



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Inmate Access to Telephones

**NUMBER:** 18-~~24~~

**SUPERSEDES:** 18-~~243-36~~

**APPLICABILITY:** All Employees and Inmates

**REFERENCE:** AR 867 Use of Telephones

**PAGE** 1 of 8

**APPROVED:** ~~Original signed by Wendy Kelley-~~

**EFFECTIVE DATE:** 6/14/18

### I. POLICY:

It shall be the policy to authorize unit Wardens and Center Supervisors to provide inmates access to coinless collect telephones. Access to these phones may be limited when it is necessary to protect the public safety and/or institutional order and safety.

### II. EXPLANATION:

The Department of Correction realizes the importance of contact between inmates and other persons. Policy and procedure is needed to establish an orderly use of telephone privileges by the inmate population.

### III. PROCEDURES:

#### A. Inmate Personal Phone Use

1. Inmates must complete Investigator Pro (IPRO) enrollment prior to use of the Inmate Phone System. Use of the inmate Phone System is not available to inmates not enrolled.

2. Inmates will be provided up to ten (10) copies of the Visitation/Telephone Authorization form at their parent unit. The inmate is responsible for providing the form to their family, friends and attorney. All applicable information is required and must be completed by the applicant.
3. Minors are not allowed to be added to an inmate's approved telephone list. If an inmate desires telephone contact with a minor, the adult owner of the telephone number, at which the minor may be contacted, must complete the Visitation/Telephone Authorization form in their name. (This is not to prohibit parent and child communication; those issues will be brought to the Warden for resolution.)
4. Once the completed application is returned, the visitation clerk or designee will perform a criminal history query. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information.
5. Upon the Warden's/Deputy Warden's approval of the Visitation/Telephone Authorization form, the Unit Visitation Clerk or designee will add the applicant's information to the inmate's Relatives and Associates List in eOMIS, stamp the form for approval, and forward to the Contracted Telephone Coordinator.
6. Inmates are limited to 1 telephone number per approved contact not to exceed (10) ten total contact numbers, on their approved list, which shall not contain certain numbers (i.e., judges, prosecutors, family of victims, ex-inmates, etc.).
7. PREA Hotline, Media Player Customer Assistance Line and Attorney phone numbers are not included in the phone list limit of ten (10) numbers.
8. Telephone calls shall be limited to thirty (30) minutes per call excluding the inmate's attorney.
9. All telephone calls, except those to an attorney, will be recorded and may be monitored, and that "use" constitutes "consent." The attorney exception does not apply in cases where the relationship is not of a professional attorney-client one, such as situations where the attorney is a family member or friend.
10. Three-way calling and call forwarding are not permitted and will be considered an abuse of telephone privileges.
11. Abuse of telephone privileges may result in disciplinary action, suspension and/or termination of use of the telephone system. Abuse sanctions are identified and referenced in the Inmate Disciplinary Manual.

12. All phone calls must be pre-paid or collect. Incoming calls shall not be permitted. Additional information regarding prepaid accounts can be found on the Arkansas Department of Correction's web page.
13. Inmates in punitive housing are not allowed telephone privileges except in cases of emergency or as provided by policy.
14. Inmates can only delete names once every 90 days unless an exception is granted by the Warden or Center Supervisor. Revision of the inmate's current phone list to the limit of ten (10) numbers will be initiated by the Contracted Telephone Service Provider upon the next requested list update. At that time, the inmate must select the ten (10) preferred phone numbers, one (1) per each person on the inmates approved list, before an addition can be made to the inmate's phone list.
15. Phone call recipients may request removal from an inmate's phone list at any time by submission of a written letter requesting the removal. The letter shall be addressed to the Unit Visitation Clerk to include the following information:
  - a. Inmate's Name
  - b. ADC Number
  - c. Recipient's Name
  - d. Phone Number to be removed
16. If the recipient of the call indicates they do not wish to receive calls, the inmate will be advised in writing and the number deleted from their calling list.
17. Employees/Former Employees
  - a. Current ADC employees and contract employees (working in an ADC facility), shall not be approved for telephone calls unless, prior to their employment, they were immediate family members of the inmate. "Immediate family members" are those individuals defined in the department's inmate visitation policy.
  - b. Former ADC employees and former contract employees shall not be approved for the telephone usage for a period of three (3) years from their last date of employment unless, prior to their employment, they were immediate family members of the inmate. Former employees or contract employees who were on an inmate's approved telephone list prior to the effective date of this policy shall be allowed to remain on the list. Waivers of the three (3)-year period for former employees, contractors, interns, or students may be granted by the Warden or Center Supervisor if the employee left

Formatted: Indent: Left: 2", No bullets or numbering

in good standing and is an immediate family member and/or an attorney of record for the inmate.

18. Volunteers/Former Volunteers

- a. Volunteers, including interns, with the Arkansas Department of Correction shall not be placed on any inmate's approved telephone list unless they are immediate family members and were so related to the inmate prior to their work as a volunteer or the inmate's incarceration.
- b. Former volunteers and interns may be placed on an inmate's approved telephone 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.

19. Applicants with Prior Convictions:

- a. Immediate family members with past felony convictions may not apply for addition to an inmate's telephone call list until ~~sixty (60) days~~ ~~six (6) months~~ after their release from confinement. If the applicant is currently on probation/parole, his/her supervising officer must submit written approval directly to the unit. Regardless, approval for addition to an inmate's telephone call list must also be obtained from the Warden.
- b. Non-immediate family members who apply for addition to an inmate's telephone call list and have a prior felony criminal record or serious misdemeanor conviction may be granted telephone privileges only by the Director or his designee.

B. Legal Assistance

1. Applications requesting the addition of Attorney telephone numbers must be verified by the Unit Visitation Clerk. Attorneys must provide their name, address, phone number(s), bar number and state where licensed, indicating that he/she is an attorney in good standing. If possible, verification of this information should include an attorney search from the Arkansas Attorney Search Website, maintained by the Arkansas Supreme Court.
2. Attorneys may contact the Warden/Center Supervisor's office or his/her designee to request a return call from the inmate.

Attorney telephone calls shall not be monitored or electronically recorded, provided the attorney properly notified the Department that his/her telephone registration form is for the inmate's attorney, and the information has been verified.

ARKANSAS DEPARTMENT OF CORRECTION
VISITATION /TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM

Please circle your request selection: ADDITION CHANGE

PLEASE MAKE SELECTION : PHONE LIST VISITATION LIST BOTH

Inmate's Name: ADC#

Applicant's Name:

PLEASE PRINT NAME AS IT APPEARS ON DRIVER'S LICENCE

Street or Address

Mailing Address Street City State Zip Code

Street City State Zip Code

Date of Birth: Telephone Number:
Month Day Year

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

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

SOCIAL SECURITY #:

Valid Driver's License Number/State Issued Photo ID Number: SEX: RACE:

Driver's License STATE of ISSUE ( )

Relationship to Inmate:

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

ARE YOU PRESENTLY ON THE APPROVED PHONE 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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

SEARCH AUTHORIZATION

I, Name OF City State request

permission from the Arkansas Department of Correction, to Visit and/or Contact by telephone, Inmate, ADC #

I have read 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 telephone usage, both those located on the back of this application and rules posted at the Unit. In consideration for being granted permission to telephone usage and/or visitation, I consent to a criminal background check(s).

COMPLETE AND RETURN THIS FORM TO:

VISITATION CLERK

At the Inmate's Assigned Unit

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

Signature of Applicant

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

Relationship to Applicant:

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

## Rules Governing Inmate's Telephone Usage

Page 6 of 8

Formatted: Top: 0.56", Header distance from edge: 0.25"

### A. Inmate Personal Phone Use

1. Inmates will be provided up to ten (10) copies of the Visitation/Telephone Authorization Form at their parent unit. The inmate is responsible for providing the form to their family, friends and attorney. All applicable information is required and must be completed by the applicant.
2. Minors are not allowed to be added to an inmate's approved telephone list. If an inmate desires telephone contact with a minor, the adult owner of the telephone number at which the minor may be contacted, must complete the Visitation/Telephone Authorization form in their name. (This is not to prohibit parent and child communication; those issues will be brought to the Warden for resolution.)
3. Once the completed application is returned, the Unit Visitation Clerk or designee will perform a criminal history query. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information.
4. Upon the Warden's/Deputy Warden's approval of the Visitation/Telephone Authorization form, the Unit Visitation Clerk will add the applicant's information to the inmate's Relatives and Associates List in eOMIS, stamp the form for approval, and forward to the contracted telephone coordinator.
5. Inmates are limited to ten (10) numbers on their approved list, which shall not contain certain numbers (i.e., judges, prosecutors, family of victims, or ex-inmates, etc.). Inmates are limited to (1) telephone number per approved contact.
6. PREA Hotline and Attorney phone numbers are not included in the phone list limit of ten (10) numbers.
7. Telephone calls shall be limited to thirty (30) minutes per call excluding the inmate's attorney.
8. All telephone calls, except those to an attorney, will be recorded and may be monitored, and that "use" constitutes "consent." The attorney exception does not apply in cases where the relationship is not of a professional attorney-client one, such as situations where the attorney is a family member or friend.
9. Three-way calling and call forwarding are not permitted and will be considered an abuse of telephone privileges.
10. Abuse of telephone privileges may result in disciplinary action, suspension and/or termination of use of the telephone system. Abuse sanctions are identified and referenced in the Inmate Disciplinary Manual.
11. All phone calls must be pre-paid or collect. Incoming calls shall not be permitted. Additional information regarding prepaid accounts can be found on the Arkansas Department of Correction's web page.
12. Inmates in punitive housing are not allowed telephone privileges except in cases of emergency or as provided by policy.
13. Inmates can only delete names once every 90 days unless an exception is granted by the Warden or Center Supervisor. Revision of the inmate's current phone list to the limit of ten (10) numbers will be initiated by the Contracted Telephone Service Provider upon the next requested list update. At that time the inmate must select the ten (10) preferred phone numbers from his/her existing list.
14. Phone call recipients may request removal from an inmate's phone list at any time by submission of a written letter requesting the removal. The letter shall be addressed to the Unit Visitation Clerk to include the following information:
  - a. Inmate's Name
  - b. ADC Number
  - c. Recipient's Name
  - d. Phone Number to be removed
15. If the recipient of the call indicates that they do not wish to receive calls, the inmate will be advised in writing and the number deleted from their calling list.
16. Immediate family members with past felony convictions may not apply for addition to an inmate's telephone call list until ~~sixty (60) six (6) days months~~ after their release from confinement. If the applicant is currently on probation/parole, his/her supervising officer must submit written approval directly to the unit. Regardless, approval for addition to an inmate's telephone call list must also be obtained from the Warden. Non-immediate family members who apply for addition to an inmate's telephone call list and have a prior felony criminal record or serious misdemeanor conviction may be granted telephone privileges only by the Director or designee.

~~17.~~ Inmates must complete Investigator Pro (IPRO) enrollment prior to use of the Inmate Phone System. Use of the Inmate Phone System is not available to inmates not enrolled.

~~17.~~

Formatted: Font: Times New Roman, 8 pt

### B. Legal Assistance

1. Applications requesting the addition of Attorney telephone numbers must be verified by the Unit Visitation Clerk. Attorneys must provide their name, address, phone number(s), bar number and state where licensed, indicating that he/she is an attorney in good standing. If possible, verification of this information should include an attorney search from the Arkansas Attorney Search Website: [http://courts.state.ar.us/attorneys/attorney\\_search.cfm](http://courts.state.ar.us/attorneys/attorney_search.cfm)

Formatted: List Paragraph, Right: 0", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75", Tab stops: Not at 0.5"

+

**Page 7 of 8**

~~2.~~ Attorneys may contact the Warden /Center Supervisor/Administrator's office or his/her designee to request a return call from the inmate.

~~2.~~ **Page 7 of 8**

3. Attorney telephone calls shall not be monitored or electronically recorded, provided the attorney properly notified the Department that his/her telephone registration form is for the inmate's attorney, and the information has been verified.

**Formatted:** Indent: Left: 0.75", No bullets or numbering

**Formatted:** Right

**Formatted:** Font: Times New Roman, 8 pt, Bold

**Formatted:** List Paragraph, Left, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

## REQUEST TO UPDATE CURRENT PHONE LIST

UNIT:	DATE:
INMATE'S NAME:	
INMATE'S ADC NUMBER:	PIN:

### KEEP THE NUMBERS BELOW ON MY LIST AND DELETE ALL OTHERS

INMATES ARE ALLOWED A TOTAL OF 10 ACTIVE PHONE NUMBERS.

<i>AREA CODE + NUMBER</i>	<i>NAME</i>	<i>ADDRESS</i>	<i>CITY</i>	<i>STATE</i>
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				

This form cannot be used to add a new telephone number. All phone number **additions** must be submitted by the owner of the phone on a visitation/phone form and returned to the visitation clerk at your facility. The inmate is responsible for providing the form to their family, friends and attorney.

INMATE SIGNATURE:
-------------------





PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Inmate Access to Telephones

**NUMBER:** 18-30

**SUPERSEDES:** 18-24

**APPLICABILITY:** All Employees and Inmates

**REFERENCE:** AR 867 Use of Telephones

**PAGE 1 of 8**

**APPROVED:** Original Signed by Wendy Kelley

**EFFECTIVE DATE:** 7/05/18

### **I. POLICY:**

It shall be the policy to authorize unit Wardens and Center Supervisors to provide inmates access to coinless collect telephones. Access to these phones may be limited when it is necessary to protect the public safety and/or institutional order and safety.

### **II. EXPLANATION:**

The Department of Correction realizes the importance of contact between inmates and other persons. Policy and procedure is needed to establish an orderly use of telephone privileges by the inmate population.

### **III. PROCEDURES:**

#### **A. Inmate Personal Phone Use**

1. Inmates must complete Investigator Pro (IPRO) enrollment prior to use of the Inmate Phone System. Use of the inmate Phone System is not available to inmates not enrolled.

2. Inmates will be provided up to ten (10) copies of the Visitation/Telephone Authorization form at their parent unit. The inmate is responsible for providing the form to their family, friends and attorney. All applicable information is required and must be completed by the applicant.
3. Minors are not allowed to be added to an inmate's approved telephone list. If an inmate desires telephone contact with a minor, the adult owner of the telephone number, at which the minor may be contacted, must complete the Visitation/Telephone Authorization form in their name. (This is not to prohibit parent and child communication; those issues will be brought to the Warden for resolution.)
4. Once the completed application is returned, the visitation clerk or designee will perform a criminal history query. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information.
5. Upon the Warden's/Deputy Warden's approval of the Visitation/Telephone Authorization form, the Unit Visitation Clerk or designee will add the applicant's information to the inmate's Relatives and Associates List in eOMIS, stamp the form for approval, and forward to the Contracted Telephone Coordinator.
6. Inmates are limited to 1 telephone number per approved contact not to exceed (10) ten total contact numbers, on their approved list, which shall not contain certain numbers (i.e., judges, prosecutors, family of victims, ex-inmates, etc.).
7. PREA Hotline, Media Player Customer Assistance Line and Attorney phone numbers are not included in the phone list limit of ten (10) numbers.
8. Telephone calls shall be limited to thirty (30) minutes per call excluding the inmate's attorney.
9. All telephone calls, except those to an attorney, will be recorded and may be monitored, and that "use" constitutes "consent." The attorney exception does not apply in cases where the relationship is not of a professional attorney-client one, such as situations where the attorney is a family member or friend.
10. Three-way calling and call forwarding are not permitted and will be considered an abuse of telephone privileges.
11. Abuse of telephone privileges may result in disciplinary action, suspension and/or termination of use of the telephone system. Abuse sanctions are identified and referenced in the Inmate Disciplinary Manual.

12. All phone calls must be pre-paid or collect. Incoming calls shall not be permitted. Additional information regarding prepaid accounts can be found on the Arkansas Department of Correction's web page.
13. Inmates in punitive housing are not allowed telephone privileges except in cases of emergency or as provided by policy.
14. Inmates can only delete names once every 90 days unless an exception is granted by the Warden or Center Supervisor. Revision of the inmate's current phone list to the limit of ten (10) numbers will be initiated by the Contracted Telephone Service Provider upon the next requested list update. At that time, the inmate must select the ten (10) preferred phone numbers, one (1) per each person on the inmates approved list, before an addition can be made to the inmate's phone list.
15. Phone call recipients may request removal from an inmate's phone list at any time by submission of a written letter requesting the removal. The letter shall be addressed to the Unit Visitation Clerk to include the following information:
  - a. Inmate's Name
  - b. ADC Number
  - c. Recipient's Name
  - d. Phone Number to be removed
16. If the recipient of the call indicates they do not wish to receive calls, the inmate will be advised in writing and the number deleted from their calling list.
17. Employees/Former Employees
  - a. Current ADC employees and contract employees (working in an ADC facility), shall not be approved for telephone calls unless, prior to their employment, they were immediate family members of the inmate. "Immediate family members" are those individuals defined in the department's inmate visitation policy.
  - b. Former ADC employees and former contract employees shall not be approved for the telephone usage for a period of three (3) years from their last date of employment unless, prior to their employment, they were immediate family members of the inmate. Former employees or contract employees who were on an inmate's approved telephone list prior to the effective date of this policy shall be allowed to remain on the list. Waivers of the three (3)-year period for former employees, contractors, interns, or students may be granted by the Warden or Center Supervisor if the employee left

in good standing and is an immediate family member and/or an attorney of record for the inmate.

18. Volunteers/Former Volunteers

- a. Volunteers, including interns, with the Arkansas Department of Correction shall not be placed on any inmate's approved telephone list unless they are immediate family members and were so related to the inmate prior to their work as a volunteer or the inmate's incarceration.
- b. Former volunteers and interns may be placed on an inmate's approved telephone 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.

19. Applicants with Prior Convictions:

- a. Immediate family members with past felony convictions may not apply for addition to an inmate's telephone call list until sixty (60) days after their release from confinement. If the applicant is currently on probation/parole, his/her supervising officer must submit written approval directly to the unit. Regardless, approval for addition to an inmate's telephone call list must also be obtained from the Warden.
- b. Non-immediate family members who apply for addition to an inmate's telephone call list and have a prior felony criminal record or serious misdemeanor conviction may be granted telephone privileges only by the Director or his designee.

B. Legal Assistance

1. Applications requesting the addition of Attorney telephone numbers must be verified by the Unit Visitation Clerk. Attorneys must provide their name, address, phone number(s), bar number and state where licensed, indicating that he/she is an attorney in good standing. If possible, verification of this information should include an attorney search from the Arkansas Attorney Search Website, maintained by the Arkansas Supreme Court.
2. Attorneys may contact the Warden/Center Supervisor's office or his/her designee to request a return call from the inmate.

Attorney telephone calls shall not be monitored or electronically recorded, provided the attorney properly notified the Department that his/her telephone registration form is for the inmate's attorney, and the information has been verified.

ARKANSAS DEPARTMENT OF CORRECTION
VISITATION /TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM

Please circle your request selection: ADDITION CHANGE

PLEASE MAKE SELECTION : PHONE LIST VISITATION LIST BOTH

Inmate's Name: ADC#

Applicant's Name:

PLEASE PRINT NAME AS IT APPEARS ON DRIVER'S LICECSE

Street or Address

Street City State Zip Code

Mailing Address

Street City State Zip Code

Date of Birth: Telephone Number:

Month Day Year

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:

SOCIAL SECURITY #:

Valid Driver's License Number/State Issued Photo ID Number: SEX: RACE:

Driver's License STATE of ISSUE ( )

Relationship to Inmate:

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

ARE YOU PRESENTLY ON THE APPROVED PHONE 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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

SEARCH AUTHORIZATION

I, Name OF City State request

permission from the Arkansas Department of Correction, to Visit and/or Contact by telephone, Inmate, ADC #.

I have read 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 telephone usage, both those located on the back of this application and rules posted at the Unit. In consideration for being granted permission to telephone usage and/or visitation, I consent to a criminal background check(s).

COMPLETE AND RETURN THIS FORM TO:

VISITATION CLERK
At the Inmate's Assigned Unit

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

Signature of Applicant

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

Relationship to Applicant:

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

**A. Inmate Personal Phone Use**

1. Inmates will be provided up to ten (10) copies of the Visitation/Telephone Authorization Form at their parent unit. The inmate is responsible for providing the form to their family, friends and attorney. All applicable information is required and must be completed by the applicant.
2. Minors are not allowed to be added to an inmate's approved telephone list. If an inmate desires telephone contact with a minor, the adult owner of the telephone number at which the minor may be contacted, must complete the Visitation/Telephone Authorization form in their name. (This is not to prohibit parent and child communication; those issues will be brought to the Warden for resolution.)
3. Once the completed application is returned, the Unit Visitation Clerk or designee will perform a criminal history query. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information.
4. Upon the Warden's/Deputy Warden's approval of the Visitation/Telephone Authorization form, the Unit Visitation Clerk will add the applicant's information to the inmate's Relatives and Associates List in eOMIS, stamp the form for approval, and forward to the contracted telephone coordinator.
5. Inmates are limited to ten (10) numbers on their approved list, which shall not contain certain numbers (i.e., judges, prosecutors, family of victims, or ex-inmates, etc.). Inmates are limited to (1) telephone number per approved contact.
6. PREA Hotline and Attorney phone numbers are not included in the phone list limit of ten (10) numbers.
7. Telephone calls shall be limited to thirty (30) minutes per call excluding the inmate's attorney.
8. All telephone calls, except those to an attorney, will be recorded and may be monitored, and that "use" constitutes "consent." The attorney exception does not apply in cases where the relationship is not of a professional attorney-client one, such as situations where the attorney is a family member or friend.
9. Three-way calling and call forwarding are not permitted and will be considered an abuse of telephone privileges.
10. Abuse of telephone privileges may result in disciplinary action, suspension and/or termination of use of the telephone system. Abuse sanctions are identified and referenced in the Inmate Disciplinary Manual.
11. All phone calls must be pre-paid or collect. Incoming calls shall not be permitted. Additional information regarding prepaid accounts can be found on the Arkansas Department of Correction's web page.
12. Inmates in punitive housing are not allowed telephone privileges except in cases of emergency or as provided by policy.
13. Inmates can only delete names once every 90 days unless an exception is granted by the Warden or Center Supervisor. Revision of the inmate's current phone list to the limit of ten (10) numbers will be initiated by the Contracted Telephone Service Provider upon the next requested list update. At that time the inmate must select the ten (10) preferred phone numbers from his/her existing list.
14. Phone call recipients may request removal from an inmate's phone list at any time by submission of a written letter requesting the removal. The letter shall be addressed to the Unit Visitation Clerk to include the following information:
  - a. Inmate's Name
  - b. ADC Number
  - c. Recipient's Name
  - d. Phone Number to be removed
15. If the recipient of the call indicates that they do not wish to receive calls, the inmate will be advised in writing and the number deleted from their calling list.
16. Immediate family members with past felony convictions may not apply for addition to an inmate's telephone call list until sixty (60) days after their release from confinement. If the applicant is currently on probation/parole, his/her supervising officer must submit written approval directly to the unit. Regardless, approval for addition to an inmate's telephone call list must also be obtained from the Warden. Non-immediate family members who apply for addition to an inmate's telephone call list and have a prior felony criminal record or serious misdemeanor conviction may be granted telephone privileges only by the Director or designee.
17. Inmates must complete Investigator Pro (IPRO) enrollment prior to use of the Inmate Phone System. Use of the Inmate Phone System is not available to inmates not enrolled.

**B. Legal Assistance**

1. Applications requesting the addition of Attorney telephone numbers must be verified by the Unit Visitation Clerk. Attorneys must provide their name, address, phone number(s), bar number and state where licensed, indicating that he/she is an attorney in good standing. If possible, verification of this information should include an attorney search from the Arkansas Attorney Search Website: [http://courts.state.ar.us/attorneys/attorney\\_search.cfm](http://courts.state.ar.us/attorneys/attorney_search.cfm)

2. Attorneys may contact the Warden /Center Supervisor/Administrator's office or his/her designee to request a return call from the inmate.
3. Attorney telephone calls shall not be monitored or electronically recorded, provided the attorney properly notified the Department that his/her telephone registration form is for the inmate's attorney, and the information has been verified.

## REQUEST TO UPDATE CURRENT PHONE LIST

UNIT:	DATE:
INMATE'S NAME:	
INMATE'S ADC NUMBER:	PIN:

### KEEP THE NUMBERS BELOW ON MY LIST AND DELETE ALL OTHERS

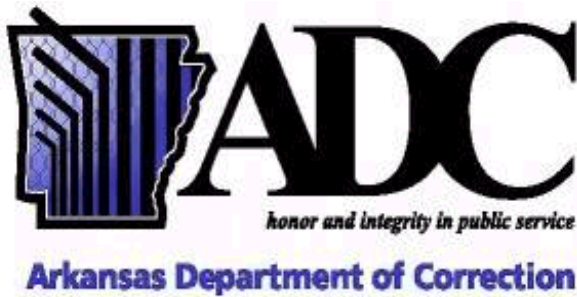
INMATES ARE ALLOWED A TOTAL OF 10 ACTIVE PHONE NUMBERS.

AREA CODE + NUMBER	NAME	ADDRESS	CITY	STATE
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				
( )				

This form cannot be used to add a new telephone number. All phone number **additions** must be submitted by the owner of the phone on a visitation/phone form and returned to the visitation clerk at your facility. The inmate is responsible for providing the form to their family, friends and attorney.

INMATE SIGNATURE:
-------------------





PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Inmate Visitation**

**NUMBER: 18-25**

**SUPERSEDES: ~~18-257-22~~**

**APPLICABILITY: Employees, Inmates, and Visitors**

**REFERENCE: AR-865 - Inmate Visitation      PAGE: 1 of 19**  
**AD 2016-20 Punitive Segregation**

**APPROVED: ~~Original signed by Wendy Kelley~~ \_\_\_\_\_**

**EFFECTIVE DATE: 6/14/18**

### **I. POLICY:**

It shall be the policy of the Arkansas Department 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 departmental operations. Additional rules governing inmate telephone use are located in the Inmate Access to Telephones Administrative Directive.

### **II. PURPOSE:**

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 units/centers, certain limits must be set and controls established governing visits. Nothing in this policy shall interfere or restrict the authority of the ADC to determine an inmate's unit of assignment. This policy also governs video visitation.

### **III. PROCEDURES:**

#### **A. Approval of Visitors**

1. Inmates will not be allowed visitors during their initial reception and orientation to the Department of Correction commonly referred to as "intake."

2. Inmates will be allowed to visit immediate family members for a period 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 inmate information on record.

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.

3. Inmates will receive information regarding procedures governing visitation within the first week after arrival at each facility.
4. After the initial thirty (30)-day period at the initial unit of assignment, only visitors on an inmate's visitation list will be allowed to visit.
  - a. A Visitation Application (Attachment I) must be received from all visitors wishing to visit before they can be added to the inmate's visitation list.
    - (1) The inmate is responsible for providing visitors with applications, including family members, on their temporary list.
    - (2) All applications must be submitted to the visitation clerk.
  - b. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information.
  - c. Once the completed application is received, the visitation clerk or designee will perform a criminal history query.
  - d. Upon approval by the Unit Warden, the visitor's name and address shall be placed on the inmate's list, and the inmate shall be advised, in writing, that the person is now approved for visitation.
    - (1) It is the responsibility of the inmate to inform visitors of their approvals/denials, scheduled visitation days and times, and changes in these schedules.
    - (2) Additions to the approved list may be made at any time; however, due to delays that can be caused by excessive submissions of additions, 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.

- (3) It shall be the responsibility of the inmate to notify the visitation clerk of any requested changes on the approved visitation list.
5. 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).
6. Visitors with Prior Convictions
  - a. Immediate family members with past felony convictions may not apply for visitation until ~~sixty (60) days~~six (6) months after their release from confinement. If the visitor is currently on probation/parole, his/her supervising officer must submit written approval directly to the unit. Regardless, approval for visitation must also be obtained from the Warden.
  - b. Non-immediate family members who apply for visitation and have a prior felony conviction may be granted visitation privileges only by the Director or designee.
  - c. Any applicant for visitation that has a prior misdemeanor conviction may be granted visitation privileges only by the Warden/Center Supervisor.
7. Employees/Former Employees
  - 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 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
  - a. Volunteers, including interns, with the Arkansas Department of Correction shall not be placed on any inmate's visitation list unless they are immediate family members and were so related to the

- inmate prior to their work as a volunteer 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.
9. 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.
- a. 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.
  - b. Any application that does not become active within one-hundred twenty (120) days from the application date will be shredded.
  - 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.

## B. Special Visits

### 1. Spiritual Advisor and Attorney of Record

Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit, 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.

- a. Unit/center staff may maintain visual observation and will provide as much privacy as possible to ensure confidential verbal communication.
- b. Visiting attorneys will not be subject to a comprehensive background check, but must provide a state issued photo identification and a valid state bar number so that staff can verify the attorney is currently licensed (license has not been suspended nor canceled).
- c. Any assistant to an attorney who is not also licensed as an attorney will be subject to a background check on the same basis as any other visitor. Attorneys wishing to send non-attorney assistants for inmate visits, 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.

- d. Attorneys will be advised/reminded that 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 clear the x-ray machine.
2. News media requests for inmate visits and interviews are governed by Board of Corrections Administrative Regulation 011.
    - a. Representatives of news organizations wishing to conduct in-person interviews with an inmate incarcerated within the Arkansas Department of Correction shall submit their requests in writing to the Public Information Officer.
    - b. Any news media visit can be denied, canceled or restricted by the 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: pending appeals or legal matters related to the inmate's criminal conviction; institutional adjustment; and/or re-victimization if a victim(s) has been registered in the electronic offender management system by the ADC Victim Services Coordinator.
    - c. Requests 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.
    - d. Inmates in punitive/administrative segregation are not eligible for in-person news media interviews.
    - 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 Public Information Officer, who will then forward the request and a recommendation to the Director. The Director will decide whether to approve the requests.
    - g. News Media representatives denied a media visit, may follow the process of a regular visitor to speak with an inmate if the inmate sends that person an application to be processed. Regular guidelines will apply.
  3. Disciplinary Cases

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

#### 4. Special Status/Assignment

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

#### 5. Non-Agency Medical Facilities

- a. Any visits in non-agency medical facilities will comply with the facilities' visitation rules in addition to those found in this policy.
- b. Inmates hospitalized in 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 as covered in subsection (c) or (d) below. When visits for surgical procedures are approved:
  - (1) Visits will occur prior to surgery or after returning from recovery;
  - (2) visitors will be restricted to immediate family members on the inmate's approved visitation list; and
  - (3) these 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.
- c. The Medical Services Administrator may approve and coordinate visits for inmates who are hospitalized in non-agency facilities in cases of terminal illness or critical condition.
  - (1) 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 assignment for individuals not on the inmate's approved visitation list and may include minors in cases of terminal illness or critical condition; and,

- (2) When the Medical Services Administrator cannot be reached, the Warden/Center Supervisor may approve visits on an emergency basis after consulting with ADC's hospital security coordinator or a Deputy Director consistent with the facilities policies.
- 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 at the time 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 is more than three hundred (300) miles from the unit/center.

