or other conveyance.

II. **DEFINITION.**

- A. Credible Threat. A package, letter, or container that contains a powdery substance or written information stating or implying an intent to harm the recipient, and/or the introduction of airborne hazardous chemical, biological, or explosive agents into the workplace.
- B. Non-credible Threat. An object that arouses suspicion but does not constitute a credible threat. The item may be placed in a plastic bag and discarded with a supervisor’s permission.
- C. Explosive Material. Reactive substance that contains a great amount of potential energy that can produce an explosion if released suddenly, usually accompanied by the production of light, heat, sound and/or pressure such as fumes, flares, detonators, or corrosive substances.
- D. Emergency Communication Center. The Arkansas Department of Health has established an Emergency Communication Center to respond to inquiries concerning exposure to or the treatment of bio-chemical threats, lethal substances threats, and other public inquiries.
- E. ~~Anthrax. Infection caused by bacteria (Bacillus Anthracis) commonly found in soil and usually resides in animals. Anthrax can be transmitted and spread when spores are inhaled, ingested, or touched.~~

III. **GUIDELINES.**

- A. Contact Information. Supervisors shall obtain, maintain, and make accessible to the ACC employees telephone numbers including but not limited to the FBI, State Police Communications Center, Local Police, Arkansas Department of Emergency Management, and the Arkansas Department of Health Emergency Communications Center. ~~Bio-Terrorism Command Center.~~ The National Incident Management System (NIMS) mandatory training & guidelines will be followed.

B. Lethal Substances / Bio-Chemical Threats / Narcotics / Anthrax.

“Lethal Substances” are poisonous gases or liquids of such a nature that a very small amount of the gas or of the vapor of the liquid mixed or unmixed with air is dangerous to life when inhaled. Lethal refers to anything dangerous enough to cause death.

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IV. PROCEDURES.

- A. Observing Threats. All employees must be aware of the potential for dangerous objects or mail in the workplace and vehicles. Employees must watch for threats including but not limited to explosive material, contaminated material, firearms, sharp objects, and suspicious or threatening people.

- B. Identifying Suspicious Packages and Letters. Employees must be careful to screen incoming mail. Employees may wear latex gloves when handling mail. Supervisors should ensure gloves are available for this purpose. When screening mail some things to consider or look for may include but are not limited to the following:

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8. Oily stains, discolorations, or odor.
9. No return address.
10. Excessive weight.
11. Lopsided or an uneven envelope.
12. Protruding wires or aluminum foil.
13. Excessive security material such as masking tape, string, etc.
14. Visual distractions.
15. Ticking sound.
16. Marked with restrictive endorsements, such as "Personal" or "Confidential."
17. The postmark shows a city or State that does not match the return address.
18. ~~Postmark from certain origins, including but limited to New Jersey, Washington DC, Maryland, or Florida.~~

- C. Credible Threats. When responding to credible threats, it is important to act rationally and to guard against panic. The Arkansas Department of Health will not accept an unopened “credible threat” item for analysis but will accept an opened one from a Law Enforcement Officer (LEO).

1. Low Threat. For an unopened package or letter that is a “credible threat” but does not appear to contain explosive material, proceed as follows:
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 - c. Place the item in a plastic bag, then inside a second (2) and third (3) plastic bag.
 - d. Place the triple (3) bagged item in a bio-hazard bag or label it as a biohazard and mark it as “Evidence for the FBI.”
 - e. Follow guidance in the Administrative Directives (ADs) “Reporting and Investigating Incidents Hazards and Maltreatment;” and “Searches for, Control, and Disposition of Evidence;” policies and Secretarial Directive (SDs) “Incident Notification Procedures.”
 - f. In addition to the ACC reporting requirements, send a copy of the incident report to the FBI, the Arkansas State Police, and the Office of Investigative Services.
 - g. Be alert for potential explosive hazards which may require the assistance of a bomb technician.

2. Medium Threat. For an opened item that is a credible threat where powder or liquid spills out onto the surface, proceed as follows:
 - a. **DO NOT** try to clean up the powder or liquid. Cover the spilled contents immediately with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover!
 - b. Leave the room, close the door, or section off the area to prevent others from entering the area. Provide notice that unless specifically authorized to be in the area, all individuals must stay a safe distance away from the area.
 - c. Wash your hands with soap and water to prevent spreading any powder or liquid to your face or body.
 - d. Report the incident to local police and notify your supervisor or designee.
 - e. Remove heavily contaminated clothing as soon as possible and place it in a plastic bag, or some other container that can be sealed. This bag or container should be given to the emergency responders for proper handling.
 - f. Shower with soap and water as soon as possible. Do not use bleach or place disinfectant on your skin.
 - g. Follow guidance in the ADs “Reporting and Investigating Incidents Hazards and Maltreatment,” “SD Incident Notification Procedures,” policies and the “Searches for, Control, and Disposition of Evidence” policy.
 - h. If possible, list all people who were in the room or area, especially those who had actual contact with the powder or substance. Give this list to both the local public health authorities so that proper instructions can be given for medical follow-up, and to the local law enforcement officials for further investigation.

3. High Threat. For a room contaminated by a spraying device, an air handling system contamination warning, or warning that a biological agent has been released in a public space, proceed as follows:
 - a. Turn off local fans or ventilation units in the area.
 - b. Leave the area immediately.
 - c. Close the door, or section off the area to prevent others from entering (i.e., keep others away). Provide notice that unless specifically authorized to be in the area, all individuals must stay a safe distance away from the area.
 - d. Dial "911" to report the incident to local police and the local FBI field office. Also, notify an available supervisor and your building security official.
 - e. Shut down the air handling system in the building, if possible.

- f. Follow guidance in the ADs “Reporting and Investigating Incidents Hazards and Maltreatment;” and “Searches for, Control, and Disposition of Evidence;” policies. Secretarial Directives “Incident Notification Procedures” and “Internal Investigation and Criminal Evidence Handling” guidelines and procedures will be followed.
- g. If possible, list all the people who were in the room or area. Give this list to both the local public health authorities (local office of the Arkansas Department of Health and the local health department so that proper instructions can be given for medical follow-up), and to law enforcement officials for further investigation.
- h. Cooperate with law enforcement and other officials.

D. Telephone Threats.

1. It is vital that employees promptly and properly notify appropriate officials when responding to threats. It is important to obtain and provide as much identifying information as possible (i.e., caller’s name, number, etc.) In some instances, the method of doing so will depend on the features and services of phone systems. Employees should become familiar with those features and services to be able to aid in prompt action to gain critical information in the event of a telephone call or other threat.
2. Employees should document all information gained (whether from the caller, information stored in the phone systems, or through observation). The recipient of the call should ask as many questions as the caller will allow while listening carefully and taking notes. The information should be promptly reported to the supervisor of the office/facility or designee.
3. Following are things to listen to and be aware of when receiving a telephone threat include but are not limited to:
 - a. Date and time of call.
 - b. Incoherence, irrational.
 - c. Articulate, sincere.
 - d. Lisp, stutter, slurred speech.
 - e. Angry/calm/stressed.
 - f. Laughing, crying
 - g. Disguised, distinct.
 - h. Squeaky, excited speech
 - i. Speed/volume of tone.
 - j. Nasal congestion.
 - k. Gender.
 - l. Age (young, middle age, elderly).
 - m. Use of foul language.
 - n. Language spoken.
(Spanish/English, etc., accent broken)

Pay attention to background noises including but are not limited to street sounds, motor activity, inside building, animals, factory machinery sounds near or far, office, pots and pans, phone booth, voices, trucks/buses, type of music and local PA system.