- a. 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.
- b. Visitation may be approved for two (2) days of regular visiting hours.
- c. The visitor must request the visit twenty-four (24) hours in advance during regular business hours.

#### 7. 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 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.

- 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.
- 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 participate in the visitation.
- c. Visitors involved in these efforts will be subject to a comprehensive background check, and must possess 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 check.
- 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 advised/reminded that no metal should be worn, including underwire, 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.

### C. Visitation Schedule

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 from 12:00 noon to 4:00 p.m., except as authorized by the Director.
4. All Class I inmates will be permitted weekly Sunday 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.

6. Where space is limited, the Warden/Center Supervisor is authorized, as approved by the Director, to divide the inmate population in 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.
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.

The scheduling of video visits shall be established and posted for the inmate population where available.

#### D. Rules Pertaining to Visitors

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 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 identification. Adult escorts may vouch for the identity of minor visitors under the age of twelve (12) years.
3. 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 under the age of eighteen (18), the parent/guardian must sign in addition to the minor.
4. 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 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/Center Supervisor. The visitor may also be subject to criminal prosecution.
- c. Several different electronic scanning devices are used to detect the presence of contraband. Personal clothing choices containing metal snaps, buttons, buckles, under wire, etc. may cause the electronic detectors to alarm and require removal of clothing item. **(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.
- d. 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.

#### E. 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 as provided by E. 1 (b).
  - a. Minor children, under the age of eighteen (18), may 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 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.
3. Visitors will not be admitted when the apparent odor or effect of alcohol or other drugs is detected.

4. Visits may be denied, terminated, or modified for reasons of health condition 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 departmental operations or violates Department of Correction rules will result in denial of or termination of the visit.
6. Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.
7. Visitors' clothing must be appropriate for the age and occasion. No halter-tops, tank tops, hats, shorts, mini-skirts/dresses, see-through clothing, leggings, jeggings, or camouflage attire may be worn. Brief cut or otherwise provocative clothing will not be permitted. No sleeveless tops are 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.
8. Visitors will be allowed to carry in only the following items: 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 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.
9. Visiting inmates 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 script.
10. 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 must be taken out by the visitors at the end of the visitation period or thrown away. No other objects or articles may be exchanged between the visitors and inmates.

#### F. Conditions for Visitation

1. Visits shall be held in a relaxed manner under observation. 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.

2. The Warden/Center Supervisor has the authority to restrict contact visitation consistent with unit policy and the security needs of the Unit/Center.
3. Inmates who violate the following rules may be placed on Non-Contact Visitation for one (1) year for each offense. This will include all visitors on the inmate's visitation list.
  - 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/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
4. When any visit is a threat to the security and good order of the unit/center, the visit shall be terminated.
5. During an institution emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden/Center Supervisor or designee.

G. Suspension/Termination of Approval

1. Visitation is a privilege and visitation privileges will be denied should the department determine a visitor or inmate has attempted to violate department rules or regulations.

2. A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred, shall wait a minimum of six 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 of Correction.
3. Any visitor found to have knowingly introduced, or attempted to introduce, contraband 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.
  - 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. The Warden may reconsider the decision to permanently deny visitation after considering 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 list as refusal 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 should be listed in the electronic Offender Management Information System (eOMIS).

#### H. Alerts in the Electronic Record

1. Any visitor whose visitation privileges have been suspended or terminated in the past should result in an "alert" flag.
2. Any current or former employee, contractor, intern, or volunteer should result in an "alert" flag.
3. Any visitor suspected of introducing contraband during a prior visit will result in an "alert" flag.
4. Any visitor placed on a suspicion list by the Warden/Center Supervisor due to correspondence, phone calls, or other available information leading to security concern will result in an "alert" flag.
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.

## 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 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. (Inmate will not be given details).
5. Once the requested information has been received, the Warden/Center Supervisor and/or the Visitation Clerk 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 specific period of time; 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 the visitors of changes of status, days, times, schedules, etc.

## IV. **REFERENCES:**

American Correctional Association (ACA) Standards

Attachment I

ARKANSAS DEPARTMENT OF CORRECTION
VISITATION /TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM
Please circle your request selection: ADDITION CHANGE

PLEASE MAKE SELECTION : PHONE LIST VISITATION LIST BOTH

Inmate's Name: ADC#

Applicant's Name:

PLEASE PRINT NAME AS IS APPEARS ON DRIVER'S LICENSE

Street or Address Street City State Zip Code

Mailing Address Street City State Zip Code

Date of Birth: / / Telephone Number:
Month Day Year

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

IF YES, Date last employed, volunteered, or incarcerated: Are you a CURRENT or PREVIOUS ADC employee CONTRACT employee or VOLUNTEER? YES NO

IF YES, Date last employed or volunteered: 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 PHONE 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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

SEARCH AUTHORIZATION

I, OF request
Name City State

permission from the Arkansas Department of Correction, to Visit and/or Contact by telephone, Inmate ADC #. I have read 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 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 telephone usage and/or visitation, I consent to recording of telephone calls and a criminal background check(s).

COMPLETE AND RETURN THIS FORM TO:

VISITATION CLERK
At the Inmate's Assigned Unit

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

Signature of Applicant

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

Relationship to Applicant:

Signature of Legal Guardian or Parent

Clearly Print Parent or Legal Guardian's Name

**Rules Governing Inmate Visits**

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 ADDRESS INDICATED. DO NOT RETURN THE APPLICATION TO THE INMATE.** 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. You may contact the 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.
  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 of two 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. 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 at application, and each visit.
  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.
  6. Brief cut, provocative, or inappropriate clothing will not be permitted. No halter-tops, tank tops, hats, shorts, mini-skirts/dresses, see-through clothing, leggings, jeggings or camouflage attire may be worn. No sleeveless tops are allowed because shoulders must be covered at all times. Clothing containing metal (such as snaps, buttons, buckles, under wire, etc) should be avoided as those items may prevent the visitor from clearing certain security devices, 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 not be permitted to give 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: identification, 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. Visitors who have been admitted to the institution to visit an inmate shall not visit any other inmate at any time, unless the Warden or designee grants specific permission for such visit in advance.
  9. 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 interfere with other visits.
  10. 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.



STATE OF ARKANSAS  
DEPARTMENT OF CORRECTION

BKS. \_\_\_\_\_

APPROVED VISITATION LIST

CLASS \_\_\_\_\_

NAME: \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE)

NUMBER \_\_\_\_\_

NAME	RELATIONSHIP	ADDRESS
		_____
		_____
		_____
		_____
		_____
		_____
		_____

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

Dear [Visitor's Name]:

Please be advised that your visitation privileges have been suspended due to your arrest on [Month, Date, Year] 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 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

cc: Inmate's Visitation File  
File



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Inmate Visitation**

**NUMBER: 18-31**

**SUPERSEDES: 18-25**

**APPLICABILITY: Employees, Inmates, and Visitors**

**REFERENCE: AR-865 - Inmate Visitation      PAGE: 1 of 19**  
**AD 2016-20 Punitive Segregation**

**APPROVED: Original Signed by Wendy Kelley      EFFECTIVE DATE: 7/05/18**

---

### **I.      POLICY:**

It shall be the policy of the Arkansas Department 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 departmental operations. Additional rules governing inmate telephone use are located in the Inmate Access to Telephones Administrative Directive.

### **II.     PURPOSE:**

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 units/centers, certain limits must be set and controls established governing visits. Nothing in this policy shall interfere or restrict the authority of the ADC to determine an inmate's unit of assignment. This policy also governs video visitation.

### **III.    PROCEDURES:**

#### **A.      Approval of Visitors**

1. Inmates will not be allowed visitors during their initial reception and orientation to the Department of Correction commonly referred to as "intake."

2. Inmates will be allowed to visit immediate family members for a period 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 inmate information on record.

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.

3. Inmates will receive information regarding procedures governing visitation within the first week after arrival at each facility.
4. After the initial thirty (30)-day period at the initial unit of assignment, only visitors on an inmate's visitation list will be allowed to visit.
  - a. A Visitation Application (Attachment I) must be received from all visitors wishing to visit before they can be added to the inmate's visitation list.
    - (1) The inmate is responsible for providing visitors with applications, including family members, on their temporary list.
    - (2) All applications must be submitted to the visitation clerk.
  - b. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information.
  - c. Once the completed application is received, the visitation clerk or designee will perform a criminal history query.
  - d. Upon approval by the Unit Warden, the visitor's name and address shall be placed on the inmate's list, and the inmate shall be advised, in writing, that the person is now approved for visitation.
    - (1) It is the responsibility of the inmate to inform visitors of their approvals/denials, scheduled visitation days and times, and changes in these schedules.
    - (2) Additions to the approved list may be made at any time; however, due to delays that can be caused by excessive submissions of additions, 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.

- (3) It shall be the responsibility of the inmate to notify the visitation clerk of any requested changes on the approved visitation list.
5. 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).
6. 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 officer must submit written approval directly to the unit. Regardless, approval for visitation must also be obtained from the Warden.
  - b. Non-immediate family members who apply for visitation and have a prior felony conviction may be granted visitation privileges only by the Director or designee.
  - c. Any applicant for visitation that has a prior misdemeanor conviction may be granted visitation privileges only by the Warden/Center Supervisor.
7. Employees/Former Employees
  - 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 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
  - a. Volunteers, including interns, with the Arkansas Department of Correction shall not be placed on any inmate's visitation list unless they are immediate family members and were so related to the

- inmate prior to their work as a volunteer 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.
9. 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.
- a. 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.
  - b. Any application that does not become active within one-hundred twenty (120) days from the application date will be shredded.
  - 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.

## B. Special Visits

### 1. Spiritual Advisor and Attorney of Record

Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit, 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.

- a. Unit/center staff may maintain visual observation and will provide as much privacy as possible to ensure confidential verbal communication.
- b. Visiting attorneys will not be subject to a comprehensive background check, but must provide a state issued photo identification and a valid state bar number so that staff can verify the attorney is currently licensed (license has not been suspended nor canceled).
- c. Any assistant to an attorney who is not also licensed as an attorney will be subject to a background check on the same basis as any other visitor. Attorneys wishing to send non-attorney assistants for inmate visits, 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.

- d. Attorneys will be advised/reminded that 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 clear the x-ray machine.
2. News media requests for inmate visits and interviews are governed by Board of Corrections Administrative Regulation 011.
    - a. Representatives of news organizations wishing to conduct in-person interviews with an inmate incarcerated within the Arkansas Department of Correction shall submit their requests in writing to the Public Information Officer.
    - b. Any news media visit can be denied, canceled or restricted by the 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: pending appeals or legal matters related to the inmate's criminal conviction; institutional adjustment; and/or re-victimization if a victim(s) has been registered in the electronic offender management system by the ADC Victim Services Coordinator.
    - c. Requests 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.
    - d. Inmates in punitive/administrative segregation are not eligible for in-person news media interviews.
    - 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 Public Information Officer, who will then forward the request and a recommendation to the Director. The Director will decide whether to approve the requests.
    - g. News Media representatives denied a media visit, may follow the process of a regular visitor to speak with an inmate if the inmate sends that person an application to be processed. Regular guidelines will apply.
  3. Disciplinary Cases

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

#### 4. Special Status/Assignment

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

#### 5. Non-Agency Medical Facilities

- a. Any visits in non-agency medical facilities will comply with the facilities' visitation rules in addition to those found in this policy.
- b. Inmates hospitalized in 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 as covered in subsection (c) or (d) below. When visits for surgical procedures are approved:
  - (1) Visits will occur prior to surgery or after returning from recovery;
  - (2) visitors will be restricted to immediate family members on the inmate's approved visitation list; and
  - (3) these 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.
- c. The Medical Services Administrator may approve and coordinate visits for inmates who are hospitalized in non-agency facilities in cases of terminal illness or critical condition.
  - (1) 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 assignment for individuals not on the inmate's approved visitation list and may include minors in cases of terminal illness or critical condition; and,



- (2) When the Medical Services Administrator cannot be reached, the Warden/Center Supervisor may approve visits on an emergency basis after consulting with ADC's hospital security coordinator or a Deputy Director consistent with the facilities policies.
  - 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 at the time 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 is more than three hundred (300) miles from the unit/center.

- a. 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.
- b. Visitation may be approved for two (2) days of regular visiting hours.
- c. The visitor must request the visit twenty-four (24) hours in advance during regular business hours.

#### 7. 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 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.

- 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.
- 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 participate in the visitation.
- c. Visitors involved in these efforts will be subject to a comprehensive background check, and must possess 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 check.
- 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 advised/reminded that no metal should be worn, including underwire, 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.

### C. Visitation Schedule

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 from 12:00 noon to 4:00 p.m., except as authorized by the Director.
4. All Class I inmates will be permitted weekly Sunday 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.

6. Where space is limited, the Warden/Center Supervisor is authorized, as approved by the Director, to divide the inmate population in 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.
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.

The scheduling of video visits shall be established and posted for the inmate population where available.

#### D. Rules Pertaining to Visitors

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 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 identification. Adult escorts may vouch for the identity of minor visitors under the age of twelve (12) years.
3. 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 under the age of eighteen (18), the parent/guardian must sign in addition to the minor.
4. 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 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/Center Supervisor. The visitor may also be subject to criminal prosecution.
- c. Several different electronic scanning devices are used to detect the presence of contraband. Personal clothing choices containing metal snaps, buttons, buckles, under wire, etc. may cause the electronic detectors to alarm and require removal of clothing item. **(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.
- d. 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.

#### E. 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 as provided by E. 1 (b).
  - a. Minor children, under the age of eighteen (18), may 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 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.
3. Visitors will not be admitted when the apparent odor or effect of alcohol or other drugs is detected.

4. Visits may be denied, terminated, or modified for reasons of health condition 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 departmental operations or violates Department of Correction rules will result in denial of or termination of the visit.
6. Visitors will be responsible for keeping children under control. Failure to control and supervise children is grounds for termination of the visit.
7. Visitors' clothing must be appropriate for the age and occasion. No halter-tops, tank tops, hats, shorts, mini-skirts/dresses, see-through clothing, leggings, jeggings, or camouflage attire may be worn. Brief cut or otherwise provocative clothing will not be permitted. No sleeveless tops are 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.
8. Visitors will be allowed to carry in only the following items: 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 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.
9. Visiting inmates 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 script.
10. 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 must be taken out by the visitors at the end of the visitation period or thrown away. No other objects or articles may be exchanged between the visitors and inmates.

#### F. Conditions for Visitation

1. Visits shall be held in a relaxed manner under observation. 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.

2. The Warden/Center Supervisor has the authority to restrict contact visitation consistent with unit policy and the security needs of the Unit/Center.
3. Inmates who violate the following rules may be placed on Non-Contact Visitation for one (1) year for each offense. This will include all visitors on the inmate's visitation list.
  - 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/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
4. When any visit is a threat to the security and good order of the unit/center, the visit shall be terminated.
5. During an institution emergency, quarantine, or power failure, visitation may be canceled as deemed appropriate by the Warden/Center Supervisor or designee.

G. Suspension/Termination of Approval

1. Visitation is a privilege and visitation privileges will be denied should the department determine a visitor or inmate has attempted to violate department rules or regulations.

2. A visitor who is removed from an inmate's visitation list, regardless of why the removal occurred, shall wait a minimum of six 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 of Correction.
3. Any visitor found to have knowingly introduced, or attempted to introduce, contraband 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.
  - 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. The Warden may reconsider the decision to permanently deny visitation after considering 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 list as refusal 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 should be listed in the electronic Offender Management Information System (eOMIS).

#### H. Alerts in the Electronic Record

1. Any visitor whose visitation privileges have been suspended or terminated in the past should result in an "alert" flag.
2. Any current or former employee, contractor, intern, or volunteer should result in an "alert" flag.
3. Any visitor suspected of introducing contraband during a prior visit will result in an "alert" flag.
4. Any visitor placed on a suspicion list by the Warden/Center Supervisor due to correspondence, phone calls, or other available information leading to security concern will result in an "alert" flag.
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.

## 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 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. (Inmate will not be given details).
5. Once the requested information has been received, the Warden/Center Supervisor and/or the Visitation Clerk 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 specific period of time; 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 the visitors of changes of status, days, times, schedules, etc.

## IV. **REFERENCES:**

American Correctional Association (ACA) Standards



Attachment I

ARKANSAS DEPARTMENT OF CORRECTION
VISITATION /TELEPHONE CONTACT REQUEST AND AUTHORIZATION FORM
Please circle your request selection: ADDITION CHANGE

PLEASE MAKE SELECTION : PHONE LIST VISITATION LIST BOTH

Inmate's Name: ADC#

Applicant's Name:

PLEASE PRINT NAME AS IS APPEARS ON DRIVER'S LICENSE

Street or Address Street City State Zip Code

Mailing Address Street City State Zip Code

Date of Birth: / / Telephone Number:

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:

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 PHONE 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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

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 Incarceration Unit
Inmate Name ADC # RELATIONSHIP Incarceration Unit

SEARCH AUTHORIZATION

I, Name OF City State request

permission from the Arkansas Department of Correction, to Visit and/or Contact by telephone, Inmate ADC #. I have read 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 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 telephone usage and/or visitation, I consent to recording of telephone calls and a criminal background check(s).

COMPLETE AND RETURN THIS FORM TO:

VISITATION CLERK
At the Inmate's Assigned Unit

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

Signature of Applicant

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

Relationship to Applicant:

Signature of Legal Guardian or Parent

Clearly Print Parent or Legal Guardian's Name

**Rules Governing Inmate Visits**

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 ADDRESS INDICATED. DO NOT RETURN THE APPLICATION TO THE INMATE.** 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. You may contact the 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.
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 of two 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. 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 at application, and each visit.
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.
6. Brief cut, provocative, or inappropriate clothing will not be permitted. No halter-tops, tank tops, hats, shorts, mini-skirts/dresses, see-through clothing, leggings, jeggings or camouflage attire may be worn. No sleeveless tops are allowed because shoulders must be covered at all times. Clothing containing metal (such as snaps, buttons, buckles, under wire, etc) should be avoided as those items may prevent the visitor from clearing certain security devices, 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 not be permitted to give 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: identification, 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. Visitors who have been admitted to the institution to visit an inmate shall not visit any other inmate at any time, unless the Warden or designee grants specific permission for such visit in advance.
9. 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 interfere with other visits.
10. 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.

STATE OF ARKANSAS  
DEPARTMENT OF CORRECTION

BKS. \_\_\_\_\_

APPROVED VISITATION LIST

CLASS \_\_\_\_\_

NAME: \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE)

NUMBER \_\_\_\_\_

NAME	RELATIONSHIP	ADDRESS
		<hr/>
		<hr/>
		<hr/>
		<hr/>
		<hr/>
		<hr/>
		<hr/>

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

Dear [Visitor's Name]:

Please be advised that your visitation privileges have been suspended due to your arrest on [Month, Date, Year] 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 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

cc: Inmate's Visitation File  
File



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Uniform Policy**

**NUMBER: ~~17-1918-~~ \_\_\_\_\_ SUPERSEDES: ~~14-3617-19~~**

**APPLICABILITY: Wardens, Center Supervisors,  
 Administrators and all Uniformed Personnel**

**REFERENCE: AR-201 Grooming and Attire Standards PAGE: 1 of 1089  
for Security and Non-Security Employees**

**APPROVED: ~~Original Signed by Wendy Kelley~~  
 EFFECTIVE DATE: ~~10/24/17~~**

### I. POLICY:

The Arkansas Department of Correction (ADC) shall establish and monitor a dress code for correctional officers to ensure an appearance appropriate for a professional correctional organization. -This policy shall also establish procedures for issuance and maintenance of uniforms. Supervisors are to inspect their uniform staff at the beginning of each shift for adherence to the provisions of this policy.

### II. PURPOSE:

All personnel shall present a neat, professional, and clean appearance while in uniform.

### III. PROCEDURES:

#### A. Correctional Officer Uniforms:

The uniforms issued to correctional officers shall be worn only while on duty and to and from work. -Exceptions can be made by the Unit Warden/Center Supervisor/Administrator when the correctional officer is serving on a special assignment.

1. **Each correctional officer shall be issued 3 pairs of pants, 6 shirts (3 long sleeve and 3 short sleeve, unless the officer has visible offensive arm tattoos, then the correctional officer will receive 6 long sleeve shirts), 1 jacket, 7 chest badge patches, and 12 shoulder patches during Basic Correctional Officer Training.**
2. Uniforms should be neatly pressed. -Pants should have a crease down the center of each pant leg, and shirts should have a crease down the center of each sleeve with no wrinkles on either garment.
3. Correctional officers shall wear a state issued blue uniform consisting of a shirt, jacket when appropriate, and navy blue trousers. -If - a Correctional Officer chooses to wear, a non-state issued uniform, it must be identical in style and color to the department issued uniform. -Battle Dress Uniform (BDU) or cargo pants are not acceptable. T-Shirts must be solid white and will be purchased by the correctional officer. Hats for inside security consist of plain, solid navy blue ball caps with no letters or insignia or solid navy blue ball cap with the ADC letters or insignia. -Hats for field security will be purchased by the unit. -Blue/gray felt western style hats shall be replaced every other year. Straw western style hats are approved for summer wear and shall be replaced yearly
4. Correctional officers may exchange their uniform pants and shirts every other year unless the Unit Warden or designee deems an additional exchange necessary with 005 documentation as set out in the next paragraph. The routine exchange must occur during the correctional officer's month of hire. -Jackets may be exchanged every five years, at the time of the shirt exchange. The correctional officer shall present the shirt or jacket to be turned in without patches. -The correctional officer shall retain the patches to be placed upon the new shirts or jacket. —Field security may exchange their jackets every other year. -Correctional officers must have their Identification Badge in order to exchange uniforms.
5. Correctional officers will not be allowed to exchange or replace uniforms more often than set out in the previous paragraph unless:
  - the uniform is confiscated due to an incident. The unit confiscation report must be submitted before replacement will be allowed;
  - the uniform was destroyed through no fault of the correctional officer (i.e., natural disaster); or
  - due to special circumstances documented in an incident report (005) and approved by the appropriate supervisor and warden. —The correctional officer must have their ID badge and a copy of the approved incident report (005), if applicable, in order to exchange or replace uniforms. Family members will not be allowed to exchange uniforms for a correctional officer.

The following items are required to complete the uniform and must be purchased by the correctional officer:

- a. Dark blue or black socks.

- b. Solid black leather belt, plain with no designs or lettering, plain silver or gold colored buckle. -Width should be no less than 1 ¼ inches or more than 1 ¾ inches.
  - c. Plain black leather shoes or boots with round toes. -No designs are permitted and all stitching will be black in color to include the top edge of the soles. Heels shall not be more than 2 inches in height and soles shall not be more than 5/8 inches thick. -For safety purposes, no tennis shoes or steel/Kevlar toe boots will be allowed.
  - d. A dark blue toboggan with ADC insignia may be utilized on outside posts, as needed.
  - e. Black gloves on outside posts, as needed.
  - f. Ties may only be worn for funeral or formal events as dictated by the Warden/Center Supervisor. -If a tie is authorized to be worn, it must be navy blue and between 2 to 3 inches in width.
6. Correctional officers will contact the Unit Human Resources Manager regarding the purchase of Department approved ADC caps. -The Unit Warden/Center Supervisor/Administrator will determine if caps will be authorized at that facility.
  7. All correctional officers shall be required to wear pants legs outside of their boots. Officers shall wear shirttails inside trousers, except in instances of pregnancy.
  8. The Unit Warden/Center Supervisor/Administrator may authorize officers to wear ammunition holders, holsters, handcuff cases, and equipment holders on their belts, as necessary. These holders shall be plain, black in color, with no lettering or designs. No personal equipment (i.e., handcuff keys, handcuffs, chemical agent, etc.) will be used, or possessed, while on duty.
  9. Food Service correctional officers shall be issued white shirts, navy blue pants, and a jacket. Dark blue or black socks, plain black belt, and round toe black shoes/boots are required to complete the uniform and are to be purchased by the correctional officer.
  10. Correctional officers assigned to hospital security are non-uniformed security personnel who must adhere to the Administrative Directive on Personal Appearance Standards for Non-Uniformed Employees. -Hospital correctional officers shall wear an authorized badge while on duty in the community performing Department of Correction functions. -This badge is intended to provide rapid validation of the officer in emergencies, and to reassure the public and hospital staff who may notice that the officer is armed. -The badge will be worn on the belt with a plain black leather or nylon holder that attaches to the waistband. It should be worn 4 to 6 inches to the right of center of the individual's trousers. In emergencies, it may be clipped to the left pocket of the jacket as to be clearly visible.

11. Other special divisions may be authorized to wear special uniforms as prescribed by the appropriate Administrator/Deputy or Assistant Director and authorized by the Director.
12. Range wear for the Training Academy staff will be blue BDU pants, plain toe black boots, Hi-Viz T-shirt, or Hi-Viz Jacket (purchased by Academy), or Hi-Viz Vest.
13. Emergency Response Team members are authorized to wear Woodland BDU pants and matching BDU long sleeve shirts. -A plain black and/or tan t-shirt may be worn in the summer months in lieu of the long sleeve shirt. -The BDU shirt will be adorned with two (2) shoulder patches, an Emergency Response Team rocker patch, and rank insignia (if worn), all in subdued black and green. -Black and/or tan combat boots and a black or OD (olive drab) green belt shall complete the uniform and are to be purchased by the correctional officer. A Woodland camouflage cap is optional. -This uniform may only be used while performing duties as an ERT member. -The standard correctional officer uniform will be worn while performing regular duties.
14. K-9 Officers are authorized to wear OD green BDU pants with short and long sleeve OD green, button down shirt with a subdued green Correctional Police badge embroidered on the left breast, a subdued American Flag on the left sleeve, and a subdued ADC patch on the right sleeve. -An OD green flight jacket may be worn during cold weather. -A tactical long sleeve shirt and t-shirt in OD green may also be worn. -The tactical long sleeve shirt will be adorned with two (2) shoulder patches, a badge patch, and rank insignia (if worn) in subdued black and green. Black and/or tan combat boots and an OD green or black belt shall complete the uniform and are to be purchased by the correctional officer. -An ADC black and OD green ball cap is optional. This uniform may only be used while performing duties as a K-9 officer. -The standard correctional officer uniform will be worn while performing regular duties.

B. Uniform Issuance:

1. The Uniform Issuance Officer located at the Training Academy is responsible for maintaining a method of accounting for all uniforms.
2. Every correctional officer shall be given a statement to sign at the time of issuance which indicates that the correctional officer has received all items as listed; agrees to be responsible for the safekeeping of items; agrees to return all department issued uniforms if employment is terminated for any reason, and; agrees to pay the replacement cost for any lost or destroyed items when such loss or destruction occurs through negligence of the correctional officer.

C. Placement of Insignia:

Only the items listed below may be worn or displayed on the uniform:



1. The nametag [three-fourths inches (3/4") in height, blue with white letters, includes two (2) initials and last name] shall be worn centered on the top edge of the right shirt pocket. -The nametags will be ordered by the Training Academy during Basic Correctional Officer Training (BCOT). -The units/centers shall be responsible for providing replacement nametags.
2. The Department of Correction issued badge patch shall be centered 1/4" above the left shirt pocket.
3. Food Production Managers, Training Instructors, Training Supervisors, Corporals, Sergeants, Lieutenants, and Captains shall wear silver-colored insignia on both collars. -Majors shall wear gold-colored insignia on both collars. -All insignia should be centered ¼ inch from each edge of the collar. -The Emergency Response Team (ERT) will wear rank insignia on the right collar and the ERT insignia on the left collar. -Rank insignia shall be state issued, constructed of metal, and will be as follows:

Corporals and Food Production Manager I:

Silver - Two small chevrons

Sergeant:

Silver - Three small chevrons

Lieutenant and Training Instructors:

Silver - One bar, one-quarter inch (1/4") wide and three-fourths inches (3/4") long.

---

Captain, Training Supervisors, and Food Production Manager II:

Silver - Two parallel bars, one-quarter inch (1/4") wide.

Major:

Gold - Small oak leaf

The Unit Human Resources Manager will be responsible for the ordering of rank insignia.

4. The ADC insignia patch will be worn by uniformed staff. -The patch shall be worn on sleeves of all shirts. -It shall be centered two inches (2") below the shoulder/sleeve seams.
5. Service bars and stars will be worn in place of service pins at the correctional officer's expense. -The service bars will be silver in color on a background of navy blue material, and will be seven-sixteenths inches by one inch (7/16" x 1") in size, to be placed one-quarter inch (1/4") apart on the left shirtsleeve. -Each officer will wear one bar for each year of service completed. When an officer is eligible to wear more than four (4) bars, he or she will omit the bars and use a five-point star

denoting five (5) years of service. -At no time should an officer have more than four (4) bars on the sleeve.

The service stars will be the same color as the bars and placed one-half inch (1/2") apart. The size of the stars will be three-quarter inches (3/4") from the top of one point of the star to the opposite tip. -The service stars will be sewn on the left sleeve immediately to the right of the crease in the sleeve and one inch (1") from the top of the cuff. -The single point of the star will be pointed upward. -If no stars are used, the bars will be sewn in the same manner. -If stars are used, then bars will be sewn above the stars.

6. The Field Training Officers (FTO's) will wear the silver FTO pin over the left collar in place of the rank insignia. -The FTO pin will be issued by the [Training Academy or the](#) unit.
7. The identification card is required to be displayed, and it shall be centered and clipped to the left pocket flap of the shirt with the picture displayed.
8. At the discretion of the Director, a black ribbon may be worn over the badge as an indicator of mourning. -The ribbons should be ½ inch wide and 3 inches long and should be attached diagonally with the ribbon beginning at the top of the left side of the badge. -At the death of a correctional officer, the Warden/Center Supervisor may authorize the wearing of the black ribbon through the day of the funeral service.
9. Before any other insignia or articles can be worn on the uniform, written approval from the Director must be received.

D. Accountability:

The correctional officer will be held responsible for all uniform items and other state property issued and will keep all garments cleaned and in good condition.

If the correctional officer cannot satisfactorily account for any items of state property which have been issued, the Unit Warden/Center Supervisor/Administrator will take the following actions:

1. The correctional officer is required to complete a 005 report.
2. Notify the correctional officer that he or she must make immediate payment of the cost computed by the Uniform Issuance Officer of the items in the form of a money order payable to the Department of Correction.

E. Hair Requirements:

1. Male officers must adhere to the hair portion of this policy when in uniform. -Each uniformed correctional officer shall keep ~~his face clean shaven and~~ his sideburns neatly trimmed (unless there is a medical necessity, as documented by a physician). Sideburns should be no wider than one inch (1") and the same width on each side

and shall not extend beyond the bottom of the earlobe. -Neatly trimmed mustaches not extending below the corner of the mouth nor extending below the top of the upper lip will be permitted. ~~-No facial hair that prevents a seal on the self-contained breathing apparatus (SCBA) or gas mask will be allowed, and no neck hair is allowed (e.g., -noa goatee which extends below the chinface).~~ Hair shall be trimmed and properly groomed so that it does not extend over the top of the ears or the collar. -The hair should be kept clean, neat, and styled to present a professional appearance. [A diagram of where the mask is placed on your face, and examples of allowed and prohibited facial hair are attached.](#)

2. Female correctional officers must adhere to the hair portion of this policy when in uniform. -The hair should be kept clean, neat, and styled to present a professional appearance. -Long hair shall be arranged in a fashion so that it does not extend over the collar or ears, [including extensions.](#) ~~-No hairstyle that will prevent the self-contained breathing apparatus (SCBA) or gas mask to seal/fit properly is allowed.~~
3. Hairstyles that allow an inmate a handhold are not allowed. ~~Braids, dreads/dreadlocks, cornrows, ponytails, Mohawks, or hairpieces, i.e., wigs, extensions, etc., ponytails or unprofessional styles~~ are not allowed. Only full, removable wigs required for medical necessity, as documented by a physician, are allowed.
4. Dyed, tinted, highlighted, or bleached hair must be within one of the naturally occurring color ranges and professional in appearance. -Naturally occurring color ranges do not include unique hair ~~colors-colors such as, including, but not limited to,~~ pink, blue, green, bright red, orange, or purple. -Hair will not be styled or combed forward any lower on the forehead than the correctional officer's eyebrow, measured from the high point of the eyebrow.

#### F. Fingernails:

All personnel will keep fingernails clean and neatly trimmed. Fingernails shall not exceed one-eighth (1/8) inch beyond the tips of the fingers. ~~Only clear~~ [Polished fingernails of female personnel should all be e-polished the same color with only one color of,](#) non-decorative fingernail polish ~~is allowed.~~ Females may wear clear acrylic nails, provided they ~~have a natural appearance and~~ conform to ADC standards [regarding length and color.](#)

#### G Jewelry:

Due to the inherent physical risk and possible monetary loss of working in a correctional setting, uniformed correctional officers shall limit the type and amount of jewelry worn while on duty and in uniform. -Uniformed correctional officers may wear a wristwatch, a wedding ring, and one other ring. -Religious medallions, and/or medic alert tags may be worn but, they must be worn underneath the shirt and not visible. -Uniformed officers are prohibited from wearing earrings while on duty or in uniform. -No tongue-stud, lip, nose, eyebrow, or other visible body piercings are allowed. -(Covering visible body piercings with band-aids is not considered complying with this policy.)

#### H. Tattoos:

While in uniform, correctional employees should project a professional appearance at all times. No uncovered tattoos of any kind shall appear on a uniformed employee's face. No offensive tattoos shall be visible while the employee is in uniform. The term offensive tattoo includes any tattoo which might cause a reaction from staff or inmates which would undermine the good order or operation of the facility. This includes, without limitation, any tattoo depicting a symbol or image associated with any Security/Terroristic Threat Group (STTG).

I. Hygiene and Body Grooming:

Officers will maintain good personal hygiene and grooming on a daily basis.

J. Resignation/Termination of Employment:

A correctional officer who resigns or is terminated will be responsible for returning all state issued uniforms and their badge to the Uniform Issuance Officer. -The correctional officer will receive a receipt for the returned items upon request. -The Uniform Issuance Officer will indicate receipt of items and notify the Central Payroll Office that all items have been returned.

**IV. ATTACHMENT:**

**Diagram of a Typical Full Face-piece Respirator (SCBA)**

**Diagram of Facial Hair**

Diagram of a Typical Full Face-piece Respirator (SCBA)

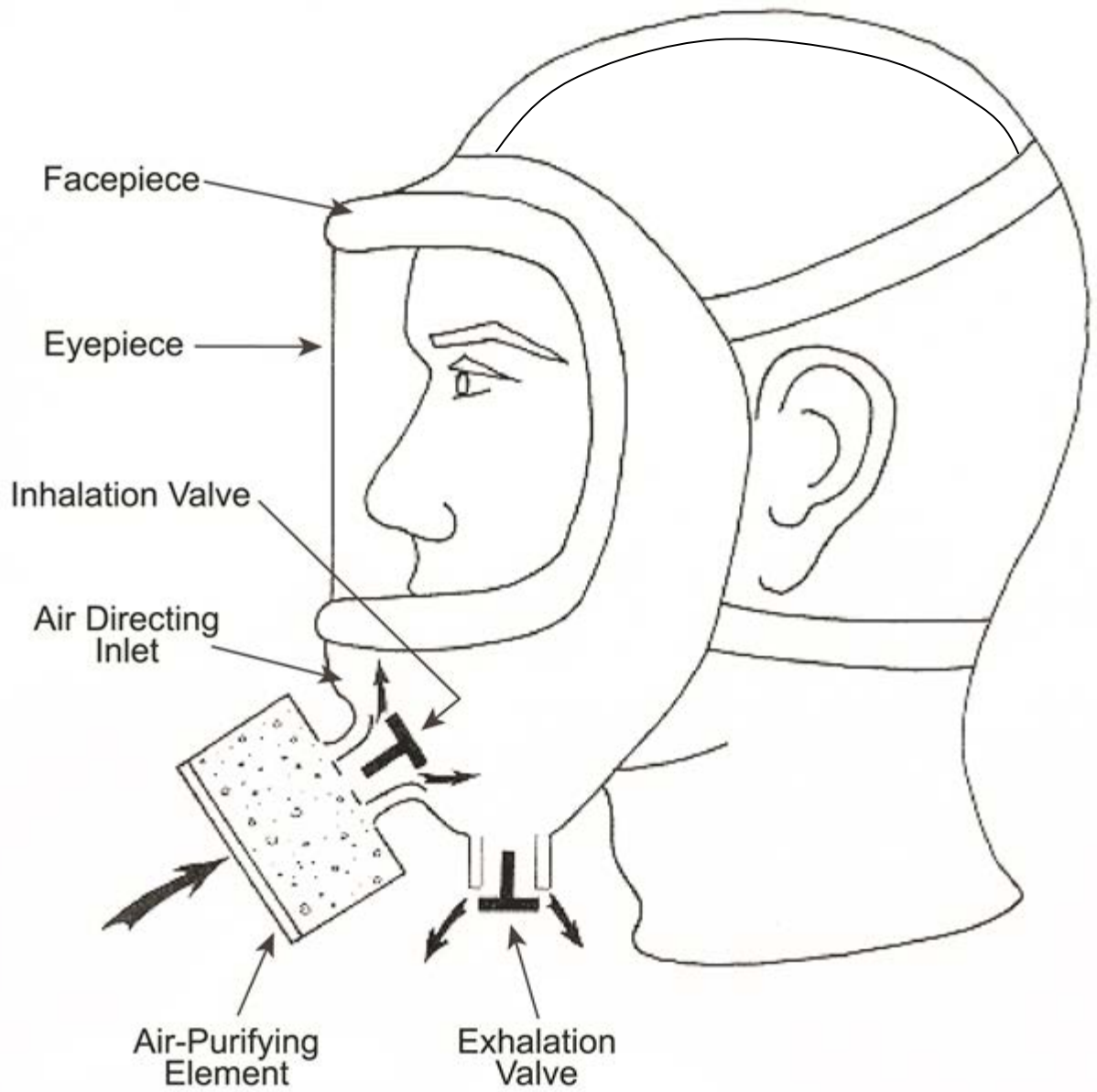


Diagram of Facial Hair

**ACCEPTABLE:**



**UNACCEPTABLE:**



**UNACCEPTABLE:**



**UNACCEPTABLE:**

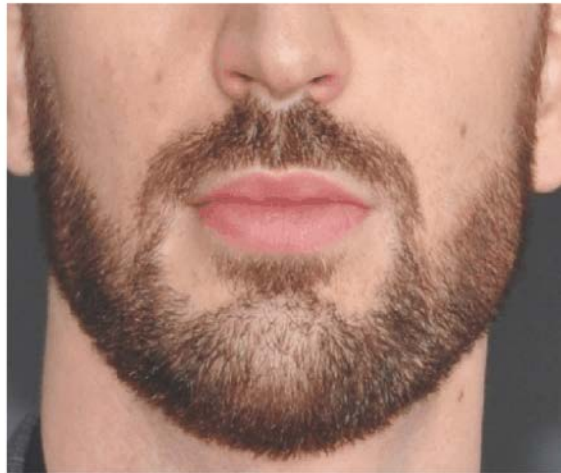
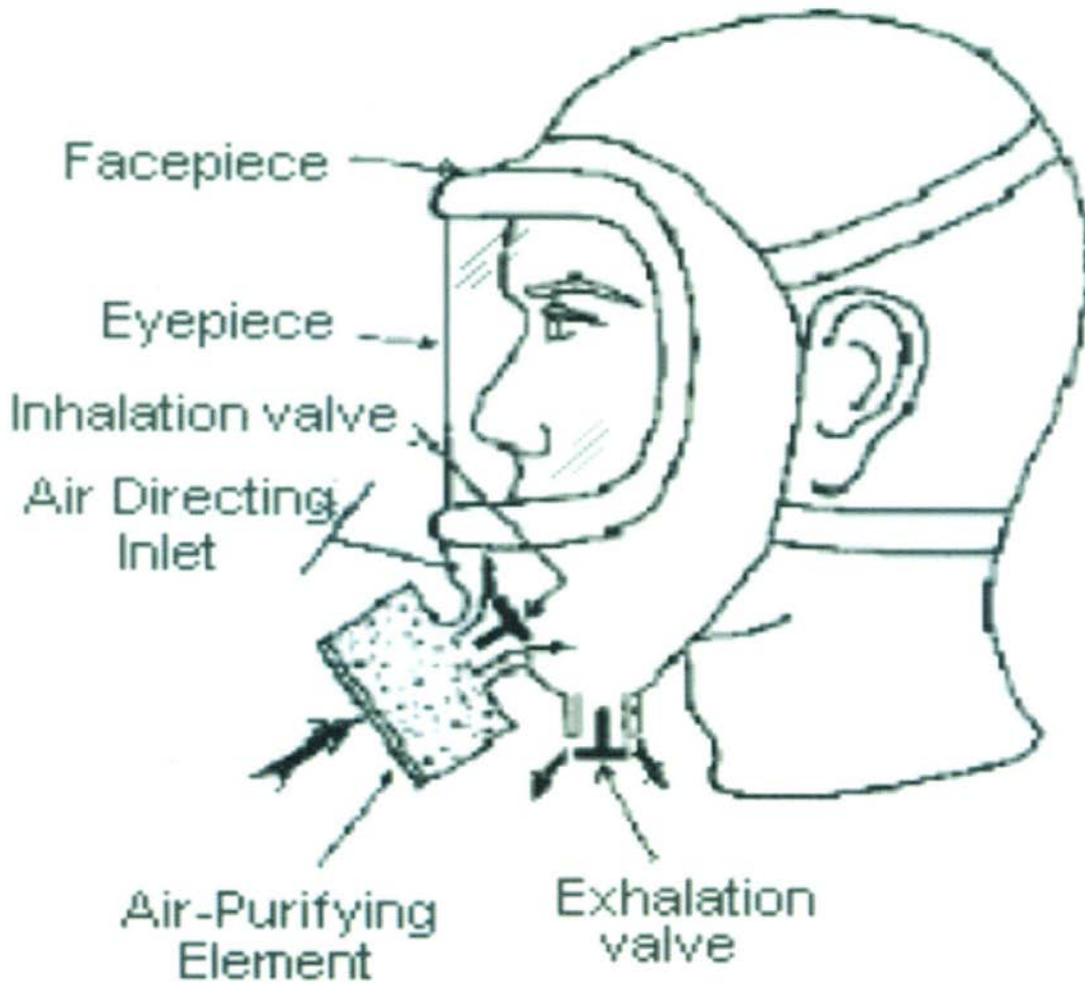


Diagram of a Typical Full-Face-piece Respirator (SCBA)

fit test for scba masks



**Typical Full-Facepiece Respirator**



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Uniform Policy**

**NUMBER: 18-32**

**SUPERSEDES: 17-19**

**APPLICABILITY: Wardens, Center Supervisors,  
 Administrators and all Uniformed Personnel**

**REFERENCE: AR-201 Grooming and Attire Standards  
 for Security and Non-Security Employees**

**PAGE: 1 of 10**

**APPROVED: Original Signed by Wendy Kelley**

**EFFECTIVE DATE: 7/05/18**

**I. POLICY:**

The Arkansas Department of Correction (ADC) shall establish and monitor a dress code for correctional officers to ensure an appearance appropriate for a professional correctional organization. This policy shall also establish procedures for issuance and maintenance of uniforms. Supervisors are to inspect their uniform staff at the beginning of each shift for adherence to the provisions of this policy.

**II. PURPOSE:**

All personnel shall present a neat, professional, and clean appearance while in uniform.

**III. PROCEDURES:**

**A. Correctional Officer Uniforms:**

The uniforms issued to correctional officers shall be worn only while on duty and to and from work. Exceptions can be made by the Unit Warden/Center Supervisor/Administrator when the correctional officer is serving on a special assignment.

1. **Each correctional officer shall be issued 3 pairs of pants, 6 shirts (3 long sleeve and 3 short sleeve, unless the officer has visible offensive arm tattoos, then the**



**correctional officer will receive 6 long sleeve shirts), 1 jacket, 7 chest badge patches, and 12 shoulder patches during Basic Correctional Officer Training.**

2. Uniforms should be neatly pressed. Pants should have a crease down the center of each pant leg, and shirts should have a crease down the center of each sleeve with no wrinkles on either garment.
3. Correctional officers shall wear a state issued blue uniform consisting of a shirt, jacket when appropriate, and navy blue trousers. If a Correctional Officer chooses to wear a non-state issued uniform, it must be identical in style and color to the department issued uniform. Battle Dress Uniform (BDU) or cargo pants are not acceptable. T-Shirts must be solid white and will be purchased by the correctional officer. Hats for inside security consist of plain, solid navy blue ball caps with no letters or insignia or solid navy blue ball cap with the ADC letters or insignia. Hats for field security will be purchased by the unit. Blue/gray felt western style hats shall be replaced every other year. Straw western style hats are approved for summer wear and shall be replaced yearly
4. Correctional officers may exchange their uniform pants and shirts every other year unless the Unit Warden or designee deems an additional exchange necessary with 005 documentation as set out in the next paragraph. The routine exchange must occur during the correctional officer's month of hire. Jackets may be exchanged every five years, at the time of the shirt exchange. The correctional officer shall present the shirt or jacket to be turned in without patches. The correctional officer shall retain the patches to be placed upon the new shirts or jacket. Field security may exchange their jackets every other year. Correctional officers must have their Identification Badge in order to exchange uniforms.
5. Correctional officers will not be allowed to exchange or replace uniforms more often than set out in the previous paragraph unless:
  - the uniform is confiscated due to an incident. The unit confiscation report must be submitted before replacement will be allowed;
  - the uniform was destroyed through no fault of the correctional officer (i.e., natural disaster); or
  - due to special circumstances documented in an incident report (005) and approved by the appropriate supervisor and warden. The correctional officer must have their ID badge and a copy of the approved incident report (005), if applicable, in order to exchange or replace uniforms. Family members will not be allowed to exchange uniforms for a correctional officer.

The following items are required to complete the uniform and must be purchased by the correctional officer:

- a. Dark blue or black socks.

- b. Solid black leather belt, plain with no designs or lettering, plain silver or gold colored buckle. Width should be no less than 1 ¼ inches or more than 1 ¾ inches.
  - c. Plain black leather shoes or boots with round toes. No designs are permitted and all stitching will be black in color to include the top edge of the soles. Heels shall not be more than 2 inches in height and soles shall not be more than 5/8 inches thick. For safety purposes, no tennis shoes or steel/Kevlar toe boots will be allowed.
  - d. A dark blue toboggan with ADC insignia may be utilized on outside posts, as needed.
  - e. Black gloves on outside posts, as needed.
  - f. Ties may only be worn for funeral or formal events as dictated by the Warden/Center Supervisor. If a tie is authorized to be worn, it must be navy blue and between 2 to 3 inches in width.
6. Correctional officers will contact the Unit Human Resources Manager regarding the purchase of Department approved ADC caps. The Unit Warden/Center Supervisor/Administrator will determine if caps will be authorized at that facility.
  7. All correctional officers shall be required to wear pants legs outside of their boots. Officers shall wear shirttails inside trousers, except in instances of pregnancy.
  8. The Unit Warden/Center Supervisor/Administrator may authorize officers to wear ammunition holders, holsters, handcuff cases, and equipment holders on their belts, as necessary. These holders shall be plain, black in color, with no lettering or designs. No personal equipment (i.e., handcuff keys, handcuffs, chemical agent, etc.) will be used, or possessed, while on duty.
  9. Food Service correctional officers shall be issued white shirts, navy blue pants, and a jacket. Dark blue or black socks, plain black belt, and round toe black shoes/boots are required to complete the uniform and are to be purchased by the correctional officer.
  10. Correctional officers assigned to hospital security are non-uniformed security personnel who must adhere to the Administrative Directive on Personal Appearance Standards for Non-Uniformed Employees. Hospital correctional officers shall wear an authorized badge while on duty in the community performing Department of Correction functions. This badge is intended to provide rapid validation of the officer in emergencies, and to reassure the public and hospital staff who may notice that the officer is armed. The badge will be worn on the belt with a plain black leather or nylon holder that attaches to the waistband. It should be worn 4 to 6 inches to the right of center of the individual's trousers. In emergencies, it may be clipped to the left pocket of the jacket as to be clearly visible.

11. Other special divisions may be authorized to wear special uniforms as prescribed by the appropriate Administrator/Deputy or Assistant Director and authorized by the Director.
12. Range wear for the Training Academy staff will be blue BDU pants, plain toe black boots, Hi-Viz T-shirt, or Hi-Viz Jacket (purchased by Academy), or Hi-Viz Vest.
13. Emergency Response Team members are authorized to wear Woodland BDU pants and matching BDU long sleeve shirts. A plain black and/or tan t-shirt may be worn in the summer months in lieu of the long sleeve shirt. The BDU shirt will be adorned with two (2) shoulder patches, an Emergency Response Team rocker patch, and rank insignia (if worn), all in subdued black and green. Black and/or tan combat boots and a black or OD (olive drab) green belt shall complete the uniform and are to be purchased by the correctional officer. A Woodland camouflage cap is optional. This uniform may only be used while performing duties as an ERT member. The standard correctional officer uniform will be worn while performing regular duties.
14. K-9 Officers are authorized to wear OD green BDU pants with short and long sleeve OD green, button down shirt with a subdued green Correctional Police badge embroidered on the left breast, a subdued American Flag on the left sleeve, and a subdued ADC patch on the right sleeve. An OD green flight jacket may be worn during cold weather. A tactical long sleeve shirt and t-shirt in OD green may also be worn. The tactical long sleeve shirt will be adorned with two (2) shoulder patches, a badge patch, and rank insignia (if worn) in subdued black and green. Black and/or tan combat boots and an OD green or black belt shall complete the uniform and are to be purchased by the correctional officer. An ADC black and OD green ball cap is optional. This uniform may only be used while performing duties as a K-9 officer. The standard correctional officer uniform will be worn while performing regular duties.

B. Uniform Issuance:

1. The Uniform Issuance Officer located at the Training Academy is responsible for maintaining a method of accounting for all uniforms.
2. Every correctional officer shall be given a statement to sign at the time of issuance which indicates that the correctional officer has received all items as listed; agrees to be responsible for the safekeeping of items; agrees to return all department issued uniforms if employment is terminated for any reason, and; agrees to pay the replacement cost for any lost or destroyed items when such loss or destruction occurs through negligence of the correctional officer.

C. Placement of Insignia:

Only the items listed below may be worn or displayed on the uniform:

1. The nametag [three-fourths inches (3/4") in height, blue with white letters, includes two (2) initials and last name] shall be worn centered on the top edge of the right shirt pocket. The nametags will be ordered by the Training Academy during Basic Correctional Officer Training (BCOT). The units/centers shall be responsible for providing replacement nametags.
2. The Department of Correction issued badge patch shall be centered 1/4" above the left shirt pocket.
3. Food Production Managers, Training Instructors, Training Supervisors, Corporals, Sergeants, Lieutenants, and Captains shall wear silver-colored insignia on both collars. Majors shall wear gold-colored insignia on both collars. All insignia should be centered ¼ inch from each edge of the collar. The Emergency Response Team (ERT) will wear rank insignia on the right collar and the ERT insignia on the left collar. Rank insignia shall be state issued, constructed of metal, and will be as follows:

Corporals and Food Production Manager I:

Silver - Two small chevrons

Sergeant:

Silver - Three small chevrons

Lieutenant and Training Instructors:

Silver - One bar, one-quarter inch (1/4") wide and three-fourths inches (3/4") long.

Captain, Training Supervisors, and Food Production Manager II:

Silver - Two parallel bars, one-quarter inch (1/4") wide.

Major:

Gold - Small oak leaf

The Unit Human Resources Manager will be responsible for the ordering of rank insignia.

4. The ADC insignia patch will be worn by uniformed staff. The patch shall be worn on sleeves of all shirts. It shall be centered two inches (2") below the shoulder/sleeve seams.
5. Service bars and stars will be worn in place of service pins at the correctional officer's expense. The service bars will be silver in color on a background of navy blue material, and will be seven-sixteenths inches by one inch (7/16" x 1") in size, to be placed one-quarter inch (1/4") apart on the left shirtsleeve. Each officer will wear one bar for each year of service completed. When an officer is eligible to wear more than four (4) bars, he or she will omit the bars and use a five-point star denoting five (5) years of service. At no time should an officer have more than four (4) bars on the sleeve.

The service stars will be the same color as the bars and placed one-half inch (1/2") apart. The size of the stars will be three-quarter inches (3/4") from the top of one point of the star to the opposite tip. The service stars will be sewn on the left sleeve immediately to the right of the crease in the sleeve and one inch (1") from the top of the cuff. The single point of the star will be pointed upward. If no stars are used, the bars will be sewn in the same manner. If stars are used, then bars will be sewn above the stars.

6. The Field Training Officers (FTO's) will wear the silver FTO pin over the left collar in place of the rank insignia. The FTO pin will be issued by the Training Academy or the unit.
7. The identification card is required to be displayed, and it shall be centered and clipped to the left pocket flap of the shirt with the picture displayed.
8. At the discretion of the Director, a black ribbon may be worn over the badge as an indicator of mourning. The ribbons should be 1/2 inch wide and 3 inches long and should be attached diagonally with the ribbon beginning at the top of the left side of the badge. At the death of a correctional officer, the Warden/Center Supervisor may authorize the wearing of the black ribbon through the day of the funeral service.
9. Before any other insignia or articles can be worn on the uniform, written approval from the Director must be received.

D. Accountability:

The correctional officer will be held responsible for all uniform items and other state property issued and will keep all garments cleaned and in good condition.

If the correctional officer cannot satisfactorily account for any items of state property which have been issued, the Unit Warden/Center Supervisor/Administrator will take the following actions:

1. The correctional officer is required to complete a 005 report.
2. Notify the correctional officer that he or she must make immediate payment of the cost computed by the Uniform Issuance Officer of the items in the form of a money order payable to the Department of Correction.

E. Hair Requirements:

1. Male officers must adhere to the hair portion of this policy when in uniform. Each uniformed correctional officer shall keep his sideburns neatly trimmed (unless there is a medical necessity, as documented by a physician). Sideburns should be no wider than one inch (1") and the same width on each side and shall not extend beyond the bottom of the earlobe. Neatly trimmed mustaches not extending below the corner of the mouth nor extending below the top of the upper lip will be permitted. No facial hair that prevents a seal on the self-contained breathing

apparatus (SCBA) or gas mask will be allowed, and no neck hair is allowed (e.g., no goatee which extends below the chin). Hair shall be trimmed and properly groomed so that it does not extend over the top of the ears or the collar. The hair should be kept clean, neat, and styled to present a professional appearance. A diagram of where the mask is placed on your face, and examples of allowed and prohibited facial hair are attached.

2. Female correctional officers must adhere to the hair portion of this policy when in uniform. The hair should be kept clean, neat, and styled to present a professional appearance. Long hair shall be arranged in a fashion so that it does not extend over the collar or ears, including extensions. No hairstyle that will prevent the self-contained breathing apparatus (SCBA) or gas mask to seal/fit properly is allowed.
3. Hairstyles that allow an inmate a handhold are not allowed. Mohawks, ponytails or unprofessional styles are not allowed. Only full, removable wigs required for medical necessity, as documented by a physician, are allowed.
4. Dyed, tinted, highlighted, or bleached hair must be within one of the naturally occurring color ranges and professional in appearance. Naturally occurring color ranges do not include unique hair colors, including, but not limited to, pink, blue, green, bright red, orange, or purple. Hair will not be styled or combed forward any lower on the forehead than the correctional officer's eyebrow, measured from the high point of the eyebrow.

F. Fingernails:

All personnel will keep fingernails clean and neatly trimmed. Fingernails shall not exceed one-eighth (1/8) inch beyond the tips of the fingers. Polished fingernails of female personnel should all be one color of non-decorative fingernail polish. Females may wear clear acrylic nails, provided they conform to ADC standards regarding length and color.

G Jewelry:

Due to the inherent physical risk and possible monetary loss of working in a correctional setting, uniformed correctional officers shall limit the type and amount of jewelry worn while on duty and in uniform. Uniformed correctional officers may wear a wristwatch, a wedding ring, and one other ring. Religious medallions, and/or medic alert tags may be worn but, they must be worn underneath the shirt and not visible. Uniformed officers are prohibited from wearing earrings while on duty or in uniform. No tongue-stud, lip, nose, eyebrow, or other visible body piercings are allowed. (Covering visible body piercings with band-aids is not considered complying with this policy.)

H. Tattoos:

While in uniform, correctional employees should project a professional appearance at all times. No uncovered tattoos of any kind shall appear on a uniformed employee's face. No offensive tattoos shall be visible while the employee is in uniform. The term offensive tattoo includes any tattoo which might cause a reaction from staff or inmates which would undermine the good order or operation of the facility. This includes, without limitation, any

tattoo depicting a symbol or image associated with any Security/Terroristic Threat Group (STTG).

I. Hygiene and Body Grooming:

Officers will maintain good personal hygiene and grooming on a daily basis.

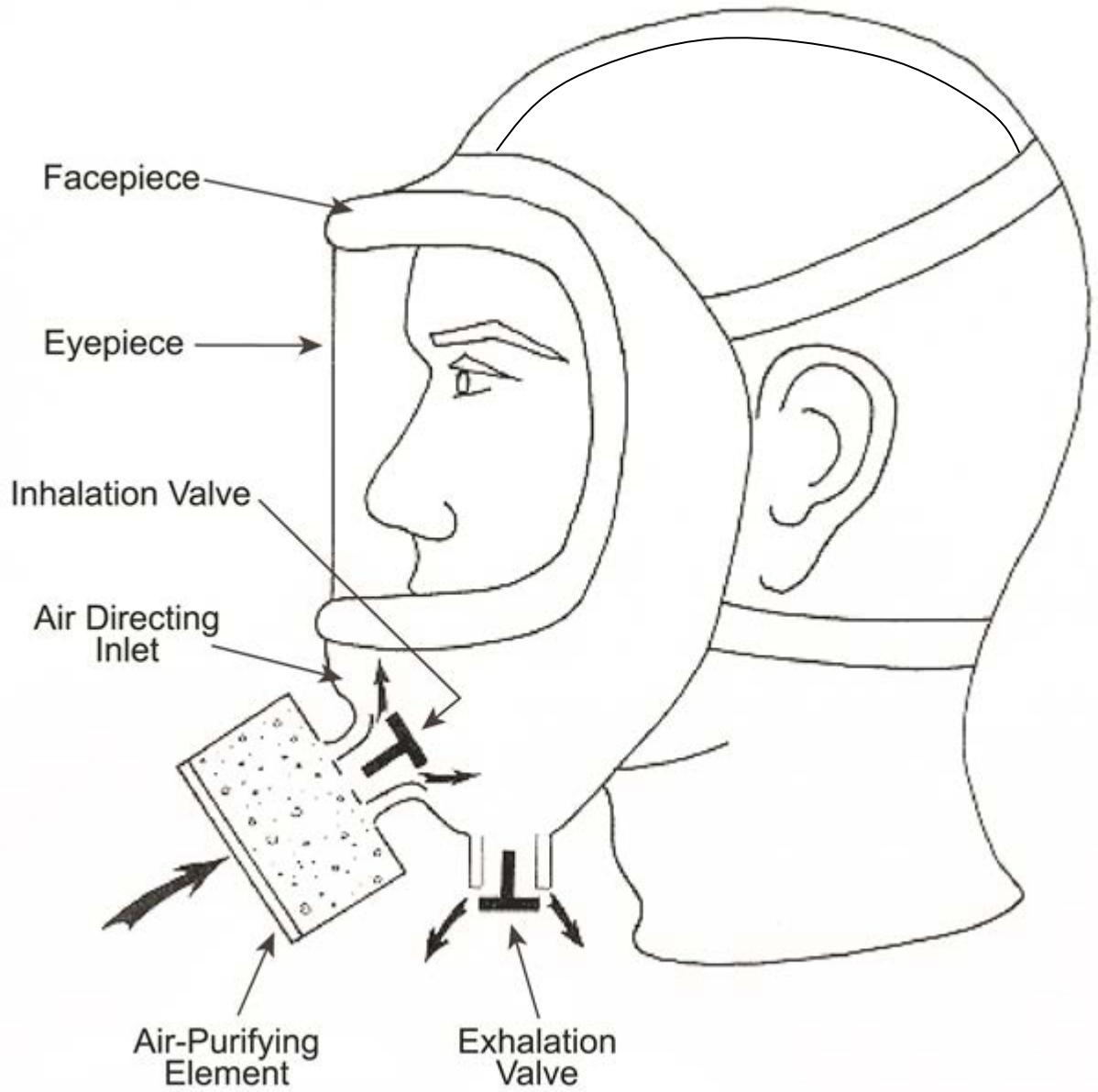
J. Resignation/Termination of Employment:

A correctional officer who resigns or is terminated will be responsible for returning all state issued uniforms and their badge to the Uniform Issuance Officer. The correctional officer will receive a receipt for the returned items upon request. The Uniform Issuance Officer will indicate receipt of items and notify the Central Payroll Office that all items have been returned.

IV. **ATTACHMENT:**

**Diagram of a Typical Full Face-piece Respirator (SCBA)**  
**Diagram of Facial Hair**

**Diagram of a Typical Full Face-piece Respirator (SCBA)**





**Diagram of Facial Hair**

**ACCEPTABLE:**



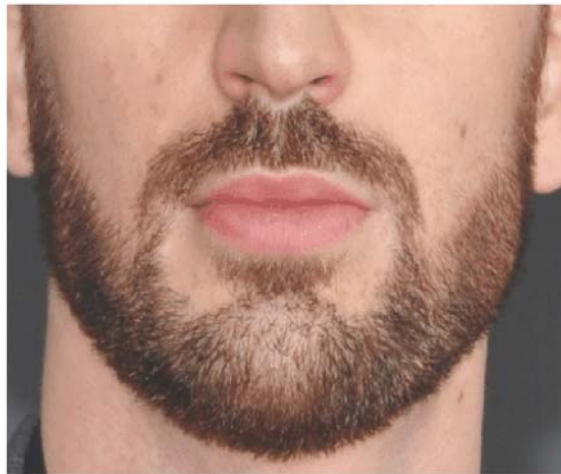
**UNACCEPTABLE:**



**UNACCEPTABLE:**



**UNACCEPTABLE:**





## B. Meals and Lodging

1. Reimbursement for meals is allowed only in connection with overnight travel whether in-state or out-of-state unless (Special Authorizations) are authorized by the Director.
2. Travelers will be reimbursed for personal meal expenses provided they are documented and reasonable. -In general, meals should be taken at the most economical restaurant that fits the occasion.

If a meal is provided by a conference as part of the conference fee, and a traveler elects to purchase a meal independent of the conference, such meal(s) will be considered a personal expense and will not be reimbursed.

The maximum full day meal allowance will be the federal travel rate depending on the destination location. -For partial days, meals charged must be in proportion to the time in travel status and may not exceed the maximum for applicable meal(s) stated in the Federal Travel Directory for the location(s). -The Federal Directory can be accessed at the following web link: <http://www.gsa.gov/Portal/gsa/ep/home.do?tabId=0> (select per diem rates).

3. For partial days in travel status where no lodging cost is incurred, the traveler is allowed to claim up to a maximum of 75% of the daily allowance for meals if the traveler spent the night and had meals on the day of departure or return. -The daily travel allowance at the destination location shall be used in the calculation of the limit for partial days. In accordance with state travel regulations, actual expenses only are allowed and the charges must be in proportion to the time in travel status, not to exceed that allowed by the federal travel regulations. Receipts supporting actual travel expenses must be attached to a Travel Reimbursement Request.
4. Tip reimbursement of up to 15% of the meal amount expended may be reimbursed to the employee; however, the total of the meal and tip may not exceed the maximum rate prescribed in the Federal Travel Directory.
5. Reimbursement for lodging is limited to the single room rate. The maximum daily allowance will be limited to the federal travel rate depending on the location for both in-state and out-of-state travel. Lodging costs exceeding the rates listed in the Federal Travel Directory may not be paid without a letter of authorization by the

Director and must include a justification as to why it was in the best interest of the state to exceed the standard reimbursement rate.

6. No expenses for meals or lodging will be allowed within the city or town of the employee's "official station" unless "special authorizations" are authorized by the Director.
7. Travel reimbursement claims must be supported by receipts, i.e., a printed record given to the individual at checkout that lists the purchases made, the total amount of the transaction including taxes and the name of the retailer.
8. Travel reimbursement is not a per diem and is to be claimed for actual expenses for meals and lodging not to exceed the maximum allowable rates as listed in the Federal Travel Directory, <http://www.gsa.gov>, plus applicable sales tax.

#### C. Transportation

1. Travel may be achieved by plane, train, bus, taxi, private vehicle/aircraft, rented or state owned automobile, whichever method serves the requirements of the department most economically and advantageously.
2. When a common carrier is used to transport persons on state business, the Administrative Services Division should make the travel arrangements and arrange for direct billing to the agency. If this is not possible, the traveler may make and pay for the arrangements and request reimbursement. The least expensive available rate should be used. First class fare is not permitted unless it is the only available rate.

~~3. When a privately owned vehicle is used for travel on state business, reimbursement will be made at the rate as established by the Chief Fiscal Officer of the state during the time the travel occurred. (The current reimbursement rate will be provided in the Administrative Services Division Accounting Procedures Manual located on the common ADC server at: \\adcaefs1\Users\AdminServices.)~~

34. When state vehicles are used, the traveler should use credit cards provided for gasoline and oil. -Minor emergency repairs to the vehicle may also be charged on the credit card.

45. When privately owned motor vehicles are used for travel on official business, the owner may claim reimbursement at the rate

per mile established by the Chief Fiscal Officer of the State in effect during the time the travel occurred. (The current reimbursement rate will be provided in the Administrative Services Division Accounting Procedures Manual located on the common ADC server at: \\adcaefs1\Users\AdminServices.) The shortest major highway route (map mileage whether paper based or electronic) will determine the maximum mileage allowed. Private vehicle mileage shall be reimbursed and computed, using map mileage (whether paper based or electronic), between the travel site destination and the employee's official station or residence, if leaving directly from the residence, whichever is less. If the traveler has local intra-city or "vicinity" mileage, such extra mileage should be listed on a separate line of the travel form, indicating the date, city name and the actual number of "vicinity" miles. -If more than one traveler is transported in the same vehicle, only the owner can claim mileage reimbursement. -The department will reimburse for official miles driven only. The department assumes no responsibility for any maintenance, insurance, operational costs, accidents or fines incurred by the owner of the vehicle while on official business for the state. The employee's Travel Supervisor is responsible for ensuring that the employee has complied with provisions of the Department's Vehicle Safety Program.

D. Other Expenses and Restrictions

Miscellaneous expenses, whether or not directly connected with travel (such as postage, small emergency supplies, etc.), may be allowed with adequate justification when necessary to the performance of official duties. Receipts are required. Expenses for personal entertainment, flowers, valet service, laundry, alcoholic beverages, cleaning, movies or other similar services are not reimbursable.

The major restrictions for travel reimbursement are:

1. Oil company credit cards issued to a state agency are not to be used to pay for meals, lodging, or personal items.
2. All employee travel reimbursement claims must be completed for payment to the individual traveler. One employee may not include on his travel payment request the expenses of another employee.
3. Expenses for travel, rental of space, decoration, entertainment or other arrangements in connection with banquets held solely for the benefit of employees are not reimbursable.

4. Travel expenses incurred in border areas such as Greenville, Memphis or Texarkana are classified as in-state travel expenses.
5. Reimbursement for out-of-state travel will be the lesser of coach class airfare or established rate of private car mileage, based on map mileage, when driven. If traveling by automobile, the minimum miles traveled per day while in travel status in reaching or returning from a destination to be eligible to collect a night's lodging must be 400 miles. -This requirement applies to trips where the destination is 400 miles or more from the employee's official station.

Expenses incurred by an authorized traveler in connection with transportation of residents or inmates of state institutions, or for the apprehension and return of escaped prisoners, or other wards of the state, will be regulated by the circumstances, and necessary "actual" expenses will be allowed.

Expenditures ordinarily made under other guidelines of the Department may be reimbursed only with special written authorization of the Director and concurrence of the Chief Fiscal Officer of the State.

E. Travel Authorization, Conventions, Conferences and Educational Seminars

Any employee travel to conventions, conferences or training opportunities that will result in expenditure of agency Travel and Conference Fees must be approved in advance of the travel. -The traveler must submit and obtain approval for the travel by completing a Travel Request Form, Attachment A, **prior to commencement of the trip.** -Failure to obtain proper approval could result in non-reimbursement.

Employees are expected to arrive at training no later than the scheduled class start time to be eligible for work time and training credit. Any employee arriving 15 minutes or more late of a scheduled training class beginning time, without an approved excuse, will not receive reimbursement for personal car mileage or expenses. -The Warden/Administrator will ensure that any travel reimbursement is not approved for training not completed.

F. General Business Travel Authorization

Any employee travel for normal business activities that will result in expenditure of agency Maintenance and Operational Funds must be authorized in advance by the applicable Travel Supervisor.

G. Travel Reimbursement Request (TR-1)

A TR-1, Attachment B, is the standard form for submission of travel expense reimbursement requests for employees, board members, or individuals acting in behalf of the Department on official business.

Each request for travel reimbursement must be signed by either a Travel Administrator or Travel Supervisor. Generally, Travel Administrator designation within the Department is for the Director or Deputy/Assistant Directors. Travel Supervisor designation is for Administrators and Unit Wardens. Travel Administrators and Supervisors are responsible to ensure that each request for reimbursement of travel expense is proper.

**IV. REFERENCES:**

ACA 19-4-901  
State of Arkansas Travel Regulation  
Administrative Services Procedures Manual



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Travel Rules and Regulations

**NUMBER:** 18-33

**SUPERSEDES:** 13-169

**APPLICABILITY:** Department of Correction Employees

**REFERENCE:** AR 108 – Travel Regulations

**PAGE 1 of 6**

**APPROVED:** Original signed by Wendy Kelley

**EFFECTIVE DATE:** 07/9/18

**I. POLICY:**

To provide internal controls to ensure compliance with travel rules and regulations.

**II. EXPLANATION:**

This Directive establishes guidelines for reimbursement of employee expenses for authorized travel in accordance with state laws, rules, and regulations.

**III. PROCEDURES:**

A. Travel Day

The travel day begins at 6:00 a.m. and ends the following morning at 6:00 a.m. and includes breakfast, lunch, dinner, and one night’s lodging.



## B. Meals and Lodging

1. Reimbursement for meals is allowed only in connection with overnight travel whether in-state or out-of-state unless (Special Authorizations) are authorized by the Director.
2. Travelers will be reimbursed for personal meal expenses provided they are documented and reasonable. In general, meals should be taken at the most economical restaurant that fits the occasion.

If a meal is provided by a conference as part of the conference fee, and a traveler elects to purchase a meal independent of the conference, such meal(s) will be considered a personal expense and will not be reimbursed.

The maximum full day meal allowance will be the federal travel rate depending on the destination location. For partial days, meals charged must be in proportion to the time in travel status and may not exceed the maximum for applicable meal(s) stated in the Federal Travel Directory for the location(s). The Federal Directory can be accessed at the following web

link: <http://www.gsa.gov/Portal/gsa/ep/home.do?tabId=0> (select per diem rates).

3. For partial days in travel status where no lodging cost is incurred, the traveler is allowed to claim up to a maximum of 75% of the daily allowance for meals if the traveler spent the night and had meals on the day of departure or return. The daily travel allowance at the destination location shall be used in the calculation of the limit for partial days. In accordance with state travel regulations, actual expenses only are allowed and the charges must be in proportion to the time in travel status, not to exceed that allowed by the federal travel regulations. Receipts supporting actual travel expenses must be attached to a Travel Reimbursement Request.
4. Tip reimbursement of up to 15% of the meal amount expended may be reimbursed to the employee; however, the total of the meal and tip may not exceed the maximum rate prescribed in the Federal Travel Directory.
5. Reimbursement for lodging is limited to the single room rate. The maximum daily allowance will be limited to the federal travel rate depending on the location for both in-state and out-of-state travel. Lodging costs exceeding the rates listed in the Federal Travel Directory may not be paid without a letter of authorization by the

Director and must include a justification as to why it was in the best interest of the state to exceed the standard reimbursement rate.

6. No expenses for meals or lodging will be allowed within the city or town of the employee's "official station" unless "special authorizations" are authorized by the Director.
7. Travel reimbursement claims must be supported by receipts, i.e., a printed record given to the individual at checkout that lists the purchases made, the total amount of the transaction including taxes and the name of the retailer.
8. Travel reimbursement is not a per diem and is to be claimed for actual expenses for meals and lodging not to exceed the maximum allowable rates as listed in the Federal Travel Directory, <http://www.gsa.gov>, plus applicable sales tax.

C. Transportation

1. Travel may be achieved by plane, train, bus, taxi, private vehicle/aircraft, rented or state owned automobile, whichever method serves the requirements of the department most economically and advantageously.
2. When a common carrier is used to transport persons on state business, the Administrative Services Division should make the travel arrangements and arrange for direct billing to the agency. If this is not possible, the traveler may make and pay for the arrangements and request reimbursement. The least expensive available rate should be used. First class fare is not permitted unless it is the only available rate.
3. When state vehicles are used, the traveler should use credit cards provided for gasoline and oil. Minor emergency repairs to the vehicle may also be charged on the credit card.
4. When privately owned motor vehicles are used for travel on official business, the owner may claim reimbursement at the rate per mile established by the Chief Fiscal Officer of the State in effect during the time the travel occurred. (The current reimbursement rate will be provided in the Administrative Services Division Accounting Procedures Manual located on the common ADC server at: \\adcaefs1\Users\AdminServices.) The shortest major highway route (map mileage whether paper based or electronic) will determine the maximum mileage allowed. Private

vehicle mileage shall be reimbursed and computed, using map mileage (whether paper based or electronic), between the travel site destination and the employee's official station or residence, if leaving directly from the residence, whichever is less. If the traveler has local intra-city or "vicinity" mileage, such extra mileage should be listed on a separate line of the travel form, indicating the date, city name and the actual number of "vicinity" miles. If more than one traveler is transported in the same vehicle, only the owner can claim mileage reimbursement. The department will reimburse for official miles driven only. The department assumes no responsibility for any maintenance, insurance, operational costs, accidents or fines incurred by the owner of the vehicle while on official business for the state. The employee's Travel Supervisor is responsible for ensuring that the employee has complied with provisions of the Department's Vehicle Safety Program.

D. Other Expenses and Restrictions

Miscellaneous expenses, whether or not directly connected with travel (such as postage, small emergency supplies, etc.), may be allowed with adequate justification when necessary to the performance of official duties. Receipts are required. Expenses for personal entertainment, flowers, valet service, laundry, alcoholic beverages, cleaning, movies or other similar services are not reimbursable.

The major restrictions for travel reimbursement are:

1. Oil company credit cards issued to a state agency are not to be used to pay for meals, lodging, or personal items.
2. All employee travel reimbursement claims must be completed for payment to the individual traveler. One employee may not include on his travel payment request the expenses of another employee.
3. Expenses for travel, rental of space, decoration, entertainment or other arrangements in connection with banquets held solely for the benefit of employees are not reimbursable.
4. Travel expenses incurred in border areas such as Greenville, Memphis or Texarkana are classified as in-state travel expenses.
5. Reimbursement for out-of-state travel will be the lesser of coach class airfare or established rate of private car mileage, based on map mileage, when driven. If traveling by automobile, the minimum miles traveled per day while in travel status in reaching

or returning from a destination to be eligible to collect a night's lodging must be 400 miles. This requirement applies to trips where the destination is 400 miles or more from the employee's official station.

Expenses incurred by an authorized traveler in connection with transportation of residents or inmates of state institutions, or for the apprehension and return of escaped prisoners, or other wards of the state, will be regulated by the circumstances, and necessary "actual" expenses will be allowed.

Expenditures ordinarily made under other guidelines of the Department may be reimbursed only with special written authorization of the Director and concurrence of the Chief Fiscal Officer of the State.

E. Travel Authorization, Conventions, Conferences and Educational Seminars

Any employee travel to conventions, conferences or training opportunities that will result in expenditure of agency Travel and Conference Fees must be approved in advance of the travel. The traveler must submit and obtain approval for the travel by completing a Travel Request Form, Attachment A, **prior to commencement of the trip**. Failure to obtain proper approval could result in non-reimbursement.

Employees are expected to arrive at training no later than the scheduled class start time to be eligible for work time and training credit. Any employee arriving 15 minutes or more late of a scheduled training class beginning time, without an approved excuse, will not receive reimbursement for personal car mileage or expenses. The Warden/Administrator will ensure that any travel reimbursement is not approved for training not completed.

F. General Business Travel Authorization

Any employee travel for normal business activities that will result in expenditure of agency Maintenance and Operational Funds must be authorized in advance by the applicable Travel Supervisor.

G. Travel Reimbursement Request (TR-1)

A TR-1, Attachment B, is the standard form for submission of travel expense reimbursement requests for employees, board members, or individuals acting in behalf of the Department on official business.

Each request for travel reimbursement must be signed by either a Travel Administrator or Travel Supervisor. Generally, Travel Administrator designation within the Department is for the Director or Deputy/Assistant Directors. Travel Supervisor designation is for Administrators and Unit Wardens. Travel Administrators and Supervisors are responsible to ensure that each request for reimbursement of travel expense is proper.

**IV. REFERENCES:**

ACA 19-4-901  
State of Arkansas Travel Regulation  
Administrative Services Procedures Manual



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6299  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Inmate Disciplinary Manual**

**NUMBER: 18-18-12**

**SUPERSEDES: 18-127-28**

**APPLICABILITY: Inmates and Staff**

**REFERENCE: AR-831 – Disciplinary Rules  
 and Regulations**

**PAGE: 1 of 39**

**APPROVED: Original Signed by ~~Wendy Kelley~~ \_\_\_\_\_ EFFECTIVE DATE: 03/01/2018**

- 
- I. POLICY:** To ensure that 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 Department shall be controlled in an impartial and consistent manner.
- II. PURPOSE:** The Department shall establish and designate Major and Minor Disciplinary Hearing Officers who shall hear and adjudicate all reports of infractions of institutional rules and regulations that are referred to them. These authorities shall be designated as the Major or Minor Disciplinary Hearing Officers, respectively. When inmate behavior requires discipline, these procedures shall be followed to ensure that no unnecessary disciplinaries 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 Punitive Segregation only when the presence of the inmate in the general population, due to the behavior of the inmate posing a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility.

### III. **DEFINITIONS:**

- A. The Disciplinary Hearing Administrator is the Internal Affairs Administrator. The Disciplinary Hearing Administrator is responsible for ensuring that Disciplinary Hearing Officers are trained and will regularly review the hearings conducted by these hearings officers.
- B. Disciplinary Hearing Officer – conducts hearings on Major Disciplinary known as Major Disciplinary Court.
- C. Serving Officer/Notifying Officer – serves charges on the inmate(s), may appoint a Counsel Substitute and receives the inmate’s list of witnesses regarding the charge and provides the inmate with a copy of the Disciplinary Hearing Officer’s report. The Warden is responsible for ensuring that these officers are properly trained.
- D. Minor Disciplinary Officer – conducts hearings on minor disciplinary charges referred to as Minor Disciplinary Court. The Warden designates an officer to be trained to handle the minor disciplinary at his/her unit.
- E. Disciplinary Report – the factual basis for the charge of rule violation(s) and the rule(s) violated.
- F. Charge – the details of the rule violation(s) contained in the Disciplinary Report.
- G. Assault – a willful attempt or threat(s) to inflict injury upon the person of another.
- H. Battery – the actual use of physical force upon the person of another.
- I. Indecent Exposure – public exposure of one’s genitals for gratification or pleasure.
- J. Masturbation – manipulating one’s genitals to arouse or gratify a sexual desire; does not require exposure.
- K. Staff includes any employee of the Arkansas Department of Correction, the Correctional School System, and any employee or contractor providing services within an Arkansas Department of Correction facility through contract or agreement with the Arkansas Department of Correction.
- L. Counsel Substitute – staff appointed to assist the inmate through the disciplinary process including the appeal process if necessary.

- M. 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.
- N. Business day is Monday through Friday, excluding legal State recognized Holidays.
- 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 indicating predator or victim identifications. This would include violations of sexual misconduct, rape or forced sexual act, masturbation in the presence of another, sexual threats, sexual harassment, demanding sexual acts in trade, and aiding or abetting in any of the above.

**IV. GENERAL RULES FOR MAJOR DISCIPLINARIES:**

- A. To prevent the filing of unnecessary disciplinaries, reasonable effort should be made to first counsel the inmate about his/her behavior.
- B. Each Major Disciplinary Court shall consist of one Disciplinary Hearing Officer, who shall have singular authority for determining guilt or innocence and assessment of appropriate punishment.
- C. The Disciplinary Hearing Officer(s) assigned to the Randall L. Williams Correctional Facility will conduct hearings at all units.
- D. The officer who serves the disciplinary shall have the authority to appoint a staff Counsel Substitute at the time the disciplinary is served.
- E. Disciplinary action(s) shall be determined by a schedule of punishments that are based on the seriousness of the rule violated.
- F. The appeal process shall be directed to the Warden/Center Supervisor, then to the Disciplinary Hearing Administrator and then to the Director.

**V. TRAINING:**

- A. The Disciplinary Hearing Administrator will be responsible for maintaining an instructional folder containing information on the proper procedures for holding major and minor disciplinary 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 Disciplinary Hearing Administrator is responsible for training all Disciplinary Hearing Officers.
- B. The Disciplinary Hearing Officers will be required to review and be knowledgeable of all the policies and procedures including the use of the electronic offender management



system for processing disciplinary records. This includes the Inmate Handbook, Employee Handbook, applicable state and federal laws, AR's of the Arkansas Department of Correction, AD's of the Arkansas Department of Correction, and Unit operating procedures.

- C. Each Warden will designate Serving/Notifying Officer(s) and ensure they are trained on Department policies including the Inmate Disciplinary Manual and procedures for serving disciplinaries.
- D. Each Warden will designate one or more Minor Disciplinary Officers and ensure that such officers are trained on Department policies including the Inmate Disciplinary Manual and procedures for conducting minor disciplinary court.

## **VI. BEHAVIOR RULES AND REGULATIONS:**

- A. 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; additionally, 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 unless words in the specific rule violation are bolded in which case those words will display on the website.

### **GROUP DISRUPTION CATEGORY**

### **PENALTY CLASS**

- |   |   |
|---|---|
| 01-1. Banding together for any reason which disrupts unit operations which may include taking over any part of the unit or property of the Department, seizing one or more persons as hostages, or interrupting operations. Rule violation may result in loss of all good time. | A |
| 01-6. Direct involvement in writing, circulating or signing a petition, letter, or similar declaration that poses a threat to the security of the facility.   | B |
| 01-7. Any rule violation set forth above 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**

- |  |   |
|--|---|
| 02-2. <b>Under the influence</b> of and/or any use of illegal drugs, alcohol, intoxicating | A |
|--|---|

chemicals or any medication in an unauthorized manner.

- 02-3. **Monetary Misconduct** – Entering into unauthorized contractual agreements, failure to turn in all checks or monies received, obtaining money through fraud or misrepresentation (examples include buying articles on a payment plan, failure to turn in tips received on work release, misleading someone to obtain money). B
- 02-4. **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. C
- 02-5. **Unauthorized use of mail or telephone**, including passing unauthorized messages, three-way communication(s), calling on another's phone code, posing as another person, and telephone communications with unauthorized persons. B
- 02-11. 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 Administrative Regulation 834, Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates. B
- 02-12. **Failure to keep one's person or quarters** in accordance with regulations, or failure to wear Department-issued ID, or clothing according to center/unit policy. C
- 02-13. Breaking into, or causing disruption of, an inmate line or **interfering with operations**. B
- 02-15. **Tampering with**, or blocking, any lock or **locking device**. A
- 02-16. **Refusal to submit to substance abuse testing**. A
- 02-17. Creating **unnecessary noise**, including disruptive or aggressive **play** in areas other than designated recreation areas. C

- 02-20. **Unauthorized communication**, contact, or conduct with a visitor or any member of the public or staff. B
- 02-21. Running from, avoiding, or otherwise **resisting apprehension**. B
- 02-22. **Interfering with** the taking of **count**. B
- 03-3. **Unexcused absence** from work/school assignment or other program activity. B
- 03-5. **Out of place of assignment**. B
- 05-5. **Provoking or agitating a fight**. B
- 11-1. **Insolence to a staff member**. B
- 12-2. **Refusal of job assignment** including participating in a treatment program, boot camp, or class assignment or violating program rules that results in dismissal from a program. B
- 12-3. **Failure 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, or hallway. A
- 13-2. **Lying to a staff member**, including omissions and providing misinformation. B
- 13-3. **Malingering**, feigning an illness. B

#### BATTERY CATEGORY

- 04-4. **Battery** – Use of physical force upon staff. A
- 04-5. **Aggravated Battery** – Use of a weapon in battery upon another person (not an inmate). This Rule violation may 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
- 04-8. **Battery** – Use of physical force upon an inmate. A

- 04-17. **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
- 04-18. **Aggravated Battery** upon inmate –Use of weapon in a battery upon another inmate. Rule violation may result in the loss of all good time. A

### ASSAULT CATEGORY

- 05-3. Assault – Any **threat(s) to inflict injury** upon another, directly or indirectly, verbally or in writing. A
- 05-4. Making **sexual threat(s)** to another person, directly or indirectly, verbally or in writing. A

### THEFT, DESTRUCTION OF PROPERTY OR EXTORTION CATEGORY

- 06-1. **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
- 07-1. **Unauthorized use of state property/supplies.** B
- 07-4. **Theft or possession of stolen property.** A
- 08-4. **Destruction** or intentional misplacement of **property** of another or the Department. B
- 08-6. **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
- 08-7. **Setting a fire** or **destruction or tampering with fire detection** or suppression device. A

### POSSESSION/MANUFACTURE OF CONTRABAND CATEGORY

- 09-1. 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
- 09-3. Possession/introduction/manufacture of any drug, narcotic intoxicant, tobacco, chemical, A

or drug paraphernalia not prescribed by medical staff.

- |        |  |   |
|--------|--|---|
| 09-4.  | Possession or movement of money or currency, unless specifically authorized.   | A |
| 09-5.  | Possession/introduction of clothing or property not issued to inmate nor authorized by the center/unit.  | C |
| 09-9.  | Counterfeiting, forging, or unauthorized possession/introduction of any document, article of identification, money, security, or official paper.   | A |
| 09-14. | Possession/introduction/use of unauthorized electronic device(s), including flash drive, MP player, DVD player, etc. Rule violation may result in loss of all good time.   | A |
| 09-15. | Possession/introduction/use of a cell phone or any cell phone component (e.g., sims card, charger, battery, etc.) or an unauthorized messaging device. Rule violation may result in the loss of all good time and may result in the loss of Inmate Telephone System privileges for one (1) year. | A |
| 09-16. | Use of internet or social media.   | A |
| 09-17. | Preparing, conducting, or participating in a gambling operation.   | B |

### **SEXUAL ACTIVITY CATEGORY**

- |       |   |   |
|-------|---|---|
| 10-1. | Engaging in sexual activity with another consenting person.           | A |
| 10-2. | Making sexual proposals to another person. (PREA)                     | A |
| 10-3. | Indecent exposure; may result in a referral for criminal prosecution. | A |
| 10-4. | Bestiality.   | A |
| 10-5. | Masturbation in the presence of another inmate.                       | A |
| 10-6. | Engaging in non-abusive sexual activity with another person.          | A |

- 10-7. Demanding sexual contact in trade or for protection from physical harm or mental anguish, or other victimization. A
- 04-10. **Rape or forced sexual act** with/on an inmate. Rule violation may result in the loss of all good time. (PREA) A
- 04-19. **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. A

### **TRAFFICKING AND TRADING CATEGORY**

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

### **ESCAPE CATEGORY**

- 16-1. Escape, or attempt to escape from custody of the Department of Correction; may result in the loss of all good time. A
- 16-2. Failure to return from any approved activity or furlough at the designated time. A

B. Determination of Charges – Only one rule violation may be charged for a given behavior. The violation cited should be that which most accurately categorizes the behavior. However, a Disciplinary Report 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 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-~~31~~, 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 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 charge of 10-3.)

## **VII. MAJOR DISCIPLINARY COURT:**

- A. Establishment of Court – The Major Disciplinary Court shall be composed of a single Disciplinary Hearing Officer who will be directed in the performance of those duties by the Disciplinary Hearing Administrator.
- B. Responsibilities of the Major Disciplinary Hearing Officer
  1. The Major Disciplinary Hearing Officer is charged with the responsibility of ensuring that all rules promulgated by the Arkansas Department of Correction regarding major disciplinary hearings are followed.
  2. In all major disciplinary proceedings, the Disciplinary Hearing Officer shall fully explain the charges and inform the inmate of the possible consequences if found guilty. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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/Center Supervisor, Disciplinary Hearing Administrator and the Director.
  3. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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. The responsibilities of the Disciplinary Hearing Officer regarding Counsel Substitutes are enumerated under Section VII (J) (1).

C. Responsibilities of the Building or Field Chief Security Officer

1. Prior to the Major Disciplinary Hearing, the Chief Security Officer will review all disciplinaries and may do one of the following:
  - a. Forward the disciplinary to the Disciplinary Hearing Officer with his initials on the report.
  - b. Reduce it to a Minor Disciplinary.
  - c. Dismiss the charges and file the Disciplinary Report as a matter of record.
  - d. Convert the Minor Disciplinary to a Major Disciplinary.

Regarding provision (b) and (c) above, the Chief Security Officer will consult with the charging person on any decision which results in dismissal or reduction. In the event the Chief Security Officer dismisses the Disciplinary Report(s), a copy of the dismissed disciplinary shall be forwarded to the Assistant Warden for Security or Center Supervisor for filing as a matter of record. Copies of these reports are not to be included in the inmate's permanent jacket. Reasons for such dismissals should be documented on the face of the Disciplinary Report(s).

2. The Chief Security Officer may set reasonable limitations on the number of inmate witnesses. The Chief Security Officer 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 Disciplinary Report 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 Disciplinary Report 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 Chief Security Officer. This process will be completed electronically in the electronic Offender Management Information System (eOMIS) 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 Disciplinary Hearing Officer and documented in eOMIS. 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 Disciplinary Hearing Officer 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 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/Center Supervisor 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/Center Supervisor.
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 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 Disciplinary Hearing Officer.

3. No disciplinary will be heard after seven (7) business days from the date it was written except pursuant to an authorized extension. *The day the disciplinary is written is not to be counted in calculating the seven (7) business days.*

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.

4. Upon convening to consider cases of inmate violations of rules and regulations, the Major Disciplinary Court shall cause the inmate to appear before it unless the inmate waives in writing or through behavior. 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 Warden/Center Supervisor or designee. 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 Major Disciplinary Court, 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer will scrutinize the Disciplinary Report 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 Disciplinary Hearing Officer. 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, 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 Disciplinary

Hearing Officer if provided by the charging officer. The Disciplinary Hearing Officer 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 Punitive Isolation, 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer has weighed all of the evidence, a decision shall be made regarding guilt/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 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 Disciplinary Hearing Officer informs the inmate of the verdict. The Disciplinary Hearing Officer will reduce these reasons to writing prior to the conclusion of that business day and the unit disciplinary officer will provide a typed copy or ISSR 100 (electronic generated disciplinary hearing results form) generated by eOMIS to the inmate within twenty-four (24) hours.

The inmate is not required to sign the typed copy. It is sufficient to indicate that the inmate signed (or refused to sign) the original copy.

21. When the Disciplinary Hearing Officer has completed his/her work for the day, the Disciplinary Hearing Officer shall complete the disciplinary court report.
22. Once the Disciplinary Hearing Officer's report has been completed, the disciplinary action shall not be altered in any way except as provided herein.

#### F. Disciplinary Actions

1. The Major Disciplinary Hearing Officer, upon determining that an inmate is guilty of violation of institutional rules, 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 (i.e., loss of good time, punitive segregation, loss of privileges, and extra duty) may not be applied more than once per disciplinary action.
2. Note that the punishment rendered should not be more than the Disciplinary Hearing Officer finds necessary to discourage repeated rule violations in the future. Punitive Isolation and Loss of Good Time above 365 days should only occur when there has been a battery, threat of bodily harm or threat to the secure operation of the unit.
3. Any or all sanctions may be suspended for up to six (6) months.

4. Disciplinary Hearing Officers 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.

G. Range of Allowable Sanctions

1. Penalty Class "A"\*
  - a. Punitive Segregation 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.
  - e. Restitution based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.
  - f. Reduce up to three (3) steps in class.
  - g. Recommend to Classification Committee for change of assignment/unit, including, if appropriate, an out-of-state assignment.
  - h. Extra duty up to two (2) hours per day for up to thirty (30) days.
  - i. Possession/introduction/use of a cell phone will result in the loss of Inmate Telephone System privileges for one (1) year.
  - j. 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.

2. Penalty Class "B"\*
  - a. Loss of earned good time up to one hundred fifty (150) days.
  - b. Loss of designated privileges up to forty-five (45) days.
  - c. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
  - d. Extra duty up to two (2) hours per day for up to fifteen (15) days.
  - e. Formal reprimand and/or warning.
  - f. Recommend to Classification Committee for change of assignment/unit, including, if appropriate, an out-of- state assignment.
  - g. Reduce up to two (2) steps in class.
  - h. Punitive segregation of up to fifteen (15) days for a second or subsequent guilty verdict that is within thirty (30) days of the previous guilty verdict for the same disciplinary violation and which interferes with the safe and secure operation of the facility.
  
3. Penalty Class "C"\*
  - a. Loss of earned credits up to sixty (60) days.
  - b. Loss of designated privileges up to thirty (30) days.
  - c. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
  - d. Extra duty up to two (2) hours per day for up to ten (10) days.
  - e. Formal reprimand/warning.
  - f. Recommend to Classification Committee for change of assignment/unit, including, if appropriate, an out-of-state assignment.
  - g. Reduce one (1) step in class.

\*In addition to any other punishment authorized under this Administrative Directive, 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 Disciplinary Hearing Officer, directly to the Warden/Center Supervisor 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 and is found guilty, he/she cannot appeal the decision. In the event the inmate is illiterate, the Disciplinary Hearing Officer 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.
  - a. The appeal shall be submitted in writing and must be submitted within fifteen (15) business days after a copy of the Disciplinary Hearing Officer's report is offered to the inmate and shall set forth in detail the grounds for any appeal. The Warden/Center Supervisor 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/Center Supervisor should answer the appeal within ten (10) business days.
  - b. If the inmate is not satisfied with the response, he/she has fifteen (15) business days from receipt of the Warden/Center Supervisor's decision to appeal to the Disciplinary Hearing Administrator, who has thirty (30) business days to respond.
  - c. If the inmate disagrees with the response, he/she has fifteen (15) business days from receipt of the Disciplinary Hearing Administrator'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.
  - d. If the inmate fails to receive responses in the time frame set forth above, he/she may appeal to the next level.

- e. During any stage of the appeal, the reviewer may affirm the action of the Disciplinary Hearing Officer or alter 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 Disciplinary Report is written by a Warden/Center Supervisor, the inmate may bypass the appeal to the Warden/Center Supervisor and appeal to the Disciplinary Hearing Administrator.

#### I. Extensions

1. Limited extensions of time may be granted by the respective Warden/Center Supervisor in the following circumstances:
  - a. charged inmate has escaped and is not in custody;
  - b. inmate is out to court/hospital or otherwise off the unit/center;
  - c. the case requires more extensive investigation;
  - d. emergency situation exists at the unit/center; or
  - e. volume of disciplinaries scheduled for hearing is excessive and more time is needed to ensure a fair determination in each case.
2. The Disciplinary Hearing Officer may grant an extension if additional information or investigation is needed in order to arrive at a fair decision.
3. In the event that an extension is granted, a copy of the extension form shall be forwarded to the charged inmate. An 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 extension must be renewed and will not exceed five (5) business days per extension. Any extension over thirty (30) days must be approved by the Director. The Warden/Center Supervisor may give an indefinite 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/Center Supervisor should check the appropriate box on the 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:
  - Those inmates so designated by the Chief Security Officer, or the investigating officer.
  - Those inmates who the Disciplinary Hearing Officer believes are illiterate or incompetent including any inmate with an IQ of sixty (60) or below or a reading level below fourth (4<sup>th</sup>) grade (records of School District and/or Mental Health will be checked).
  - Inmates facing disciplinary proceedings where the issues involved are so complex that he/she is not likely to understand the nature of the charges.
  - Any inmate not able to understand and speak the English language.
  - Inmates assigned a Mental Health Classification of 3 or 4 if recommended on the 834 Form.
- b. The Counsel Substitutes shall consist of members of the staff as designated by the Warden/Center Supervisor. These individuals will be on notice that they are the Counsel Substitutes and should be prepared to be of service at the Disciplinary Hearings. The Warden/Center Supervisor shall prepare a list of approved Counsel Substitutes who shall be immediately available to the investigating officer, the Chief Security Officer, and the Disciplinary Hearing Officer on request. When it is determined that an inmate is in need of a Counsel Substitute by the officer who serves the disciplinary and/or the Chief Security Officer, 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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. Furthermore, 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 should 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 Disciplinary Hearing Officer may grant an extension of time for further investigation.
- f. Once the Disciplinary Hearing Officer 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 Informants

- a. If the charging person does not have firsthand knowledge of the event, the charge may be brought based upon information received from an 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 Disciplinary Hearing Officer shall ensure that the confidential information does not become known to other inmates. This information shall be marked confidential and entered into eOMIS.
- 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 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 informant's name and statement to the Disciplinary Hearing Officer.
  - e. In the event that the Major Disciplinary Hearing Officer uses as evidence an investigative report which is classified as confidential, the Disciplinary Hearing Officer is responsible for ensuring that the confidential report is safely returned to the Disciplinary Hearing Administrator 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** - If physical evidence is involved in or crucial to the determination to be made by the Disciplinary Hearing Officer (such as weapons or contraband), then photographs and/or written reports of that evidence will be presented to and considered by the Disciplinary Hearing Officer. Following the hearing, any contraband may be disposed of pursuant to the Inmate Property Control Administrative Directive, but must be described in great detail under "Evidence Relied Upon." Photographs and written reports should be entered into the electronic offender system and made a part of the inmate's permanent file.
  4. **Malingering**
    - a. Certain Disciplinary Reports 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, the 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 the healthcare staff will be obtained either in writing or by telephone. If written, the statement will be attached to the Disciplinary Report, 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 eOMIS under "Evidence Relied Upon." If the proper entry is not made under "Evidence Relied Upon," indicating the source and content of the testimony from the 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 the 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 Disciplinary Report. If the inmate is cleared by medical and is ordered to go to work but refuses, a disciplinary may be written. If the inmate is sent back to work and returns to work, he should only be given a disciplinary when the officer has some 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 Disciplinary Hearing Officer.

- b. The Disciplinary Hearing Officer 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 discharged.
- c. In cases where the Disciplinary Hearing Officer finds destruction or damage was caused by negligence as opposed to willfulness, the Disciplinary Hearing Officer 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 eOMIS.
- e. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer, by way of suggestion or order, the finding or punishment that the Disciplinary Hearing Officer should find. An exception is Mental Health staff completing a written 834 form (Mental Health Form).
- 3. A Disciplinary Hearing Officer is to make their decision based solely upon the evidence presented 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Administrator.

5. Any Disciplinary Hearing Officer 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 Disciplinary Hearing Administrator, 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 Chief of Security or Assistant Warden, or their designee, will determine if a Disciplinary Report is warranted. If so, only the Chief of Security or Assistant 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 Disciplinary Report against the inmate submitting the grievance.
7. PREA Considerations – inmates involved in sexual contact with an employee, volunteer, contractor, vendor of the Arkansas Department of Correction, 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 – Disciplinary Reports 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 eOMIS.
2. Expungements – Disciplinary Reports which indicate a finding of guilt and which are reversed by the Wardens/Center Supervisors, Disciplinary Hearing Administrator 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 Assistant Warden/Center Supervisor for filing as a matter of record. Such reversals shall also restore good time

or class status which may have been reduced by the Major Disciplinary Hearing Officer.

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 Disciplinary Report 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 by the Disciplinary Hearing Officer to the Supervisor of Records who will promptly note the action taken against each inmate. The Supervisor of Records shall make whatever changes are required regarding statutory good time, meritorious good time, parole interview date and institutional status and cause them to be made a 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 eOMIS. 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 Major Disciplinary Hearing Officer 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 notification 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 notification 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 notifying officer.

- c. The Chief Security Officer (Building or Field Majors or their designees) must review each Disciplinary Report prior to a hearing for screening purposes. After indicating the appropriate decision, the Chief Security Officer 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 Disciplinary Hearing Officer 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 Major Disciplinary Hearing Officer 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 Disciplinary Hearing Officer should indicate the general line of questioning pursued. The Disciplinary Hearing Officer should probe for any and all additional information which could aid in reaching a fair determination of fact.
- d. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer must give a short statement of the facts as the Disciplinary Hearing Officer 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 Disciplinary Report.

- f. The inmate must be provided a copy of this form.
3. The Disciplinary Action Form (F-831-3)
    - a. Under "Evidence Relied Upon," the Disciplinary Hearing Officer 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 Disciplinary Hearing Officer should so state and then proceed to explain exactly what it was in the person's report that the Disciplinary Hearing Officer 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 Disciplinary Hearing Officer makes a finding of guilty notwithstanding the fact that there was some evidence which purported to exonerate the inmate, the Disciplinary Hearing Officer must include a statement indicating the reason why such evidence was discounted.
    - c. Under "Reasons for Assessment of Punishment," the Disciplinary Hearing Officer must state why he/she felt the particular disciplinary warranted the punishment assessed.

It is not enough to state, "nature and seriousness of offense and past history." It is important that the Disciplinary Hearing Officer 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: the seriousness of the offense and the extent to which the offense threatened institutional security; the number of major disciplinaries received by the inmate for similar offenses, the overall institutional record of the inmate; the attitude of the inmate including his/her willingness to cooperate fully with the Disciplinary Hearing Officer; personal factors which may have influenced the inmate to behave poorly (i.e., death in the family); inmate's willingness or lack thereof to return to work and perform as expected; any hostility which the inmate may have exhibited

toward the Disciplinary Hearing Officer; 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; any effect a contemplated punishment may have in terms of rewarding the inmate with a second chance if the Disciplinary Hearing Officer believes behavior will improve as a result thereof; 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer should stay alert to any mitigating or aggravating circumstances associated with a particular disciplinary episode. The Disciplinary Hearing Officer must initial the "Reason for Punishment" in the appropriate space.

- d. The Disciplinary Hearing Officer 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 Restrictive 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 Isolation that may be assessed. (Nor does the lack of Punitive Isolation 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 Disciplinary Hearing Officer should so indicate by initialing the slot reserved for the inmate's signature.
- g. The Disciplinary Hearing Officer 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 Isolation" if the appeal is in reference to a finding of guilty on a particular disciplinary episode which resulted in the imposition of Punitive Isolation 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/Center Supervisor 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".
  - c. 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 the granting of an extension. If the Disciplinary Hearing Officer or Warden/Center Supervisor 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 Major Disciplinary Hearing Officer. All inmates shall be afforded the opportunity to be present before the Major Disciplinary Hearing Officer 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 Disciplinary Reports as a result of availing himself/herself of the waiver procedure.

### **VIII. MINOR DISCIPLINE:**

- A. Minor Disciplinary Reports – (Form F-831-7 and Electronic Form ISSR 102) should be used as a tool to discourage less serious misconduct. The rule violations for which an inmate may receive a Minor Disciplinary Report are

identical to those violations for which a Major Disciplinary Report may be written. Minor discipline reports are within the discretion of the charging person. Their purpose is to sufficiently impress upon the inmate the need for behavior modification without burdening the inmate with the stigma that attaches to Major Disciplinary Reports.

- B. Due Process – The 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 in his/her behalf.
- C. Minor Disciplinaries
  - 1. Each Unit Warden of the Department shall establish and designate a Minor Disciplinary Officer to hear and dispose of any and all minor infractions of institutional rules and regulations.
  - 2. The Minor Disciplinary Officers at each unit shall be nominated by the Chief Security Officer of the Building or Field and approved by the Warden/Center Supervisor. The charging officer cannot serve as the Minor Disciplinary Officer 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 Minor Disciplinary Officer.
  - 4. The Minor Disciplinary Officer 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 Minor Disciplinary Officer shall render his/her decision as to guilt or innocence and the appropriate action to be taken.
  - 6. The Minor Disciplinary Officer, 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 regular bedtime nor will he be allowed to do any extra duty assessed him by the Minor Disciplinary Officer in lieu of his

- 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 Punitive Isolation by the decision of the Minor Disciplinary Officer. Good Time and Class Status shall not be reduced by the Minor Disciplinary Officer.
  8. Disciplinary action should be taken by the Minor Disciplinary Officer 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 eOMIS.
  10. Minor Disciplinary Reports will not be made a part of the inmate's permanent file, but it will be recorded in the Offender's electronic record. After the Minor Disciplinary Officer has completed his/her daily functions, the minor Disciplinary Reports shall be forwarded to the Chief Security Officer for separate filing as a matter of record.
  11. Once the Minor Disciplinary Officer has disposed of a minor disciplinary, the decision shall not be changed or altered in any manner by the Minor Disciplinary Hearing Officer.
  12. Findings of the Minor Disciplinary Officer may be appealed to the Chief of Security, and his/her decision is final. The Chief of Security may affirm, reverse or modify the decision of the Minor Disciplinary Officer. The Chief of Security may not uphold a sanction that imposes Punitive Isolation, or a reduction of Good Time or Class Status of an inmate.
  13. The Chief Security Officer must submit to the Warden/Center Supervisor a monthly report of the minor disciplinary actions. The Warden/Center Supervisor must maintain a file of these reports and have them available for review by the Disciplinary Hearing Administrator. The Warden/Center Supervisor and Disciplinary Hearing Administrator 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.

F-831-1

ARKANSAS DEPARTMENT 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) \_\_\_\_\_

F-831-2

ARKANSAS DEPARTMENT OF CORRECTION

AR 831

\_\_\_\_\_ UNIT

DISCIPLINARY HEARING ACTION

Inmate \_\_\_\_\_ ADC # \_\_\_\_\_ Unit \_\_\_\_\_

Rule Violation(s) \_\_\_\_\_ Date/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 Disciplinary Hearing Officer perceives them after reviewing all of the evidence.)

Disciplinary Hearing Officer 's Initials \_\_\_\_\_

F-831-3

ARKANSAS DEPARTMENT 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:

Disciplinary Hearing Officer 's Initials \_\_\_\_\_

The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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 \_\_\_\_\_

Disciplinary Hearing Officer - I affirm that the information is true to the best of my knowledge.

Disciplinary Hearing Officer \_\_\_\_\_  
Signature Date



F-831-4

**Major Disciplinary Appeal Form**

Inmate Name \_\_\_\_\_ ADC# \_\_\_\_\_

Unit/Center \_\_\_\_\_ Punitive Isolation \_\_\_\_\_ Yes \_\_\_\_\_  
No

Disciplinary (date) \_\_\_\_\_ by (charging officer) \_\_\_\_\_

\_\_\_\_\_ Appeal to Warden/Center Supervisor. Note, if you do not agree with the decision of the  
Date Disciplinary Hearing Officer, you have 15 business days from receipt of disciplinary  
action to appeal to the Warden/Center Supervisor.

**Warden's Decision:** Affirm \_\_\_\_\_ Reverse \_\_\_\_\_ Modify \_\_\_\_\_ (See attached if  
modified.)

Signature: \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Appeal to Disciplinary Hearing Administrator (DHA). Note, if you do not agree with  
the  
Date response of the Warden/Center Supervisor, you may appeal to the Disciplinary Hearing  
Administrator within 15 business days of receipt of the Warden/Center Supervisor's  
response.

**DHA's Decision:** Affirm \_\_\_\_\_ Reverse \_\_\_\_\_ Modify \_\_\_\_\_ (See attached if modified.)

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 \_\_\_\_\_ (See attached if  
modified.)

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: \_\_\_\_\_

F-831-5

ARKANSAS DEPARTMENT OF CORRECTION

AR 831

Unit  
DISCIPLINARY EXTENSION FORM

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/Center Supervisor, Disciplinary Hearing Officer Date Time

Copy delivered to inmate by: \_\_\_\_\_ on \_\_\_\_\_  
Signature Date

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

F-831-6

Arkansas Department of Correction

AR831

\_\_\_\_\_  
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  
Department of Correction.

Signed: \_\_\_\_\_ ADC # \_\_\_\_\_

Officer Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Time: \_\_\_\_\_

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 Warden/Center Supervisor or designee: \_\_\_\_\_

F-831-7

Arkansas Department 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 \_\_\_\_\_



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6299  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Inmate Disciplinary Manual**

**NUMBER: 18-34**

**SUPERSEDES: 18-12**

**APPLICABILITY: Inmates and Staff**

**REFERENCE: AR-831 – Disciplinary Rules  
 and Regulations**

**PAGE: 1 of 39**

**APPROVED: Original Signed by Wendy Kelley**

**EFFECTIVE DATE: 7/12/18**

- I. POLICY:** To ensure that 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 Department shall be controlled in an impartial and consistent manner.
- II. PURPOSE:** The Department shall establish and designate Major and Minor Disciplinary Hearing Officers who shall hear and adjudicate all reports of infractions of institutional rules and regulations that are referred to them. These authorities shall be designated as the Major or Minor Disciplinary Hearing Officers, respectively. When inmate behavior requires discipline, these procedures shall be followed to ensure that no unnecessary disciplinary actions 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 Punitive Segregation only when the presence of the inmate in the general population, due to the behavior of the inmate posing a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility.

### **III. DEFINITIONS:**

- A. The Disciplinary Hearing Administrator is the Internal Affairs Administrator. The Disciplinary Hearing Administrator is responsible for ensuring that Disciplinary Hearing Officers are trained and will regularly review the hearings conducted by these hearings officers.
- B. Disciplinary Hearing Officer – conducts hearings on Major Disciplinary known as Major Disciplinary Court.
- C. Serving Officer/Notifying Officer – serves charges on the inmate(s), may appoint a Counsel Substitute and receives the inmate’s list of witnesses regarding the charge and provides the inmate with a copy of the Disciplinary Hearing Officer’s report. The Warden is responsible for ensuring that these officers are properly trained.
- D. Minor Disciplinary Officer – conducts hearings on minor disciplinary charges referred to as Minor Disciplinary Court. The Warden designates an officer to be trained to handle the minor disciplinary at his/her unit.
- E. Disciplinary Report – the factual basis for the charge of rule violation(s) and the rule(s) violated.
- F. Charge – the details of the rule violation(s) contained in the Disciplinary Report.
- G. Assault – a willful attempt or threat(s) to inflict injury upon the person of another.
- H. Battery – the actual use of physical force upon the person of another.
- I. Indecent Exposure – public exposure of one’s genitals for gratification or pleasure.
- J. Masturbation – manipulating one’s genitals to arouse or gratify a sexual desire; does not require exposure.
- K. Staff includes any employee of the Arkansas Department of Correction, the Correctional School System, and any employee or contractor providing services within an Arkansas Department of Correction facility through contract or agreement with the Arkansas Department of Correction.
- L. Counsel Substitute – staff appointed to assist the inmate through the disciplinary process including the appeal process if necessary.

- M. 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.
- N. Business day is Monday through Friday, excluding legal State recognized Holidays.
- 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 indicating predator or victim identifications. This would include violations of sexual misconduct, rape or forced sexual act, masturbation in the presence of another, sexual threats, sexual harassment, demanding sexual acts in trade, and aiding or abetting in any of the above.

**IV. GENERAL RULES FOR MAJOR DISCIPLINARIES:**

- A. To prevent the filing of unnecessary disciplinaries, reasonable effort should be made to first counsel the inmate about his/her behavior.
- B. Each Major Disciplinary Court shall consist of one Disciplinary Hearing Officer, who shall have singular authority for determining guilt or innocence and assessment of appropriate punishment.
- C. The Disciplinary Hearing Officer(s) assigned to the Randall L. Williams Correctional Facility will conduct hearings at all units.
- D. The officer who serves the disciplinary shall have the authority to appoint a staff Counsel Substitute at the time the disciplinary is served.
- E. Disciplinary action(s) shall be determined by a schedule of punishments that are based on the seriousness of the rule violated.
- F. The appeal process shall be directed to the Warden/Center Supervisor, then to the Disciplinary Hearing Administrator and then to the Director.

**V. TRAINING:**

- A. The Disciplinary Hearing Administrator will be responsible for maintaining an instructional folder containing information on the proper procedures for holding major and minor disciplinary 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 Disciplinary Hearing Administrator is responsible for training all Disciplinary Hearing Officers.
- B. The Disciplinary Hearing Officers will be required to review and be knowledgeable of all the policies and procedures including the use of the electronic offender management

system for processing disciplinary records. This includes the Inmate Handbook, Employee Handbook, applicable state and federal laws, AR's of the Arkansas Department of Correction, AD's of the Arkansas Department of Correction, and Unit operating procedures.

- C. Each Warden will designate Serving/Notifying Officer(s) and ensure they are trained on Department policies including the Inmate Disciplinary Manual and procedures for serving disciplinaries.
- D. Each Warden will designate one or more Minor Disciplinary Officers and ensure that such officers are trained on Department policies including the Inmate Disciplinary Manual and procedures for conducting minor disciplinary court.

**VI. BEHAVIOR RULES AND REGULATIONS:**

- A. 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; additionally, 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 unless words in the specific rule violation are bolded in which case those words will display on the website.

**GROUP DISRUPTION CATEGORY**

**PENALTY CLASS**

- |   |   |
|---|---|
| 01-1. Banding together for any reason which disrupts unit operations which may include taking over any part of the unit or property of the Department, seizing one or more persons as hostages, or interrupting operations. Rule violation may result in loss of all good time. | A |
| 01-6. Direct involvement in writing, circulating or signing a petition, letter, or similar declaration that poses a threat to the security of the facility.   | B |
| 01-7. Any rule violation set forth above 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**

- |  |   |
|--|---|
| 02-2. <b>Under the influence</b> of and/or any use of illegal drugs, alcohol, intoxicating | A |
|--|---|



chemicals or any medication in an unauthorized manner.

- 02-3. **Monetary Misconduct** – Entering into unauthorized contractual agreements, failure to turn in all checks or monies received, obtaining money through fraud or misrepresentation (examples include buying articles on a payment plan, failure to turn in tips received on work release, misleading someone to obtain money). B
- 02-4. **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. C
- 02-5. **Unauthorized use of mail or telephone**, including passing unauthorized messages, three-way communication(s), calling on another's phone code, posing as another person, and telephone communications with unauthorized persons. B
- 02-11. 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 Administrative Regulation 834, Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates. B
- 02-12. **Failure to keep one's person or quarters** in accordance with regulations, or failure to wear Department-issued ID, or clothing according to center/unit policy. C
- 02-13. Breaking into, or causing disruption of, an inmate line or **interfering with operations**. B
- 02-15. **Tampering with**, or blocking, any lock or **locking device**. A
- 02-16. **Refusal to submit to substance abuse testing**. A
- 02-17. Creating **unnecessary noise**, including disruptive or aggressive **play** in areas other than designated recreation areas. C

- 02-20. **Unauthorized communication**, contact, or conduct with a visitor or any member of the public or staff. B
- 02-21. Running from, avoiding, or otherwise **resisting apprehension**. B
- 02-22. **Interfering with** the taking of **count**. B
- 03-3. **Unexcused absence** from work/school assignment or other program activity. B
- 03-5. **Out of place of assignment**. B
- 05-5. **Provoking or agitating a fight**. B
- 11-1. **Insolence to a staff member**. B
- 12-2. **Refusal of job assignment** including participating in a treatment program, boot camp, or class assignment or violating program rules that results in dismissal from a program. B
- 12-3. **Failure 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, or hallway. A
- 13-2. **Lying to a staff member**, including omissions and providing misinformation. B
- 13-3. **Malingering**, feigning an illness. B

#### BATTERY CATEGORY

- 04-4. **Battery** – Use of physical force upon staff. A
- 04-5. **Aggravated Battery** – Use of a weapon in battery upon another person (not an inmate). This Rule violation may 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
- 04-8. **Battery** – Use of physical force upon an inmate. A

- 04-17. **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
- 04-18. **Aggravated Battery** upon inmate –Use of weapon in a battery upon another inmate. Rule violation may result in the loss of all good time. A

### ASSAULT CATEGORY

- 05-3. Assault – Any **threat(s) to inflict injury** upon another, directly or indirectly, verbally or in writing. A
- 05-4. Making **sexual threat(s)** to another person, directly or indirectly, verbally or in writing. A

### THEFT, DESTRUCTION OF PROPERTY OR EXTORTION CATEGORY

- 06-1. **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
- 07-1. **Unauthorized use of state property/supplies.** B
- 07-4. **Theft or possession of stolen property.** A
- 08-4. **Destruction** or intentional misplacement of **property** of another or the Department. B
- 08-6. **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
- 08-7. **Setting a fire** or **destruction or tampering with fire detection** or suppression device. A

### POSSESSION/MANUFACTURE OF CONTRABAND CATEGORY

- 09-1. 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
- 09-3. Possession/introduction/manufacture of any drug, narcotic intoxicant, tobacco, chemical, A

- or drug paraphernalia not prescribed by medical staff.
- 09-4. Possession or movement of money or currency, unless specifically authorized. A
- 09-5. Possession/introduction of clothing or property not issued to inmate nor authorized by the center/unit. C
- 09-9. Counterfeiting, forging, or unauthorized possession/introduction of any document, article of identification, money, security, or official paper. A
- 09-14. Possession/introduction/use of unauthorized electronic device(s), including flash drive, MP player, DVD player, etc. Rule violation may result in loss of all good time. A
- 09-15. Possession/introduction/use of a cell phone or any cell phone component (e.g., sims card, charger, battery, etc.) or an unauthorized messaging device. Rule violation may result in the loss of all good time and may result in the loss of Inmate Telephone System privileges for one (1) year. A
- 09-16. Use of internet or social media. A
- 09-17. Preparing, conducting, or participating in a gambling operation. B

**SEXUAL ACTIVITY CATEGORY**

- 10-1. Engaging in sexual activity with another consenting person. A
- 10-2. Making sexual proposals to another person. (PREA) A
- 10-3. Indecent exposure; may result in a referral for criminal prosecution. A
- 10-4. Bestiality. A
- 10-5. Masturbation in the presence of another inmate. A
- 10-6. Engaging in non-abusive sexual activity with another person. A

- 10-7. Demanding sexual contact in trade or for protection from physical harm or mental anguish, or other victimization. A
- 04-10. **Rape or forced sexual act** with/on an inmate. Rule violation may result in the loss of all good time. (PREA) A
- 04-19. **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. A

### **TRAFFICKING AND TRADING CATEGORY**

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

### **ESCAPE CATEGORY**

- 16-1. Escape, or attempt to escape from custody of the Department of Correction; may result in the loss of all good time. A
- 16-2. Failure to return from any approved activity or furlough at the designated time. A

- B. Determination of Charges – Only one rule violation may be charged for a given behavior. The violation cited should be that which most accurately categorizes the behavior. However, a Disciplinary Report 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 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 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 charge of 10-3.)

## **VII. MAJOR DISCIPLINARY COURT:**

- A. Establishment of Court – The Major Disciplinary Court shall be composed of a single Disciplinary Hearing Officer who will be directed in the performance of those duties by the Disciplinary Hearing Administrator.
- B. Responsibilities of the Major Disciplinary Hearing Officer
  1. The Major Disciplinary Hearing Officer is charged with the responsibility of ensuring that all rules promulgated by the Arkansas Department of Correction regarding major disciplinary hearings are followed.
  2. In all major disciplinary proceedings, the Disciplinary Hearing Officer shall fully explain the charges and inform the inmate of the possible consequences if found guilty. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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/Center Supervisor, Disciplinary Hearing Administrator and the Director.
  3. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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. The responsibilities of the Disciplinary Hearing Officer regarding Counsel Substitutes are enumerated under Section VII (J) (1).

C. Responsibilities of the Building or Field Chief Security Officer

1. Prior to the Major Disciplinary Hearing, the Chief Security Officer will review all disciplinaries and may do one of the following:
  - a. Forward the disciplinary to the Disciplinary Hearing Officer with his initials on the report.
  - b. Reduce it to a Minor Disciplinary.
  - c. Dismiss the charges and file the Disciplinary Report as a matter of record.
  - d. Convert the Minor Disciplinary to a Major Disciplinary.

Regarding provision (b) and (c) above, the Chief Security Officer will consult with the charging person on any decision which results in dismissal or reduction. In the event the Chief Security Officer dismisses the Disciplinary Report(s), a copy of the dismissed disciplinary shall be forwarded to the Assistant Warden for Security or Center Supervisor for filing as a matter of record. Copies of these reports are not to be included in the inmate's permanent jacket. Reasons for such dismissals should be documented on the face of the Disciplinary Report(s).

2. The Chief Security Officer may set reasonable limitations on the number of inmate witnesses. The Chief Security Officer 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 Disciplinary Report 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 Disciplinary Report 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 Chief Security Officer. This process will be completed electronically in the electronic Offender Management Information System (eOMIS) 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 Disciplinary Hearing Officer and documented in eOMIS. 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 Disciplinary Hearing Officer 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 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/Center Supervisor 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/Center Supervisor.
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 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 Disciplinary Hearing Officer.



3. No disciplinary will be heard after seven (7) business days from the date it was written except pursuant to an authorized extension. *The day the disciplinary is written is not to be counted in calculating the seven (7) business days.*

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.

4. Upon convening to consider cases of inmate violations of rules and regulations, the Major Disciplinary Court shall cause the inmate to appear before it unless the inmate waives in writing or through behavior. 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 Warden/Center Supervisor or designee. 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 Major Disciplinary Court, 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer will scrutinize the Disciplinary Report 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 Disciplinary Hearing Officer. 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, 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 Disciplinary

Hearing Officer if provided by the charging officer. The Disciplinary Hearing Officer 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 Punitive Isolation, 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer has weighed all of the evidence, a decision shall be made regarding guilt/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 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 Disciplinary Hearing Officer informs the inmate of the verdict. The Disciplinary Hearing Officer will reduce these reasons to writing prior to the conclusion of that business day and the unit disciplinary officer will provide a typed copy or ISSR 100 (electronic generated disciplinary hearing results form) generated by eOMIS to the inmate within twenty-four (24) hours.

The inmate is not required to sign the typed copy. It is sufficient to indicate that the inmate signed (or refused to sign) the original copy.

21. When the Disciplinary Hearing Officer has completed his/her work for the day, the Disciplinary Hearing Officer shall complete the disciplinary court report.
22. Once the Disciplinary Hearing Officer's report has been completed, the disciplinary action shall not be altered in any way except as provided herein.

#### F. Disciplinary Actions

1. The Major Disciplinary Hearing Officer, upon determining that an inmate is guilty of violation of institutional rules, 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 (i.e., loss of good time, punitive segregation, loss of privileges, and extra duty) may not be applied more than once per disciplinary action.
2. Note that the punishment rendered should not be more than the Disciplinary Hearing Officer finds necessary to discourage repeated rule violations in the future. Punitive Isolation and Loss of Good Time above 365 days should only occur when there has been a battery, threat of bodily harm or threat to the secure operation of the unit.
3. Any or all sanctions may be suspended for up to six (6) months.

4. Disciplinary Hearing Officers 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.

G. Range of Allowable Sanctions

1. Penalty Class "A"\*
  - a. Punitive Segregation 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.
  - e. Restitution based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.
  - f. Reduce up to three (3) steps in class.
  - g. Recommend to Classification Committee for change of assignment/unit, including, if appropriate, an out-of-state assignment.
  - h. Extra duty up to two (2) hours per day for up to thirty (30) days.
  - i. Possession/introduction/use of a cell phone will result in the loss of Inmate Telephone System privileges for one (1) year.
  - j. 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.

2. Penalty Class "B"\*
  - a. Loss of earned good time up to one hundred fifty (150) days.
  - b. Loss of designated privileges up to forty-five (45) days.
  - c. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
  - d. Extra duty up to two (2) hours per day for up to fifteen (15) days.
  - e. Formal reprimand and/or warning.
  - f. Recommend to Classification Committee for change of assignment/unit, including, if appropriate, an out-of- state assignment.
  - g. Reduce up to two (2) steps in class.
  - h. Punitive segregation of up to fifteen (15) days for a second or subsequent guilty verdict that is within thirty (30) days of the previous guilty verdict for the same disciplinary violation and which interferes with the safe and secure operation of the facility.
  
3. Penalty Class "C"\*
  - a. Loss of earned credits up to sixty (60) days.
  - b. Loss of designated privileges up to thirty (30) days.
  - c. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
  - d. Extra duty up to two (2) hours per day for up to ten (10) days.
  - e. Formal reprimand/warning.
  - f. Recommend to Classification Committee for change of assignment/unit, including, if appropriate, an out-of-state assignment.
  - g. Reduce one (1) step in class.

\*In addition to any other punishment authorized under this Administrative Directive, 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 Disciplinary Hearing Officer, directly to the Warden/Center Supervisor 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 and is found guilty, he/she cannot appeal the decision. In the event the inmate is illiterate, the Disciplinary Hearing Officer 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.
  - a. The appeal shall be submitted in writing and must be submitted within fifteen (15) business days after a copy of the Disciplinary Hearing Officer's report is offered to the inmate and shall set forth in detail the grounds for any appeal. The Warden/Center Supervisor 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/Center Supervisor should answer the appeal within ten (10) business days.
  - b. If the inmate is not satisfied with the response, he/she has fifteen (15) business days from receipt of the Warden/Center Supervisor's decision to appeal to the Disciplinary Hearing Administrator, who has thirty (30) business days to respond.
  - c. If the inmate disagrees with the response, he/she has fifteen (15) business days from receipt of the Disciplinary Hearing Administrator'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.
  - d. If the inmate fails to receive responses in the time frame set forth above, he/she may appeal to the next level.

- e. During any stage of the appeal, the reviewer may affirm the action of the Disciplinary Hearing Officer or alter 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 Disciplinary Report is written by a Warden/Center Supervisor, the inmate may bypass the appeal to the Warden/Center Supervisor and appeal to the Disciplinary Hearing Administrator.

I. Extensions

1. Limited extensions of time may be granted by the respective Warden/Center Supervisor in the following circumstances:
  - a. charged inmate has escaped and is not in custody;
  - b. inmate is out to court/hospital or otherwise off the unit/center;
  - c. the case requires more extensive investigation;
  - d. emergency situation exists at the unit/center; or
  - e. volume of disciplinaries scheduled for hearing is excessive and more time is needed to ensure a fair determination in each case.
2. The Disciplinary Hearing Officer may grant an extension if additional information or investigation is needed in order to arrive at a fair decision.
3. In the event that an extension is granted, a copy of the extension form shall be forwarded to the charged inmate. An 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 extension must be renewed and will not exceed five (5) business days per extension. Any extension over thirty (30) days must be approved by the Director. The Warden/Center Supervisor may give an indefinite 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/Center Supervisor should check the appropriate box on the 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:
  - Those inmates so designated by the Chief Security Officer, or the investigating officer.
  - Those inmates who the Disciplinary Hearing Officer believes are illiterate or incompetent including any inmate with an IQ of sixty (60) or below or a reading level below fourth (4<sup>th</sup>) grade (records of School District and/or Mental Health will be checked).
  - Inmates facing disciplinary proceedings where the issues involved are so complex that he/she is not likely to understand the nature of the charges.
  - Any inmate not able to understand and speak the English language.
  - Inmates assigned a Mental Health Classification of 3 or 4 if recommended on the 834 Form.
- b. The Counsel Substitutes shall consist of members of the staff as designated by the Warden/Center Supervisor. These individuals will be on notice that they are the Counsel Substitutes and should be prepared to be of service at the Disciplinary Hearings. The Warden/Center Supervisor shall prepare a list of approved Counsel Substitutes who shall be immediately available to the investigating officer, the Chief Security Officer, and the Disciplinary Hearing Officer on request. When it is determined that an inmate is in need of a Counsel Substitute by the officer who serves the disciplinary and/or the Chief Security Officer, 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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. Furthermore, 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 should 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 Disciplinary Hearing Officer may grant an extension of time for further investigation.
- f. Once the Disciplinary Hearing Officer 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 Informants

- a. If the charging person does not have firsthand knowledge of the event, the charge may be brought based upon information received from an 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 Disciplinary Hearing Officer shall ensure that the confidential information does not become known to other inmates. This information shall be marked confidential and entered into eOMIS.
- 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 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 informant's name and statement to the Disciplinary Hearing Officer.
  - e. In the event that the Major Disciplinary Hearing Officer uses as evidence an investigative report which is classified as confidential, the Disciplinary Hearing Officer is responsible for ensuring that the confidential report is safely returned to the Disciplinary Hearing Administrator 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 - If physical evidence is involved in or crucial to the determination to be made by the Disciplinary Hearing Officer (such as weapons or contraband), then photographs and/or written reports of that evidence will be presented to and considered by the Disciplinary Hearing Officer. Following the hearing, any contraband may be disposed of pursuant to the Inmate Property Control Administrative Directive, but must be described in great detail under "Evidence Relied Upon." Photographs and written reports should be entered into the electronic offender system and made a part of the inmate's permanent file.
  4. Malingering
    - a. Certain Disciplinary Reports 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, the 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 the healthcare staff will be obtained either in writing or by telephone. If written, the statement will be attached to the Disciplinary Report, 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 eOMIS under "Evidence Relied Upon." If the proper entry is not made under "Evidence Relied Upon," indicating the source and content of the testimony from the 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 the 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 Disciplinary Report. If the inmate is cleared by medical and is ordered to go to work but refuses, a disciplinary may be written. If the inmate is sent back to work and returns to work, he should only be given a disciplinary when the officer has some 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 Disciplinary Hearing Officer.

- b. The Disciplinary Hearing Officer 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 discharged.
- c. In cases where the Disciplinary Hearing Officer finds destruction or damage was caused by negligence as opposed to willfulness, the Disciplinary Hearing Officer 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 eOMIS.
- e. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer, by way of suggestion or order, the finding or punishment that the Disciplinary Hearing Officer should find. An exception is Mental Health staff completing a written 834 form (Mental Health Form).
- 3. A Disciplinary Hearing Officer is to make their decision based solely upon the evidence presented 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Administrator.

5. Any Disciplinary Hearing Officer 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 Disciplinary Hearing Administrator, 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 Chief of Security or Assistant Warden, or their designee, will determine if a Disciplinary Report is warranted. If so, only the Chief of Security or Assistant 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 Disciplinary Report against the inmate submitting the grievance.
7. PREA Considerations – inmates involved in sexual contact with an employee, volunteer, contractor, vendor of the Arkansas Department of Correction, 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 – Disciplinary Reports 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 eOMIS.
2. Expungements – Disciplinary Reports which indicate a finding of guilt and which are reversed by the Wardens/Center Supervisors, Disciplinary Hearing Administrator 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 Assistant Warden/Center Supervisor for filing as a matter of record. Such reversals shall also restore good time

or class status which may have been reduced by the Major Disciplinary Hearing Officer.

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 Disciplinary Report 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 by the Disciplinary Hearing Officer to the Supervisor of Records who will promptly note the action taken against each inmate. The Supervisor of Records shall make whatever changes are required regarding statutory good time, meritorious good time, parole interview date and institutional status and cause them to be made a 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 eOMIS. 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 Major Disciplinary Hearing Officer 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 notification 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 notification 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 notifying officer.
- c. The Chief Security Officer (Building or Field Majors or their designees) must review each Disciplinary Report prior to a hearing for screening purposes. After indicating the appropriate decision, the Chief Security Officer 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 Disciplinary Hearing Officer 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 Major Disciplinary Hearing Officer 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 Disciplinary Hearing Officer should indicate the general line of questioning pursued. The Disciplinary Hearing Officer should probe for any and all additional information which could aid in reaching a fair determination of fact.
  - d. The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer must give a short statement of the facts as the Disciplinary Hearing Officer 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 Disciplinary Report.

- f. The inmate must be provided a copy of this form.
3. The Disciplinary Action Form (F-831-3)
    - a. Under "Evidence Relied Upon," the Disciplinary Hearing Officer 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 Disciplinary Hearing Officer should so state and then proceed to explain exactly what it was in the person's report that the Disciplinary Hearing Officer 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 Disciplinary Hearing Officer makes a finding of guilty notwithstanding the fact that there was some evidence which purported to exonerate the inmate, the Disciplinary Hearing Officer must include a statement indicating the reason why such evidence was discounted.
    - c. Under "Reasons for Assessment of Punishment," the Disciplinary Hearing Officer must state why he/she felt the particular disciplinary warranted the punishment assessed.

It is not enough to state, "nature and seriousness of offense and past history." It is important that the Disciplinary Hearing Officer 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: the seriousness of the offense and the extent to which the offense threatened institutional security; the number of major disciplinaries received by the inmate for similar offenses, the overall institutional record of the inmate; the attitude of the inmate including his/her willingness to cooperate fully with the Disciplinary Hearing Officer; personal factors which may have influenced the inmate to behave poorly (i.e., death in the family); inmate's willingness or lack thereof to return to work and perform as expected; any hostility which the inmate may have exhibited



toward the Disciplinary Hearing Officer; 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; any effect a contemplated punishment may have in terms of rewarding the inmate with a second chance if the Disciplinary Hearing Officer believes behavior will improve as a result thereof; 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 Disciplinary Hearing Officer 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 Disciplinary Hearing Officer should stay alert to any mitigating or aggravating circumstances associated with a particular disciplinary episode. The Disciplinary Hearing Officer must initial the "Reason for Punishment" in the appropriate space.

- d. The Disciplinary Hearing Officer 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 Restrictive 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 Isolation that may be assessed. (Nor does the lack of Punitive Isolation 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 Disciplinary Hearing Officer should so indicate by initialing the slot reserved for the inmate's signature.
- g. The Disciplinary Hearing Officer 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 Isolation" if the appeal is in reference to a finding of guilty on a particular disciplinary episode which resulted in the imposition of Punitive Isolation 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/Center Supervisor 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".
- c. 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 the granting of an extension. If the Disciplinary Hearing Officer or Warden/Center Supervisor 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 Major Disciplinary Hearing Officer. All inmates shall be afforded the opportunity to be present before the Major Disciplinary Hearing Officer 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 Disciplinary Reports as a result of availing himself/herself of the waiver procedure.

**VIII. MINOR DISCIPLINE:**

- A. Minor Disciplinary Reports – (Form F-831-7 and Electronic Form ISSR 102) should be used as a tool to discourage less serious misconduct. The rule violations for which an inmate may receive a Minor Disciplinary Report are

identical to those violations for which a Major Disciplinary Report may be written. Minor discipline reports are within the discretion of the charging person. Their purpose is to sufficiently impress upon the inmate the need for behavior modification without burdening the inmate with the stigma that attaches to Major Disciplinary Reports.

- B. Due Process – The 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 in his/her behalf.
- C. Minor Disciplinaries
  - 1. Each Unit Warden of the Department shall establish and designate a Minor Disciplinary Officer to hear and dispose of any and all minor infractions of institutional rules and regulations.
  - 2. The Minor Disciplinary Officers at each unit shall be nominated by the Chief Security Officer of the Building or Field and approved by the Warden/Center Supervisor. The charging officer cannot serve as the Minor Disciplinary Officer 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 Minor Disciplinary Officer.
  - 4. The Minor Disciplinary Officer 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 Minor Disciplinary Officer shall render his/her decision as to guilt or innocence and the appropriate action to be taken.
  - 6. The Minor Disciplinary Officer, 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 regular bedtime nor will he be allowed to do any extra duty assessed him by the Minor Disciplinary Officer in lieu of his

- 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 Punitive Isolation by the decision of the Minor Disciplinary Officer. Good Time and Class Status shall not be reduced by the Minor Disciplinary Officer.
  8. Disciplinary action should be taken by the Minor Disciplinary Officer 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 eOMIS.
  10. Minor Disciplinary Reports will not be made a part of the inmate's permanent file, but it will be recorded in the Offender's electronic record. After the Minor Disciplinary Officer has completed his/her daily functions, the minor Disciplinary Reports shall be forwarded to the Chief Security Officer for separate filing as a matter of record.
  11. Once the Minor Disciplinary Officer has disposed of a minor disciplinary, the decision shall not be changed or altered in any manner by the Minor Disciplinary Hearing Officer.
  12. Findings of the Minor Disciplinary Officer may be appealed to the Chief of Security, and his/her decision is final. The Chief of Security may affirm, reverse or modify the decision of the Minor Disciplinary Officer. The Chief of Security may not uphold a sanction that imposes Punitive Isolation, or a reduction of Good Time or Class Status of an inmate.
  13. The Chief Security Officer must submit to the Warden/Center Supervisor a monthly report of the minor disciplinary actions. The Warden/Center Supervisor must maintain a file of these reports and have them available for review by the Disciplinary Hearing Administrator. The Warden/Center Supervisor and Disciplinary Hearing Administrator 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.

F-831-1                      ARKANSAS DEPARTMENT 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) \_\_\_\_\_

F-831-2                      ARKANSAS DEPARTMENT OF CORRECTION                      AR 831

\_\_\_\_\_ UNIT

DISCIPLINARY HEARING ACTION

Inmate \_\_\_\_\_ ADC # \_\_\_\_\_ Unit \_\_\_\_\_

Rule Violation(s) \_\_\_\_\_ Date/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 Disciplinary Hearing Officer perceives them after reviewing all of the evidence.)

Disciplinary Hearing Officer 's Initials \_\_\_\_\_

F-831-3 ARKANSAS DEPARTMENT 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:

Disciplinary Hearing Officer 's Initials \_\_\_\_\_

The Disciplinary Hearing Officer 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 Disciplinary Hearing Officer 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 \_\_\_\_\_

Disciplinary Hearing Officer - I affirm that the information is true to the best of my knowledge.

Disciplinary Hearing Officer \_\_\_\_\_  
Signature Date

F-831-4  
**Major Disciplinary Appeal Form**

Inmate Name \_\_\_\_\_ ADC#  
\_\_\_\_\_

Unit/Center \_\_\_\_\_ Punitive Isolation \_\_\_\_\_ Yes \_\_\_\_\_  
No

Disciplinary (date) \_\_\_\_\_ by (charging officer) \_\_\_\_\_

\_\_\_\_\_ Appeal to Warden/Center Supervisor. Note, if you do not agree with the decision of the  
Date Disciplinary Hearing Officer, you have 15 business days from receipt of disciplinary  
action to appeal to the Warden/Center Supervisor.

**Warden's Decision:** Affirm \_\_\_\_\_ Reverse \_\_\_\_\_ Modify \_\_\_\_\_ (See attached if  
modified.)

Signature: \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Appeal to Disciplinary Hearing Administrator (DHA). Note, if you do not agree with  
the  
Date response of the Warden/Center Supervisor, you may appeal to the Disciplinary Hearing  
Administrator within 15 business days of receipt of the Warden/Center Supervisor's  
response.

**DHA's Decision:** Affirm \_\_\_\_\_ Reverse \_\_\_\_\_ Modify \_\_\_\_\_ (See attached if modified.)

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 \_\_\_\_\_ (See attached if  
modified.)

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: \_\_\_\_\_



F-831-5 ARKANSAS DEPARTMENT OF CORRECTION AR 831  
Unit  
DISCIPLINARY EXTENSION FORM

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/Center Supervisor, Disciplinary Hearing Officer Date Time

Copy delivered to inmate by: \_\_\_\_\_ on \_\_\_\_\_  
Signature Date

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

F-831-6

Arkansas Department of Correction  
\_\_\_\_\_ Unit  
WAIVER OF DISCIPLINARY HEARING

AR831

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  
Department of Correction.

Signed: \_\_\_\_\_ ADC # \_\_\_\_\_

Officer Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Time: \_\_\_\_\_

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 Warden/Center Supervisor or designee: \_\_\_\_\_

F-831-7

Arkansas Department 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 \_\_\_\_\_



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Punitive Housing/Restriction**

**NUMBER: 18-26**

**SUPERSEDES: ~~18-266-20~~**

**APPLICABILITY: To All Employees, Especially Those Involved in the Operation of Punitive Housing and Inmates**

**REFERENCE: AR 839 – Punitive Segregation**

**PAGE: 1 of 9**

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

**EFFECTIVE DATE: 6/14/18**

### **I. POLICY:**

It shall be the policy of the Department of Correction to provide safe, secure housing for inmates who require a higher degree of physical control because they have been found guilty of committing serious rule violations. This policy applies to both punitive isolation and the punitive restriction portion of a disciplinary sentence and is not meant to add to or negate any restrictions imposed by the Disciplinary Hearing Officer; nor does it negate required review by healthcare, classification, and other staff.

### **II. PURPOSE:**

Any inmate who has been found guilty of violating departmental rules and regulations may be placed in punitive housing after an impartial due process hearing pursuant to procedures in the Disciplinary Manual and shall be subject to the following restrictions and/or conditions of confinement while in punitive housing. Punitive measures may include punitive housing or punitive restriction.

### III. DEFINITIONS:

Punitive Housing- A separate housing used for inmates, who have been found guilty of a disciplinary violation.

Punitive Restriction- A status assignment for inmates who have received punitive housing as a sanction, but are not being housed in an isolation area.

48 Hour Relief- An inmate in punitive housing will receive a 48 hour period after each 30 days of being housed in punitive housing, unless the inmate is released to another area.

### IV. PROCEDURES:

#### A. Restrictions and/or Conditions of Confinement

When an inmate is found guilty of a major infraction of institutional rules and punitive housing time is imposed; the inmate may be placed in punitive housing or placed on punitive restriction and be subject to the limitations of that assignment. Any exception or deviation from this policy must be authorized by the Director.

1. Mail – Inmates in punitive housing or on punitive restriction will be allowed to send and receive letters on the same basis as inmates in the general population. This will include both general and privileged correspondence.
2. Newspapers/Magazines – Inmates will not be able to receive newspapers or magazines in punitive housing or on punitive restriction. During their forty-eight (48) hour relief, inmates will be allowed to receive the two (2) most current newspapers and magazines on a one-for-one exchange basis.
3. Visitation – Inmates in punitive housing or on punitive restriction 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 housing or on punitive restriction.

- c. Satisfactory cell inspection reports.
  - d. 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.
4. Exercise – Inmates in punitive housing or on punitive restriction will be offered a minimum of one (1) hour of exercise per day outside of their cells, five (5) days per week, unless security or safety considerations dictate otherwise.
  - a. The exercise periods are to be conducted outside, security and weather permitting. During inclement weather, coats and raincoats are available.
  - b. During these exercise periods, the inmate will not be afforded any recreational equipment, television, or radio.
  - c. Exercise periods should be documented. Any imposition of constraint during the exercise period will be justified and documented.
  - d. Inmates on restricted recreation will remain in restraints during these periods, but may exercise in the punitive housing cell.
5. Commissary- Inmates on forty-eight (48) hour relief will be allowed to purchase commissary items, authorized personal hygiene items and legal supplies listed in the Personal Property Section of this policy a minimum of once every thirty (30) days. Purchase limit shall not exceed ten dollars (\$10.00). Legal supplies may be purchased more often if the inmate can document a valid need. Inmates violating any restrictions will be subject to additional disciplinary action.
6. Mattresses – Inmates in punitive housing will not be allowed to have mattresses in the cells between the hours of approximately 7:00 a.m. and 7:00 p.m. daily.
7. Showers – Males inmates in punitive housing will be afforded the opportunity to shave and shower a minimum of three (3) times per week. Female inmates will be afforded the opportunity to shave once a week and shower a minimum of three (3) times per week. Exceptions are permitted when found necessary by the senior officer on duty. All exceptions will be recorded in the log and justified in writing.

8. Law Library – After having been in punitive housing for twenty days, inmates may order legal materials from the law library if just cause or adequate need arises for legal material to be delivered once per week.

**EXCEPTION: Legal materials will be made readily accessible to those inmates who need to meet statutory or court-imposed deadlines.**

9. Personal Property – Inmates sentenced to punitive housing are not allowed personal property; thereby, personal property will be inventoried in accordance with appropriate policy addressing inmate property control. -While in punitive housing, the inmate will only be allowed to have the following items, contingent upon security considerations.
- a. Legal materials/Religious text – only that amount of legal material which can be kept neat and orderly and does not clutter the cell, plus one religious text (i.e., Bible, Koran, etc.)
  - b. Soap
  - c. Dental Hygiene Items
  - d. Wash Cloth
  - e. Self-improvement Reading Materials Provided by Treatment Services (one)
  - f. Comb (no pick)
  - g. Deodorant
  - h. Sanitary Napkins (females)
  - i. Paper
  - j. Flex pen
  - k. Stamped Envelopes/Legal Envelopes
  - l. Shampoo (female inmates only)
  - m. Conditioner (female inmates only)
  - n. Consumable items (during forty-eight (48) hour relief only)

o. Medications as authorized in Paragraph #18

Toilet paper will be issued in increments by the punitive area supervisor on an as-needed basis.

10. Telephones – Inmates will not be afforded telephone privileges. Inmates may make attorney calls when a need can be verified that will not wait until the conclusion of punitive confinement.
11. Religious Services – Inmates in punitive housing will not be allowed to participate in group religious activities. A religious leader approved by the Department will be available upon request for one-on-one visits, at the inmate's cell, subject to approval by the Warden. A departmental chaplain must make rounds in punitive housing at least once per week.  
  
Provisions will be made for Muslim inmates to participate in the Ramadan Fast.
12. Meritorious Good Time – Inmates in punitive housing or on punitive restriction will not earn good time.
13. Work Assignment – Inmates in punitive housing will not have work assignments.
14. Library – Inmates in punitive housing will not have regular library privileges.
15. Program Activities – Inmates in punitive housing will not be allowed to participate in any group program activities (i.e., Inmate Council, SATP, Education, Movies, etc.).
16. Clothing – Inmates in punitive housing will be provided one jump suit and appropriate undergarments at shower time. -The only footwear permitted will be state issued canvas or approved medical footwear.
17. Paper and Pen – Inmates in punitive housing will be allowed to purchase flex pens and/or paper through the commissary at least once monthly or more often if a need is documented and validated. The Restricted Housing Supervisor or Chief Security Officer will review all such requests.
18. Medical – All inmates who are segregated from the general population will be evaluated by qualified health personnel prior to placement in punitive isolation and daily rounds will be made in punitive housing areas by medical staff. The pre-placement health evaluation is to



ensure the inmate does not have any medical conditions contradictory to such placement, and to screen for mental health referrals. Any referrals to mental health shall be made to the mental health supervisor and/or the on-call mental health staff. The pre-placement will be documented in the inmate's health record.

Sick call and pill call will be held as often as required by the medical staff. Only emergency medications authorized by the Regional Medical Director, such as inhalers and nitroglycerin, will be kept in a punitive cell.

19. Food – Food will be served in accordance with the appropriate policy addressing food services. Disposable utensils may be utilized. Meals will be served in the cells. Inmates on punitive will not be served seconds.

Alternative meal service may be provided to an inmate in punitive housing who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates. Alternative meal service is on an individual basis, is based on health and/or safety considerations only, meets basic nutritional requirements, and occurs with the written approval of the Warden and responsible health authority. The substitution period shall not exceed (7) seven days, but may be resumed, as warranted, following one regular tray, absent a special treatment plan.

20. Mental Health Counseling – Mental health counseling may be coordinated between mental health personnel and the Warden. A departmental mental health counselor must make rounds in punitive housing areas no less than three (3) times per week, on Monday, Wednesday, and Friday, and will ensure that all inmates reassigned from population to a lock-down status since the last round are seen. Additionally, mental health staff will see an inmate assigned to restrictive/punitive housing during normal working hours before leaving the unit and assess the inmate utilizing the Restricted Housing Review Form (MHS-1139.00) when notified of concerns by unit staff or medical staff. After normal working hours and on holidays or weekends, on-call mental health staff shall assess each inmate on whom notification has been received from unit staff or medical staff to determine if the inmate needs to be placed on treatment precaution status per mental health policy. Documentation must be placed in the electronic health record.
22. Cleanliness/Grooming - Inmates assigned to punitive housing are expected to comply with the Department's policy concerning personal cleanliness and grooming for inmates. If an inmate's personal

cleanliness and/or grooming falls below the Department's standard, the Chief of Security may order that necessary steps be taken to enforce compliance. Failure to abide by grooming standards is grounds for disciplinary action.

## B. Staff Responsibilities

The Warden, Deputy/Assistant Warden, or Chief of Security Officer will visit punitive punitive at least once per week. In addition, the Duty Warden will visit punitive isolation each weekend. He/She will pay special attention to those inmates assigned to mental health "Treatment Precaution," (i.e., Restriction Status or Restraint Status), and will follow those instructions outlined below under Paragraph #5, "Special Note."

The Punitive Area Supervisor will be responsible for assuring that:

1. Each punitive cell has lights, toilet, and lavatory in good working condition. Each punitive cell shall have a bunk.
2. All inmates working in the punitive area shall be under constant staff supervision.
3. Shake-downs are conducted in accordance with the appropriate policy addressing searches. -All restrictive housing cells on punitive are searched on a non-regular basis at least three times a week and documented.
4. A log is maintained on all movement of inmates on punitive housing status.
5. Each cell in punitive housing shall be checked by an officer twice an hour and no more than 40 minutes apart.

Officers will note if the inmate is complying with the Department's cleanliness and/or grooming standards. Likewise, each cell will be checked to make certain the cell is clean and sanitary. If the condition of the inmate or the cell is not in compliance with Department standards, the Chief of Security, or designee, will be notified immediately and will take necessary steps to correct the problem.

"Special Note:" For those inmates assigned to punitive housing and under "Treatment Precaution," (i.e., Restriction Status or Restraint Status), the punitive area supervisor will ensure staff initial in the Treatment Precaution Log indicating that the inmate and his/her cell have been checked and the inmate is in a satisfactory condition and the

cell is in compliance with the Department's cleanliness and sanitation standards.

6. An inmate, who received punitive time while in general population can only be housed in the same cell as an inmate, if it is an inmate who received punitive time while in general population.

### C. Periods of Confinement

1. Inmates may be confined to punitive housing due to a pending disciplinary.

Inmates serving punitive housing that exceeds thirty days will receive a forty-eight (48) hour relief at the end of each thirty (30) days of punitive housing assignment. Inmate privileges as previously outlined in this policy will be restored during the forty-eight (48) hour relief period. An inmate's telephone privilege will not be restored during the forty-eight (48) hour relief if the privilege was suspended due to a conviction of disciplinary rule violation 02-5 ~~or~~, 09-1~~53 or 17-3~~. Commissary purchases up to \$10.00 may be made by an inmate only if the inmate's forty-eight (48) hour relief falls on their regularly scheduled commissary day, and will be limited to a quantity that can reasonably be consumed in forty-eight (48) hours. Inmates on 48 hour relief are only allowed to receive property that is allowed in Restrictive Housing.

2. Inmates may be released from punitive housing prior to the completion of sentence only with the authorization of the Warden or designee. This will not relieve the inmate from punitive restrictions unless specifically ordered by the Warden or designee.

### D. Punitive Restriction

1. Inmates on punitive restriction will have a work assignment and will be required to work on their assigned job. Inmates on punitive restrictions may have their privileges restored prior to the completion of their punitive sentence only with the authorization of the Warden or designee.

Inmates serving consecutive punitive restrictions will not receive a forty-eight (48) hour relief at the end of each thirty (30) day period; however, the inmate may purchase personal hygiene items and legal supplies up to \$10 per week on their regular commissary day.

2. Inmates working on their assignments without additional disciplinaries will receive credit toward reclassification (promotion in class) as other

inmates working on their assignments. Inmates will not receive a class upgrade while on punitive restriction status.

E. Review of Punitive Housing Status

No inmate shall remain in punitive housing for more than one year unless has been personally interviewed by the Warden at the end of one year. The Warden at this time will review the possibilities of a punitive reduction plan. At the end of the second and each additional year that an inmate remains in punitive housing, he must be personally interviewed by both the Warden and the Deputy/Assistant Director, who will then determine whether continuation in that status is necessary and/or appropriate.



PO Box 8707  
Pine Bluff, AR 71611-8707  
Phone: 870-267-6999  
Fax: 870-267-6244  
www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Punitive Housing/Restriction

**NUMBER:** 18-35

**SUPERSEDES:** 18-26

**APPLICABILITY:** To All Employees, Especially  
Those Involved in the Operation of  
Punitive Housing and Inmates

**REFERENCE:** AR 839 – Punitive Segregation

**PAGE:** 1 of 9

**APPROVED:** Original Signed by Wendy Kelley

**EFFECTIVE DATE:** 7/12/18

---

### **I. POLICY:**

It shall be the policy of the Department of Correction to provide safe, secure housing for inmates who require a higher degree of physical control because they have been found guilty of committing serious rule violations. This policy applies to both punitive isolation and the punitive restriction portion of a disciplinary sentence and is not meant to add to or negate any restrictions imposed by the Disciplinary Hearing Officer; nor does it negate required review by healthcare, classification, and other staff.

### **II. PURPOSE:**

Any inmate who has been found guilty of violating departmental rules and regulations may be placed in punitive housing after an impartial due process hearing pursuant to procedures in the Disciplinary Manual and shall be subject to the following restrictions and/or conditions of confinement while in punitive housing. Punitive measures may include punitive housing or punitive restriction.

### III. DEFINITIONS:

Punitive Housing- A separate housing used for inmates, who have been found guilty of a disciplinary violation.

Punitive Restriction- A status assignment for inmates who have received punitive housing as a sanction, but are not being housed in an isolation area.

48 Hour Relief- An inmate in punitive housing will receive a 48 hour period after each 30 days of being housed in punitive housing, unless the inmate is released to another area.

### IV. PROCEDURES:

#### A. Restrictions and/or Conditions of Confinement

When an inmate is found guilty of a major infraction of institutional rules and punitive housing time is imposed; the inmate may be placed in punitive housing or placed on punitive restriction and be subject to the limitations of that assignment. Any exception or deviation from this policy must be authorized by the Director.

1. Mail – Inmates in punitive housing or on punitive restriction will be allowed to send and receive letters on the same basis as inmates in the general population. This will include both general and privileged correspondence.
2. Newspapers/Magazines – Inmates will not be able to receive newspapers or magazines in punitive housing or on punitive restriction. During their forty-eight (48) hour relief, inmates will be allowed to receive the two (2) most current newspapers and magazines on a one-for-one exchange basis.
3. Visitation – Inmates in punitive housing or on punitive restriction 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 housing or on punitive restriction.
  - c. Satisfactory cell inspection reports.

- d. 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.
4. Exercise – Inmates in punitive housing or on punitive restriction will be offered a minimum of one (1) hour of exercise per day outside of their cells, five (5) days per week, unless security or safety considerations dictate otherwise.
  - a. The exercise periods are to be conducted outside, security and weather permitting. During inclement weather, coats and raincoats are available.
  - b. During these exercise periods, the inmate will not be afforded any recreational equipment, television, or radio.
  - c. Exercise periods should be documented. Any imposition of constraint during the exercise period will be justified and documented.
  - d. Inmates on restricted recreation will remain in restraints during these periods, but may exercise in the punitive housing cell.
5. Commissary- Inmates on forty-eight (48) hour relief will be allowed to purchase commissary items, authorized personal hygiene items and legal supplies listed in the Personal Property Section of this policy a minimum of once every thirty (30) days. Purchase limit shall not exceed ten dollars (\$10.00). Legal supplies may be purchased more often if the inmate can document a valid need. Inmates violating any restrictions will be subject to additional disciplinary action.
6. Mattresses – Inmates in punitive housing will not be allowed to have mattresses in the cells between the hours of approximately 7:00 a.m. and 7:00 p.m. daily.
7. Showers – Males inmates in punitive housing will be afforded the opportunity to shave and shower a minimum of three (3) times per week. Female inmates will be afforded the opportunity to shave once a week and shower a minimum of three (3) times per week. Exceptions are permitted when found necessary by the senior officer on duty. All exceptions will be recorded in the log and justified in writing.

8. Law Library – After having been in punitive housing for twenty days, inmates may order legal materials from the law library if just cause or adequate need arises for legal material to be delivered once per week.

**EXCEPTION: Legal materials will be made readily accessible to those inmates who need to meet statutory or court-imposed deadlines.**

9. Personal Property – Inmates sentenced to punitive housing are not allowed personal property; thereby, personal property will be inventoried in accordance with appropriate policy addressing inmate property control. While in punitive housing, the inmate will only be allowed to have the following items, contingent upon security considerations.
- a. Legal materials/Religious text – only that amount of legal material which can be kept neat and orderly and does not clutter the cell, plus one religious text (i.e., Bible, Koran, etc.)
  - b. Soap
  - c. Dental Hygiene Items
  - d. Wash Cloth
  - e. Self-improvement Reading Materials Provided by Treatment Services (one)
  - f. Comb (no pick)
  - g. Deodorant
  - h. Sanitary Napkins (females)
  - i. Paper
  - j. Flex pen
  - k. Stamped Envelopes/Legal Envelopes
  - l. Shampoo (female inmates only)
  - m. Conditioner (female inmates only)
  - n. Consumable items (during forty-eight (48) hour relief only)
  - o. Medications as authorized in Paragraph #18



Toilet paper will be issued in increments by the punitive area supervisor on an as-needed basis.

10. Telephones – Inmates will not be afforded telephone privileges. Inmates may make attorney calls when a need can be verified that will not wait until the conclusion of punitive confinement.
11. Religious Services – Inmates in punitive housing will not be allowed to participate in group religious activities. A religious leader approved by the Department will be available upon request for one-on-one visits, at the inmate's cell, subject to approval by the Warden. A departmental chaplain must make rounds in punitive housing at least once per week.  
  
Provisions will be made for Muslim inmates to participate in the Ramadan Fast.
12. Meritorious Good Time – Inmates in punitive housing or on punitive restriction will not earn good time.
13. Work Assignment – Inmates in punitive housing will not have work assignments.
14. Library – Inmates in punitive housing will not have regular library privileges.
15. Program Activities – Inmates in punitive housing will not be allowed to participate in any group program activities (i.e., Inmate Council, SATP, Education, Movies, etc.).
16. Clothing – Inmates in punitive housing will be provided one jump suit and appropriate undergarments at shower time. The only footwear permitted will be state issued canvas or approved medical footwear.
17. Paper and Pen – Inmates in punitive housing will be allowed to purchase flex pens and/or paper through the commissary at least once monthly or more often if a need is documented and validated. The Restricted Housing Supervisor or Chief Security Officer will review all such requests.
18. Medical – All inmates who are segregated from the general population will be evaluated by qualified health personnel prior to placement in punitive isolation and daily rounds will be made in punitive housing areas by medical staff. The pre-placement health evaluation is to ensure the inmate does not have any medical conditions contradictory

to such placement, and to screen for mental health referrals. Any referrals to mental health shall be made to the mental health supervisor and/or the on-call mental health staff. The pre-placement will be documented in the inmate's health record.

Sick call and pill call will be held as often as required by the medical staff. Only emergency medications authorized by the Regional Medical Director, such as inhalers and nitroglycerin, will be kept in a punitive cell.

19. Food – Food will be served in accordance with the appropriate policy addressing food services. Disposable utensils may be utilized. Meals will be served in the cells. Inmates on punitive will not be served seconds.

Alternative meal service may be provided to an inmate in punitive housing who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates. Alternative meal service is on an individual basis, is based on health and/or safety considerations only, meets basic nutritional requirements, and occurs with the written approval of the Warden and responsible health authority. The substitution period shall not exceed (7) seven days, but may be resumed, as warranted, following one regular tray, absent a special treatment plan.

20. Mental Health Counseling – Mental health counseling may be coordinated between mental health personnel and the Warden. A departmental mental health counselor must make rounds in punitive housing areas no less than three (3) times per week, on Monday, Wednesday, and Friday, and will ensure that all inmates reassigned from population to a lock-down status since the last round are seen. Additionally, mental health staff will see an inmate assigned to restrictive/punitive housing during normal working hours before leaving the unit and assess the inmate utilizing the Restricted Housing Review Form (MHS-1139.00) when notified of concerns by unit staff or medical staff. After normal working hours and on holidays or weekends, on-call mental health staff shall assess each inmate on whom notification has been received from unit staff or medical staff to determine if the inmate needs to be placed on treatment precaution status per mental health policy. Documentation must be placed in the electronic health record.

22. Cleanliness/Grooming - Inmates assigned to punitive housing are expected to comply with the Department's policy concerning personal cleanliness and grooming for inmates. If an inmate's personal cleanliness and/or grooming falls below the Department's standard,

the Chief of Security may order that necessary steps be taken to enforce compliance. Failure to abide by grooming standards is grounds for disciplinary action.

## B. Staff Responsibilities

The Warden, Deputy/Assistant Warden, or Chief of Security Officer will visit punitive punitive at least once per week. In addition, the Duty Warden will visit punitive isolation each weekend. He/She will pay special attention to those inmates assigned to mental health "Treatment Precaution," (i.e., Restriction Status or Restraint Status), and will follow those instructions outlined below under Paragraph #5, "Special Note."

The Punitive Area Supervisor will be responsible for assuring that:

1. Each punitive cell has lights, toilet, and lavatory in good working condition. Each punitive cell shall have a bunk.
2. All inmates working in the punitive area shall be under constant staff supervision.
3. Shake-downs are conducted in accordance with the appropriate policy addressing searches. All restrictive housing cells on punitive are searched on a non-regular basis at least three times a week and documented.
4. A log is maintained on all movement of inmates on punitive housing status.
5. Each cell in punitive housing shall be checked by an officer twice an hour and no more than 40 minutes apart.

Officers will note if the inmate is complying with the Department's cleanliness and/or grooming standards. Likewise, each cell will be checked to make certain the cell is clean and sanitary. If the condition of the inmate or the cell is not in compliance with Department standards, the Chief of Security, or designee, will be notified immediately and will take necessary steps to correct the problem.

"Special Note:" For those inmates assigned to punitive housing and under "Treatment Precaution," (i.e., Restriction Status or Restraint Status), the punitive area supervisor will ensure staff initial in the Treatment Precaution Log indicating that the inmate and his/her cell have been checked and the inmate is in a satisfactory condition and the

cell is in compliance with the Department's cleanliness and sanitation standards.

6. An inmate, who received punitive time while in general population can only be housed in the same cell as an inmate, if it is an inmate who received punitive time while in general population.

#### C. Periods of Confinement

1. Inmates may be confined to punitive housing due to a pending disciplinary.

Inmates serving punitive housing that exceeds thirty days will receive a forty-eight (48) hour relief at the end of each thirty (30) days of punitive housing assignment. Inmate privileges as previously outlined in this policy will be restored during the forty-eight (48) hour relief period. An inmate's telephone privilege will not be restored during the forty-eight (48) hour relief if the privilege was suspended due to a conviction of disciplinary rule violation 02-5 or 09-15. Commissary purchases up to \$10.00 may be made by an inmate only if the inmate's forty-eight (48) hour relief falls on their regularly scheduled commissary day, and will be limited to a quantity that can reasonably be consumed in forty-eight (48) hours. Inmates on 48 hour relief are only allowed to receive property that is allowed in Restrictive Housing.

2. Inmates may be released from punitive housing prior to the completion of sentence only with the authorization of the Warden or designee. This will not relieve the inmate from punitive restrictions unless specifically ordered by the Warden or designee.

#### D. Punitive Restriction

1. Inmates on punitive restriction will have a work assignment and will be required to work on their assigned job. Inmates on punitive restrictions may have their privileges restored prior to the completion of their punitive sentence only with the authorization of the Warden or designee.

Inmates serving consecutive punitive restrictions will not receive a forty-eight (48) hour relief at the end of each thirty (30) day period; however, the inmate may purchase personal hygiene items and legal supplies up to \$10 per week on their regular commissary day.

2. Inmates working on their assignments without additional disciplinaries will receive credit toward reclassification (promotion in class) as other

inmates working on their assignments. Inmates will not receive a class upgrade while on punitive restriction status.

E. Review of Punitive Housing Status

No inmate shall remain in punitive housing for more than one year unless has been personally interviewed by the Warden at the end of one year. The Warden at this time will review the possibilities of a punitive reduction plan. At the end of the second and each additional year that an inmate remains in punitive housing, he must be personally interviewed by both the Warden and the Deputy/Assistant Director, who will then determine whether continuation in that status is necessary and/or appropriate.



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6258  
 www.adc.arkansas.gov

Formatted: Top: 0.75"

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Bathing and Personal Hygiene and Hair Care Services

**NUMBER:** ~~18-3-69~~

**SUPERSEDES:** ~~13-6905-26~~

**APPLICABILITY:** Institutional Staff

**REFERENCE:** AR 840 – Personal Cleanliness and Grooming For Inmates

**PAGE 1 of 1**

**APPROVED:** Original signed by ~~Ray Hobbs~~  
**DATE:** ~~11/22/2013~~

\_\_\_\_\_ **EFFECTIVE**

### I. POLICY:

It shall be the policy of the Arkansas Department of Correction that all inmates be provided with adequate bathroom and barber facilities to enable them to maintain acceptable standards of personal hygiene. -These facilities will include sufficient bathing facilities to permit inmates to shower at least three (3) times per week, temperature controls for shower units, and hair care services which comply with applicable health requirements.

### II. PROCEDURES:

Housing areas in all units will provide showers, toilets, and hand washing sinks for the inmate population. -Controls on the showers will not allow the water temperature to be above safe limits.

Personal hygiene items provided to the inmates include toothbrush, toothpaste, safety razor (as needed), and a pocket comb (as needed). Other personal hygiene items are available for purchase from the inmate commissary.

Hair care services will be available to all inmates.



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6258  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Bathing and Personal Hygiene and Hair Care Services

**NUMBER:** 18-36

**SUPERSEDES:** 13-69

**APPLICABILITY:** Institutional Staff

**REFERENCE:** AR 840 – Personal Cleanliness and  
 Grooming For Inmates

**PAGE 1 of 1**

**APPROVED:** Original signed by Wendy Kelley

**EFFECTIVE DATE:** 8/9/18

---

**I. POLICY:**

It shall be the policy of the Arkansas Department of Correction that all inmates be provided with adequate bathroom and barber facilities to enable them to maintain acceptable standards of personal hygiene. These facilities will include sufficient bathing facilities to permit inmates to shower at least three (3) times per week, temperature controls for shower units, and hair care services which comply with applicable health requirements.

**II. PROCEDURES:**

Housing areas in all units will provide showers, toilets, and hand washing sinks for the inmate population. Controls on the showers will not allow the water temperature to be above safe limits.

Personal hygiene items provided to the inmates include toothbrush, toothpaste, safety razor (as needed), and a pocket comb (as needed). Other personal hygiene items are available for purchase from the inmate commissary.

Hair care services will be available to all inmates.



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6~~999200~~  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

Formatted: Top: 0.88", Bottom: 0.31"

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Inmate Correspondence

**NUMBER:** ~~18-7-23~~

**SUPERSEDE:** ~~17-236-28~~

**APPLICABILITY:** All Staff and Inmates

**PAGE:** 1 of ~~98~~

**REFERENCE:**

AR 860 – Inmate Correspondence  
 AR 401 – Searches for and Control of Contraband  
 AR 841 – Inmate Property Control  
 AR 825 – Inmate Name Change for Religious Purposes  
 AD – Inmate Name Changes  
 AD – Inmate Property Control  
 ACA Standards

**APPROVED:** Original signed by ~~Wendy Kelley~~  
~~08/21/17~~

**EFFECTIVE DATE:** \_\_\_\_\_

**I. POLICY:**

It shall be the policy of the Arkansas Department of Correction to permit inmates to correspond with family, friends, officials and other significant community contacts with a minimum of interference consistent with the legitimate security needs of the facility; however, the increasing use of illegal drugs has led to the need to limit incoming paper correspondence.

**II. EXPLANATIONPURPOSE:**

It is the Department's policy to open all mail in accordance with the procedures outlined in Administrative Regulation (AR) 860, Inmate Correspondence. The regulation covers Privileged, General, and Interstate/Inter-Unit correspondence. Since opened mail will not be returned to the sender by the Postal Service without additional postage, the inmate shall be responsible for the cost.

**III. DEFINITIONS:**



1. Inspections: Mail or hobby-craft packages will be opened in order to determine if any contraband items are contained therein and to remove any such contraband items.
2. General Correspondence: correspondence mailed to the inmate, other than privileged correspondence, will be limited to three pages which will be copied (black and white photocopy) along with the ~~envelope~~ envelope so that two (2) sheets of paper, front and back, shall be provided for each item of general correspondence an inmate receives. Originals will be shredded after the copy has been made.
3. Privileged Correspondence: Incoming and outgoing correspondence with the persons or organizations specified below shall be considered privileged correspondence as long as the designated individuals are acting in their official capacities.
  - a. Officers of Federal, State, and Local Courts;
  - b. Any Federal or State Official or Agency;
  - c. Any Administrator of the Department of Correction;
  - d. The Parole Board or ~~its staff~~ its staff;
  - e. The Board of Corrections or ~~its staff~~ its staff;
  - f. The Inmate's Attorney(s); and
  - g. Any member of the News Media.
4. Contraband: Any item that is not permitted under the usual rules of the unit/~~center including~~ center including general correspondence that exceeds three pages.
5. Rejection: Any item of correspondence containing any contraband will be rejected. Any item of general correspondence exceeding the limitations set out in Section IV. A. below will be rejected. In addition, ~~any~~ any material which the warden/center supervisor or designee reasonably ~~determines will~~ determines will present a clear and present danger to institutional security will be rejected.

**IV. PROCEDURES:****A. Inmate Correspondence Constituting or Containing Contraband**

1. All mail is opened in accordance with AR 860. Mail containing contraband or the contents of which exceeds an envelope with writing on one side and three sheets of 8 ½ x 11 inch (or smaller) size paper with writing on one side will be returned to the sender and the inmate to whom the correspondence was addressed and/or was to receive the contraband will be required to pay for the return postage or agree to the destruction of the mail and contraband. Note that individual photographs will be considered one sheet of paper, and nothing larger than 8 ½ x 11 inch will be copied. No color photocopies will be made.
2. The originals of any incoming general correspondence copied and delivered to the inmate will be shredded immediately.
3. Inmates are encouraged to communicate with those persons with whom they correspond to make them aware of the items which they can receive legally and request that contraband items not be sent.
4. Inmates will be given thirty (30) days from the date received to pay the postage for returning the mail rejected under this policy. Illegal contraband will be seized. If the inmate is -not willing to pay for the return postage within the time limit, the mail and contraband will be destroyed.
5. Mailroom personnel will submit the items to be destroyed to the Deputy ~~/Assistant~~ Warden/Center Supervisor for review and/or approval to destroy.
6. At a time designated by the Warden/Center Supervisor, after the time limit has expired, the mailroom personnel and the Deputy ~~/Assistant~~ Warden/Center Supervisor will oversee the destruction of the mail and contraband.
7. Any mail received without a return address containing the first and last name of the individual or the business name, street address or post office box number, city, state, and zip code will be considered contraband and destroyed. However, it may be opened to determine if disciplinary charges are warranted against the intended recipient. A notification will be sent to the inmate advising when his/her mail has been rejected and why it was rejected. The inmate will be given 30 days from the date received to pay the postage for returning mail rejected under this policy if the rejected item included a return address.

8. Original newsprint paper is difficult to screen for illicit substances. Correspondence which includes original newsprint paper is considered contraband and will be destroyed pursuant to this administrative directive. However, photocopies of newspaper articles may be sent with general correspondence so long as it does not violate the correspondence or publication policy regarding content. The copy of newsprint must be on 8 ~~1/2~~ by 1/2 by 11 inch paper or smaller and each sheet will count as one of the three pages allowed as general correspondence.

B. Inmate Electronic Correspondence

1. All inmate electronic correspondence will be subject to the rules outlined in AR 860, Inmate Correspondence.
2. The cost of the electronic correspondence is at the expense of the sender. The cost of any rejected electronic correspondence will be at the sender's expense.
3. Electronic correspondence will be considered General Correspondence only; however, the limit to three sheets and one side of an envelope will not apply.
4. All incoming and outgoing electronic correspondence will be inspected and approved before distribution.
5. Inmates who have purchased an approved MP4 Player may have their electronic correspondence downloaded through the available Kiosk in the Unit. -The correspondence is transferred electronically. -No printed version will be provided to the inmate.
6. Electronic photographs will be available to inmates by two (2) separate ways. -Inmates who have purchased an approved MP4 Player may have their photos downloaded through the available Kiosk in the Unit. -No printed version will be provided to the inmates. The photos obtained by the inmate in this way are not subject to numerical restrictions, as with printed photos as identified in AR 841, Inmate Property Control. -Electronic photographs will be printed and delivered to the inmate if he/she does not possess an MP4 Player. -The printed photographs must be in compliance in content and number as stated in AR 841, Inmate Property Control. -If more than five (5) pages of photographs are received, the entire correspondence will be rejected. -The inmate receiving electronic photographs is responsible for ensuring that the number of printed photographs in his/her possession does not exceed established limits.
7. Rejected electronic correspondence will be rejected in its entirety.

C. Legal/Privileged Correspondence

1. Privileged Correspondence

Incoming privileged mail will be opened only in the presence of the inmate. Mail opened and inspected under these circumstances will not be read or censored, but may be rejected in its entirety if it is found to contain contraband.

There will be no records kept of incoming or outgoing privileged correspondence. Outgoing privileged correspondence shall have the words "Privileged Correspondence" or "Legal Mail" marked on the envelope or it will be considered general correspondence. All incoming privileged mail should be in official letterhead envelopes and should be clearly identified as "Privileged Correspondence". Media mail should be clearly marked "Media Mail".

2. Each Unit should schedule a "Privileged Mail Call" for outgoing mail once a day, Monday through Friday excluding holidays.
3. During "Privileged Mail Call," all correspondence will be checked for contraband by two staff members, (i.e., Sergeant and Shift Captain or Lieutenant), and sealed in the presence of the inmate. Both the Sergeant and the Captain or Lieutenant will sign the back of the envelope.
4. Once the Sergeant and Shift Captain or Lieutenant have signed the back of the envelope(s), outbound privileged mail will be deposited in the authorized Privileged Mail Box to be picked up by mailroom personnel.
5. Any mail marked "Legal or Privileged Mail" that has not been processed in accordance with paragraphs 3 and 4 above will be given to the Shift Captain or Lieutenant by the Mailroom staff. The Captain or Lieutenant will return the mail to the inmate(s) to be opened in his/her presence to insure contraband is not present.
6. Units having x-ray machines will scan all incoming and outgoing privileged correspondence for contraband. For example, loose powder can be detected if the letter is stood on end and "bumped" causing the powder to collect in the corner of the envelope's seal/flap. In addition, tablets and capsules can be detected during the scanning process. After x-raying, mailroom staff will initial the envelope.
7. Additionally, mailroom staff must also lay envelopes on a flat surface and run their hands over them to feel for possible contraband.

8. Inmates in ~~Administrative Segregation~~Restrictive Housing or Punitive will have his/her outbound privileged correspondence checked at their cells in accordance with paragraphs 3 and 4.

D. General Correspondence

Correspondence, other than privileged or Interstate/inter-unit correspondence, shall be considered general correspondence. Inmates do not need to submit a list of the people with whom they wish to correspond, nor will any approval be needed from the administration prior to corresponding. There will be no limitation placed on the number of letters mailed or received; however, each item of inbound correspondence is limited to three sheets of 8 ½ x 11 inch paper or smaller along with one side of an envelope which will be photocopied and delivered to the inmate. All general correspondence, both incoming and outgoing, may be opened, inspected, read and records may be kept of all incoming and outgoing general correspondence.

The full name under which the inmate was committed and the ADC number of the inmate shall be shown in the upper left-hand corner of the envelope on the outgoing mail. ~~Any violation of the rules and regulations which also constitutes a violation of Federal Postal Laws shall be reported to the Federal Postal authorities or appropriate personnel responsible for the processing and inspection of such mail.~~

Inmates in punitive ~~segregation-housing~~ will be allowed to send and ~~receive general~~receive general correspondence and privileged correspondence on the same basis as inmates in the general population.

Limitations on the pages of general correspondence to be photocopied shall not apply to the following facilities: Benton Work Release Center, Northwest Arkansas Work Release Center, Mississippi County Work Release Center, Texarkana Work Release Center, Pine Bluff Reentry Center, and the Tucker Reentry Center.

E. Interstate/Inter-Unit Correspondence between Incarcerated Individuals

Interstate and Inter-unit correspondence is mail between all individuals who are incarcerated either within the Arkansas Department of Correction or another facility. ~~Interstate, and Inter-Unit correspondence of two (2) incarcerated individuals will be restricted to members of the immediate family. It will be subject to the usual rules under general correspondence including the page limit for photocopying.~~ ~~Inter-unit correspondence must have the approval of both the sending and receiving Warden/Center Supervisor.~~ ~~In the case of Interstate correspondence where the out of state facility does not take a position, only the Arkansas Warden/Center Supervisor must~~

approve. For the purposes of this provision VERIFIED “immediate family” is 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.

- F. The administrator reserves the right to inspect, read, or stop any mail or hobby craft packages where there is reason to believe a clear and present danger to the security of the unit/center exists. The page limit and copying of general of general correspondence is to restrict the flow of contraband arriving by paper sent into the ADC facilities.
- G. The Department will not accept postage due mail or packages.
- H. All letters will be written in the English language unless there is approval by the Warden/Center Supervisor to do otherwise. All entries will be made in the inmates’ electronic file.
- I. Violators of correspondence regulations will be subject to disciplinary action.

**V. ATTACHMENT:**

Attachment #1- Inmate Correspondence Form

Attachment #2- Return Mail Notice

Formatted: Font: Bold

Formatted: Right

Formatted: Font: 11 pt

[Attachment #1](#)

Arkansas Department of Correction  
\_\_\_\_\_ Unit

**Inmate Correspondence Form**

To: \_\_\_\_\_

Inmate Name: \_\_\_\_\_ ADC: \_\_\_\_\_ Barracks: \_\_\_\_\_

Date: \_\_\_\_\_

**Inmate-to-Inmate Correspondence (Interstate/Inter Unit)**

Name: \_\_\_\_\_ ADC# / other: \_\_\_\_\_ Relation: \_\_\_\_\_

Name & Address of Correctional Facility (Federal / State Prison, Jail, or Detention Center):

Official Use only -  Approve  Disapprove

Reason for Disapproval:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Correspondence in a different Language**

Name(s)	ADDRESS	RELATION	STATUS

Official Use only -  Approve  Disapprove

Reason for Disapproval:

\_\_\_\_\_  
\_\_\_\_\_

Warden/Designee: \_\_\_\_\_ Date: \_\_\_\_\_

Formatted: Right

ARKANSAS DEPARTMENT OF CORRECTION

RETURN MAIL NOTICE

Attachment #2

Formatted: Font: 11 pt

Barracks No. \_\_\_\_\_ Date: \_\_\_\_\_

Inmate's Name: \_\_\_\_\_ ADC# \_\_\_\_\_

Formatted: Centered, Indent: First line: 0"

Formatted: Font: +Headings (Calibri Light), 12 pt

Regarding Letter/Package from: \_\_\_\_\_

The above item has to be returned to sender for the following reason(s):

No ADC Number \_\_\_\_\_ Incorrect ADC Number \_\_\_\_\_ Postage Stamps \_\_\_\_\_  
On Letter \_\_\_\_\_ On Money Order \_\_\_\_\_

Stamped Envelope \_\_\_\_\_ Unauthorized Photos \_\_\_\_\_ Reading Material \_\_\_\_\_  
(Must come from publisher or Bookstore.)

Formatted: Indent: Left: -0.25", Hanging: 1.25"

Formatted: Indent: Left: 4", First line: 0"

Unauthorized Money Order \_\_\_\_\_ Money order did not include your ADC number \_\_\_\_\_  
(All money orders must include inmate name and ADC number)

Cash Enclosed \_\_\_\_\_ Unauthorized Material Enclosed \_\_\_\_\_  
(Amount \$ \_\_\_\_\_)

Pornographic Material \_\_\_\_\_ Unauthorized Correspondence \_\_\_\_\_

Other \_\_\_\_\_

You need to send a stamped envelope to return this item to the above person.

Letter too large to fit in regular size envelope. Send a signed Inmate Check for the amount of \$ \_\_\_\_\_

Please send a signed Inmate Check for \$ \_\_\_\_\_ and a stamped envelope.

All money orders that do not have an ADC Number must be returned to the sender to have the number put on it. And in accordance with the new postal regulation, postage has to be paid on letters that are returned to the sender. Therefore, you need to send me a stamped envelope addressed to the above person.

Advise your correspondent that ALL of the required information MUST be included in your address. The information which shall be required is:

Please check one of the boxes below and return this notice to the Mailroom.

I wish To:

\_\_\_\_\_ Donate above items  
 \_\_\_\_\_ Return to sender  
 \_\_\_\_\_ Destroy above items  
\_\_\_\_\_  
Mailroom Supervisor

Formatted: Indent: First line: 0"

Inmate's Signature \_\_\_\_\_ Date \_\_\_\_\_

Formatted: Font: Centaur, 10 pt

DC/dh 49I \_\_\_\_\_ ACI-7508

Formatted: Indent: Hanging: 0.25", Line spacing: At least 12 pt





PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Inmate Correspondence

**NUMBER:** 18-37

**SUPERSEDE:** 17-23

**APPLICABILITY:** All Staff and Inmates

**PAGE:** 1 of 9

**REFERENCE:**

**AR 860 – Inmate Correspondence**

**AR 401 – Searches for and Control of Contraband**

**AR 841 – Inmate Property Control**

**AR 825 – Inmate Name Change for Religious Purposes**

**AD – Inmate Name Changes**

**AD – Inmate Property Control**

**ACA Standards**

**APPROVED:** Original signed by Wendy Kelley

**EFFECTIVE DATE:** 8/9/18

**I. POLICY:**

It shall be the policy of the Arkansas Department of Correction to permit inmates to correspond with family, friends, officials and other significant community contacts with a minimum of interference consistent with the legitimate security needs of the facility; however, the increasing use of illegal drugs has led to the need to limit incoming paper correspondence.

**II. PURPOSE:**

It is the Department's policy to open all mail in accordance with the procedures outlined in Administrative Regulation (AR) 860, Inmate Correspondence. The regulation covers Privileged, General, and Interstate/Inter-Unit correspondence. Since opened mail will not be returned to the sender by the Postal Service without additional postage, the inmate shall be responsible for the cost.

**III. DEFINITIONS:**

1. Inspections: Mail or hobby-craft packages will be opened in order to determine if any contraband items are contained therein and to remove any such contraband items.
2. General Correspondence: correspondence mailed to the inmate, other than privileged correspondence, will be limited to three pages which will be copied (black and white photocopy) along with the envelope so that two (2) sheets of paper, front and back, shall be provided for each item of general correspondence an inmate receives. Originals will be shredded after the copy has been made.
3. Privileged Correspondence: Incoming and outgoing correspondence with the persons or organizations specified below shall be considered privileged correspondence as long as the designated individuals are acting in their official capacities.
  - a. Officers of Federal, State, and Local Courts;
  - b. Any Federal or State Official or Agency;
  - c. Any Administrator of the Department of Correction;
  - d. The Parole Board or its staff;
  - e. The Board of Corrections or its staff;
  - f. The Inmate's Attorney(s); and
  - g. Any member of the News Media.
4. Contraband: Any item that is not permitted under the usual rules of the unit/center including general correspondence that exceeds three pages.
5. Rejection: Any item of correspondence containing any contraband will be rejected. Any item of general correspondence exceeding the limitations set out in Section IV. A. below will be rejected. In addition, any material which the warden/center supervisor or designee reasonably determines will present a clear and present danger to institutional security will be rejected.

**IV. PROCEDURES:****A. Inmate Correspondence Constituting or Containing Contraband**

1. All mail is opened in accordance with AR 860. Mail containing contraband or the contents of which exceeds an envelope with writing on one side and three sheets of 8 ½ x 11 inch (or smaller) size paper with writing on one side will be returned to the sender and the inmate to whom the correspondence was addressed and/or was to receive the contraband will be required to pay for the return postage or agree to the destruction of the mail and contraband. Note that individual photographs will be considered one sheet of paper, and nothing larger than 8 ½ x 11 inch will be copied. No color photocopies will be made.
2. The originals of any incoming general correspondence copied and delivered to the inmate will be shredded immediately.
3. Inmates are encouraged to communicate with those persons with whom they correspond to make them aware of the items which they can receive legally and request that contraband items not be sent.
4. Inmates will be given thirty (30) days from the date received to pay the postage for returning the mail rejected under this policy. Illegal contraband will be seized. If the inmate is not willing to pay for the return postage within the time limit, the mail and contraband will be destroyed.
5. Mailroom personnel will submit the items to be destroyed to the Deputy Warden/Center Supervisor for review and/or approval to destroy.
6. At a time designated by the Warden/Center Supervisor, after the time limit has expired, the mailroom personnel and the Deputy Warden/Center Supervisor will oversee the destruction of the mail and contraband.
7. Any mail received without a return address containing the first and last name of the individual or the business name, street address or post office box number, city, state, and zip code will be considered contraband and destroyed. However, it may be opened to determine if disciplinary charges are warranted against the intended recipient. A notification will be sent to the inmate advising when his/her mail has been rejected and why it was rejected. The inmate will be given 30 days from the date received to pay the postage for returning mail rejected under this policy if the rejected item included a return address.

8. Original newsprint paper is difficult to screen for illicit substances. Correspondence which includes original newsprint paper is considered contraband and will be destroyed pursuant to this administrative directive. However, photocopies of newspaper articles may be sent with general correspondence so long as it does not violate the correspondence or publication policy regarding content. The copy of newsprint must be on 8 ½ by 11 inch paper or smaller and each sheet will count as one of the three pages allowed as general correspondence.

B. Inmate Electronic Correspondence

1. All inmate electronic correspondence will be subject to the rules outlined in AR 860, Inmate Correspondence.
2. The cost of the electronic correspondence is at the expense of the sender. The cost of any rejected electronic correspondence will be at the sender's expense.
3. Electronic correspondence will be considered General Correspondence only; however, the limit to three sheets and one side of an envelope will not apply.
4. All incoming and outgoing electronic correspondence will be inspected and approved before distribution.
5. Inmates who have purchased an approved MP4 Player may have their electronic correspondence downloaded through the available Kiosk in the Unit. The correspondence is transferred electronically. No printed version will be provided to the inmate.
6. Electronic photographs will be available to inmates by two (2) separate ways. Inmates who have purchased an approved MP4 Player may have their photos downloaded through the available Kiosk in the Unit. No printed version will be provided to the inmates. The photos obtained by the inmate in this way are not subject to numerical restrictions, as with printed photos as identified in AR 841, Inmate Property Control. Electronic photographs will be printed and delivered to the inmate if he/she does not possess an MP4 Player. The printed photographs must be in compliance in content and number as stated in AR 841, Inmate Property Control. If more than five (5) pages of photographs are received, the entire correspondence will be rejected. The inmate receiving electronic photographs is responsible for ensuring that the number of printed photographs in his/her possession does not exceed established limits.
7. Rejected electronic correspondence will be rejected in its entirety.

### C. Legal/Privileged Correspondence

#### 1. Privileged Correspondence

Incoming privileged mail will be opened only in the presence of the inmate. Mail opened and inspected under these circumstances will not be read or censored, but may be rejected in its entirety if it is found to contain contraband.

There will be no records kept of incoming or outgoing privileged correspondence. Outgoing privileged correspondence shall have the words "Privileged Correspondence" or "Legal Mail" marked on the envelope or it will be considered general correspondence. All incoming privileged mail should be in official letterhead envelopes and should be clearly identified as "Privileged Correspondence". Media mail should be clearly marked "Media Mail".

2. Each Unit should schedule a "Privileged Mail Call" for outgoing mail once a day, Monday through Friday excluding holidays.
3. During "Privileged Mail Call," **all** correspondence will be checked for contraband by two staff members, (i.e., Sergeant and Shift Captain or Lieutenant), and sealed in the presence of the inmate. Both the Sergeant and the Captain or Lieutenant will sign the back of the envelope.
4. Once the Sergeant and Shift Captain or Lieutenant have signed the back of the envelope(s), outbound privileged mail will be deposited in the authorized Privileged Mail Box to be picked up by mailroom personnel.
5. Any mail marked "Legal or Privileged Mail" that has not been processed in accordance with paragraphs 3 and 4 above will be given to the Shift Captain or Lieutenant by the Mailroom staff. The Captain or Lieutenant will return the mail to the inmate(s) to be opened in his/her presence to insure contraband is not present.
6. Units having x-ray machines will scan all incoming and outgoing privileged correspondence for contraband. For example, loose powder can be detected if the letter is stood on end and "bumped" causing the powder to collect in the corner of the envelope's seal/flap. In addition, tablets and capsules can be detected during the scanning process. After x-raying, mailroom staff will initial the envelope.
7. Additionally, mailroom staff must also lay envelopes on a flat surface and run their hands over them to feel for possible contraband.

8. Inmates in Restrictive Housing or Punitive will have his/her outbound privileged correspondence checked at their cells in accordance with paragraphs 3 and 4.

D. General Correspondence

Correspondence, other than privileged or Interstate/inter-unit correspondence, shall be considered general correspondence. Inmates do not need to submit a list of the people with whom they wish to correspond, nor will any approval be needed from the administration prior to corresponding. There will be no limitation placed on the number of letters mailed or received; however, each item of inbound correspondence is limited to three sheets of 8 ½ x 11 inch paper or smaller along with one side of an envelope which will be photocopied and delivered to the inmate. All general correspondence, both incoming and outgoing, may be opened, inspected, read and records may be kept of all incoming and outgoing general correspondence.

The full name under which the inmate was committed and the ADC number of the inmate shall be shown in the upper left-hand corner of the envelope on the outgoing mail. Any violation of the rules and regulations which also constitutes a violation of Federal Postal Laws shall be reported to the Federal Postal authorities or appropriate personnel responsible for the processing and inspection of such mail.

Inmates in punitive housing will be allowed to send and receive general correspondence and privileged correspondence on the same basis as inmates in the general population.

Limitations on the pages of general correspondence to be photocopied shall not apply to the following facilities: Benton Work Release Center, Northwest Arkansas Work Release Center, Mississippi County Work Release Center, Texarkana Work Release Center, Pine Bluff Reentry Center, and the Tucker Reentry Center.

E. Interstate/Inter-Unit Correspondence between Incarcerated Individuals

Interstate and Inter-unit correspondence is mail between all individuals who are incarcerated either within the Arkansas Department of Correction or another facility. Interstate, and Inter-Unit correspondence of two (2) incarcerated individuals will be restricted to members of the immediate family. It will be subject to the usual rules under general correspondence including the page limit for photocopying. Inter-unit correspondence must have the approval of both the sending and receiving Warden/Center Supervisor. In the case of Interstate correspondence where the out of state facility does not take a position, only the Arkansas Warden/Center Supervisor must approve. For the purposes of this provision VERIFIED "immediate family" is 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.

- F. The administrator reserves the right to inspect, read, or stop any mail or hobby craft packages where there is reason to believe a clear and present danger to the security of the unit/center exists. The page limit and copying of general correspondence is to restrict the flow of contraband arriving by paper sent into the ADC facilities.
- G. The Department will not accept postage due mail or packages.
- H. All letters will be written in the English language unless there is approval by the Warden/Center Supervisor to do otherwise. All entries will be made in the inmates' electronic file.
- I. Violators of correspondence regulations will be subject to disciplinary action.

V. **ATTACHMENT:**

Attachment #1- Inmate Correspondence Form  
Attachment #2- Return Mail Notice

Attachment #1

Arkansas Department of Correction  
\_\_\_\_\_ Unit

**Inmate Correspondence Form**

To: \_\_\_\_\_

Inmate Name: \_\_\_\_\_ ADC: \_\_\_\_\_ Barracks: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

**Inmate-to-Inmate Correspondence (Interstate/Inter Unit)**

**Name:** \_\_\_\_\_ **ADC# / other:** \_\_\_\_\_ **Relation:** \_\_\_\_\_

Name & Address of Correctional Facility (Federal / State Prison, Jail, or Detention Center):

Official Use only -  Approve  Disapprove  
Reason for Disapproval:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Correspondence in a different Language**

Name(s)	ADDRESS	RELATION	STATUS

Official Use only -  Approve  Disapprove  
Reason for Disapproval:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Warden/Designee: \_\_\_\_\_ Date: \_\_\_\_\_



Attachment #2

ARKANSAS DEPARTMENT OF CORRECTION  
RETURN MAIL NOTICE

Barracks No. \_\_\_\_\_

Date: \_\_\_\_\_

Inmate's Name: \_\_\_\_\_

ADC# \_\_\_\_\_

Regarding Letter/Package from: \_\_\_\_\_

The above item has to be returned to sender for the following reason(s):

\_\_\_\_\_ No ADC Number  
On Letter

\_\_\_\_\_ Incorrect ADC Number  
On Money Order

\_\_\_\_\_ Postage Stamps

\_\_\_\_\_ Stamped Envelope

\_\_\_\_\_ Unauthorized Photos

\_\_\_\_\_ Reading Material  
(Must come from publisher  
or Bookstore)

\_\_\_\_\_ Unauthorized Money Order

\_\_\_\_\_ Money order did not include your ADC number  
(All money orders must include inmate name and ADC number)

\_\_\_\_\_ Cash Enclosed  
(Amount \$ \_\_\_\_\_)

\_\_\_\_\_ Unauthorized Material Enclosed

\_\_\_\_\_ Pornographic Material

\_\_\_\_\_ Unauthorized Correspondence

\_\_\_\_\_ Other \_\_\_\_\_

\_\_\_\_\_ You need to send a stamped envelope to return this item to the above person.

\_\_\_\_\_ Letter too large to fit in regular size envelope. Send a signed Inmate Check for the amount of \$ \_\_\_\_\_

\_\_\_\_\_ Please send a signed Inmate Check for \$ \_\_\_\_\_ and a stamped envelope.

All money orders that do not have an ADC Number must be returned to the sender to have the number put on it. And in accordance with the new postal regulation, postage has to be paid on letters that are returned to the sender. Therefore, you need to send me a stamped envelope addressed to the above person.

Advise your correspondent that ALL of the required information MUST be included in your address. The information which shall be required is:

Please check one of the boxes below and return this notice to the Mailroom.

I wish To:

[ ] Donate above items

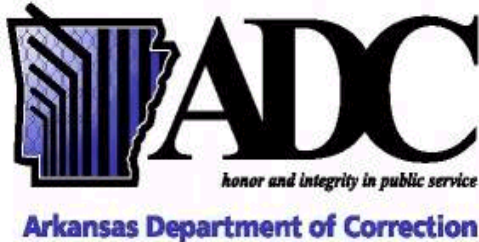
[ ] Return to sender

[ ] Destroy above items

\_\_\_\_\_  
Mailroom Supervisor

\_\_\_\_\_  
Inmate's Signature

\_\_\_\_\_  
Date



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-~~699200~~  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** ~~—~~Safety Plan

**NUMBER:** ~~—11-06—18-xx~~  
06

**SUPERSEDES:** ~~09-05-11~~ Formatted: Strikethrough

**APPLICABILITY:** All Employees

**REFERENCE:** AR 003 – Inspection Tours by the Unit Warden/Center Supervisor  
 AR 005 – Reporting of Incidents **PAGE 1 of 15**

**APPROVED:** Original signed by ~~Ray Hobbs Wendy Kelley~~  
**EFFECTIVE DATE:** 02/11/2011

Formatted: Strikethrough

Formatted: Strikethrough

### I. POLICY:

It shall be the policy of the Arkansas Department of Correction to maintain a safe working environment and to work continually toward improving our safety procedures.

### II. EXPLANATIONPURPOSE:

The Arkansas Department of Correction desires to provide a safe working environment in all areas, for all employees. ~~Controlling the work environment and the actions of the employees can prevent accidents and injuries.~~ ~~Therefore,~~ safety will take precedence over expediency or shortcuts. ~~Every attempt will be made to reduce the possibility of accident occurrence.~~ ~~The management of the Arkansas Department of Correction believes in public safety to include providing a safe working environment for employees.~~ ~~Several programs to aid in controlling the costs of workers compensation accidents have been implemented.~~ These programs include: new steps to the workers compensation claim procedure, preferred medical providers, and drug testing after on-the-job injuries. These processes, along with the proper training of staff, will ensure that the

Arkansas Department of Correction actively provides a safer working environment of its most valued asset, its employees. Management will continue to be guided and motivated by this policy, and with the cooperation of all employees, will actively pursue a safer working environment throughout the agency.

### III. ~~SOF RESPONSIBILITIES:~~

A. ~~Responsibilities of t~~The Workplace Safety Coordinator ~~is an employee assigned to Central Human Resources who is responsible for~~are:

Formatted: Indent: Left: 0.5", Hanging: 0.5"

1. Implementation and enforcement of the ADC's Health and Safety Plan. ~~In the absence of both the Workplace Safety Coordinator and the Human Resources Administrator, the Assistant HR Administrator, Policy and Benefits, will assume the duty of enforcing the plan.~~

Formatted: Strikethrough

2. Maintenance of Health and Safety Plan records.

~~3. Conducting required safety meetings.~~

Formatted: Strikethrough

~~4-3.~~ Coordinating employee safety with Unit Safety Officers.

~~5-4.~~ Create ~~and conduct~~ training to assist employees in the recognition and avoidance of potential work hazards.

Formatted: Strikethrough

~~6.~~ ~~Unit inspections to verify safety hazards and documentation.~~

Formatted: Strikethrough

~~7-5.~~ Development of accident investigation forms and procedures.

8. Analyz~~ing~~e trends to identify health and safety needs.

B. ~~Responsibilities of t~~The Unit Safety Officer ~~is an employee designated by the Warden/Center Supervisor/Administrative (Warden) to:~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

1. Maintain accident/incident reports, audits, inspections, hazard reports and incident investigation at the Unit level.

2. Review all unit workplace accident and injury investigations.

3. Monthly inspection of facility.

4. Create unit specific training to assist in employee awareness and accident avoidance.

5. Implementation of changes.

C. ~~Responsibilities of the Unit~~ Warden is an employee responsible for/Administrator:

1. Assuring a thorough accident investigation is conducted.
2. Assuring that effective corrective actions are performed.
3. Review reports to determine problem areas.
4. Assure compliance with changes.

**IV. PROCEDURES:**

A. Safety Inspections

1. The Unit Safety Officer(s) should conduct and document monthly safety inspections at their unit of assignment utilizing the Unit Inspection Checklist (Attachment A). These inspections should be forwarded to the Workplace Safety Coordinator for review and kept on file at the unit.
2. Employees are responsible for inspecting their work areas/posts for potential hazards. -Any hazard should be reported immediately in writing or via e-mail to the supervisor. -This documentation should include the date the hazard or infraction was discovered, the location of the hazard and a detailed list of discrepancies found. Supervisors will forward any report of hazardous conditions to the Unit Safety Officer so that corrective action may be initiated. The Unit Safety Officer will complete a Safety Hazard Report (Attachment B), recommend corrective action and notify the Warden. The Unit Safety Officer is responsible for follow-up to ensure that corrective actions have been made.
3. The Safety Hazard Report is to be maintained by the Unit Safety Officer for a minimum of one (1) year. -All reports will be forwarded to the Workplace Safety Coordinator for inclusion in the Department's log until all discrepancies are corrected or twelve (12) months have passed, whichever is longer.

~~4. The Workplace Safety Coordinator will inspect each facility a minimum of annually.~~

Formatted: Indent: Left: -0.5"

Formatted: Strikethrough

B. Accident Investigations

1. An accident is defined as any occurrence that interrupts or interferes with the orderly progress of the job and usually occurs suddenly and unexpectedly resulting in bodily injury. Investigations are required on all accidents. -Accidents should be investigated as soon as possible and at least within the first 24

hours of the occurrence. The sooner the information is gathered, the more accurate the facts will be.

The steps for a thorough and effective investigation include, but are not limited to the following:

- a. Interview of employee(s) involved.
  - b. Evaluate the situation and potential liability.
  - c. Locate and retrieve statements from witnesses.
  - d. Gather facts for the incident.
  - e. Evaluate any evidence found and photograph the work site if necessary.
  - f. Have employee reenact the sequence of events if necessary.
  - g. Prepare a written report including corrective steps to be taken for submission to the Unit Warden.
2. All accidents are to be investigated and documented by the employee's supervisor utilizing the Accident Report Form (Attachment C). Accident investigations are to be reviewed by the Unit Safety Officer and forwarded to the Unit Warden. Upon review by the Unit Warden, a copy of the accident report will be forwarded to the Workplace Safety Coordinator for review.

C. Accident/Injury Analysis

1. The Unit Warden/Administrator and the Workplace Safety Coordinator and/or the Human Resources Administrator will review all accident investigations, hazard and audit/inspection reports upon completion and on a quarterly basis to determine any accident trends or hazards that may be developing at a particular facility.
2. The Workplace Safety Coordinator will recommend corrective actions to be taken to prevent the recurrence of similar accidents and/or hazards.
3. Upon the approval of recommended changes, the Unit Safety Officer will be responsible for implementing the changes and the Unit Warden/Administrator will ensure the changes are implemented.

D. Training

Formatted: Strikethrough

All records of training will be documented through the Unit Trainer or the Training Academy for employees to receive proper credit. Blank forms for all safety-related training and documentation are available through the Workplace Safety Coordinator.

**V. ATTACHMENTS:**~~11-06~~

Formatted: Underline

~~11Feb11~~

Formatted: Font: Bold

Attachment A- Unit Onspection Checklist

Attachment B- Safety Hazard Report

Attachment C- Accident Investigation Report

Formatted: Font: Not Bold

Attachment A

## ARKANSAS DEPARTMENT OF CORRECTION UNIT INSPECTION CHECKLIST

**Name of Unit** \_\_\_\_\_ **Location** \_\_\_\_\_

**Name of Inspector** \_\_\_\_\_ **Date** \_\_\_\_\_

Please perform an inspection for each area listed below, and be sure to check each item listed for the area. If an item or area does not apply, place a N/A for Not Applicable in the Needs Improvement column. If an item has been satisfactorily met, place a check mark (✓) or 'X' in the OK column. If an item is not satisfactorily met, write a brief description of what needs corrected in the Needs Improvement column.

ENTRANCE AREA	OK	Needs Improvement	Projected Date of Correction
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are floors in a safe condition and free from tripping hazards, such as broken tiles, defective flooring, etc?	<input type="checkbox"/>		
3. Is area free of boxes or clutter??	<input type="checkbox"/>		
4. Are lights working properly and covered?	<input type="checkbox"/>		
5. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
6. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Other: _____	<input type="checkbox"/>		

ADMINISTRATION / OFFICES / RESTROOMS	OK	Needs Improvement	Projected Date of Correction
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of boxes or clutter?	<input type="checkbox"/>		
3. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
4. Are desks, chairs and tables in good repair?	<input type="checkbox"/>		
5. Are potential hazards protected, e.g. extension cords across aisles, covered, electrical equipment properly grounded, surge protectors, etc?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
8. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		

9. Are exit signs illuminated?	<input type="checkbox"/>		
10. Other: _____	<input type="checkbox"/>		
<b>STORE ROOMS / WAREHOUSE</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of boxes or clutter?	<input type="checkbox"/>		
3. Are electrical panels accessible and properly labeled?	<input type="checkbox"/>		
4. Are doors and latches working properly?	<input type="checkbox"/>		
5. Are products or supplies properly stored? (Light items on top, arranged to avoid toppling. Powders/Solids above liquids.)	<input type="checkbox"/>		
6. Is shelving in good condition?	<input type="checkbox"/>		
7. Are combustibles kept away from heat sources? (Heating unit, hot water tank, electrical boxes, etc.)	<input type="checkbox"/>		
8. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
9. Are lights working properly and covered?	<input type="checkbox"/>		
10. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
11. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
12. Are exit signs illuminated?	<input type="checkbox"/>		
13. Other: _____	<input type="checkbox"/>		

<b>FOOD SERVICE AREA</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of clutter?	<input type="checkbox"/>		
3. Are drain screens intact and being cleaned regularly?	<input type="checkbox"/>		
4. Are doors and latches working properly?	<input type="checkbox"/>		
5. Is food preparation and storage equipment in good repair?	<input type="checkbox"/>		
6. Is grill and fryer exhaust system clean and in good repair?	<input type="checkbox"/>		
7. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
8. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
9. Are combustibles away from heat sources? (Ovens, grill, fryer, toaster, etc.)	<input type="checkbox"/>		



10. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
11. Are lights working properly and covered?	<input type="checkbox"/>		
12. Are tables and seating in good condition?	<input type="checkbox"/>		
13. Are floor mats in good condition? (Lay flat, smooth edges)	<input type="checkbox"/>		
14. Are exit signs illuminated?	<input type="checkbox"/>		
15. Are floors in walk-in freezers free of ice?	<input type="checkbox"/>		
16. Is the emergency interior door latch of the walk-in freezer or refrigerator in good working order?	<input type="checkbox"/>		
17. Are knives and utensils tethered?	<input type="checkbox"/>		
18. Are inventories correct? (Knives, spices, etc.)	<input type="checkbox"/>		
19. Are exit signs illuminated?	<input type="checkbox"/>		
20. Other: _____	<input type="checkbox"/>		

<b>LAUNDRY AREA</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are the vents clean and free of lint?	<input type="checkbox"/>		
3. Are drain screens intact and being cleaned regularly?	<input type="checkbox"/>		
4. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
5. Are lights working properly and covered?	<input type="checkbox"/>		
6. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
7. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
8. Are supplies completely inventoried?	<input type="checkbox"/>		
9. Are exit signs illuminated?	<input type="checkbox"/>		
10. Other: _____	<input type="checkbox"/>		

<b>INFIRMARY</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of clutter?	<input type="checkbox"/>		
3. Are doors and latches working properly?	<input type="checkbox"/>		

4. Are products or supplies properly stored?	<input type="checkbox"/>		
5. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
8. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
9. Are medications and sharps inventoried and accounted for?	<input type="checkbox"/>		
10. Are exit signs illuminated?	<input type="checkbox"/>		
11. Other: _____	<input type="checkbox"/>		

<b>DAY ROOMS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Free from any items that could be used as a weapon by an inmate?	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Other: _____	<input type="checkbox"/>		

<b>BARRACKS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are drain screens intact and being cleaned regularly?	<input type="checkbox"/>		

7. Free from any items that could be used as a weapon by an inmate?	<input type="checkbox"/>		
8. Are exit signs illuminated?	<input type="checkbox"/>		
9. Other: _____	<input type="checkbox"/>		

<b>SEGREGATION / ISOLATION</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are doors and latches working properly?	<input type="checkbox"/>		
3. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
4. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
5. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Other: _____	<input type="checkbox"/>		

<b>RECREATION AREA</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Are outside lights working properly?	<input type="checkbox"/>		
5. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
6. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Is recreational equipment in good condition? (No missing parts, holes or tears, sharp objects, clean, etc.)	<input type="checkbox"/>		
9. Other: _____	<input type="checkbox"/>		

<b>TOWERS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		

2. Are lights working properly and covered?	<input type="checkbox"/>		
3. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
4. Other: _____	<input type="checkbox"/>		

<b>CONTROL CENTER</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

<b>HALLWAYS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are doors and latches working properly?	<input type="checkbox"/>		
3. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
4. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
5. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Are floor mats in good condition? (Lay flat, smooth edges)	<input type="checkbox"/>		
8. Are exit signs illuminated?	<input type="checkbox"/>		
9. Other: _____	<input type="checkbox"/>		

<b>FARM</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		

2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

INDUSTRY	OK	Needs Improvement	Projected Date of Correction
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

MAINTENANCE	OK	Needs Improvement	Projected Date of Correction
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
3. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
4. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
5. Are lights working properly and covered?	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

EXTERIOR (WALKWAYS AND PARKING LOT)	OK	Needs Improvement	Projected Date of Correction
1. Are sidewalks and curbs in good repair?	<input type="checkbox"/>		
2. Is the parking lot free of potholes or tripping hazards?	<input type="checkbox"/>		
3. Are outside lights working properly?	<input type="checkbox"/>		
4. Other: _____	<input type="checkbox"/>		

SAFE WORKING PRACTICES	OK	Needs Improvement	Projected Date of Correction
1. Do employees demonstrate a team approach in preventing accidents?	<input type="checkbox"/>		
2. Are spills or dropped items cleaned up promptly?	<input type="checkbox"/>		
3. Are "Wet Floor" warning signs displayed when needed?	<input type="checkbox"/>		
4. Are employees wearing proper footwear?	<input type="checkbox"/>		
5. Are employees instructed in proper lifting techniques?	<input type="checkbox"/>		
6. Do employees "practice" proper lifting techniques?	<input type="checkbox"/>		
7. Are all cleaning supplies properly labeled?	<input type="checkbox"/>		
8. Do employees know where Material Safety Data Sheets are kept?	<input type="checkbox"/>		
9. Are proper posters displayed? (Workers' Compensation, etc.)	<input type="checkbox"/>		
10. Have all maintenance issues been reported as required?	<input type="checkbox"/>		
11. Other: _____	<input type="checkbox"/>		

FOLLOW-UP	YES	NO
1. Have the hazards that were identified last month been corrected? (If "NO", specify which hazards below.)	<input type="checkbox"/>	<input type="checkbox"/>
2. Have maintenance-related items been reported, called in or entered on the store computer?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have unsafe practices been addressed with all employees?	<input type="checkbox"/>	<input type="checkbox"/>
4. Comments: (Describe all areas that have been marked "Needs improvement")	<input type="checkbox"/>	<input type="checkbox"/>

**Inspector's  
Signature**

**Date**

\_\_\_\_\_



**SAFETY HAZARD REPORT**

Name of Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Day of Week: \_\_\_\_\_ Time: \_\_\_\_\_

Unit: \_\_\_\_\_

Location within Unit: \_\_\_\_\_

Hazard Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recommendation/Corrective Measures: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Reporting Supervisor

Estimated Date of Correction: \_\_\_\_\_

\_\_\_\_\_  
Unit Safety Officer

\_\_\_\_\_  
Warden

Date Correction(s) Made: \_\_\_\_\_

\_\_\_\_\_  
Unit Safety Officer

\_\_\_\_\_  
Warden

### Accident Investigation Report

**Attachment C**

Field Code Changed

Unit: \_\_\_\_\_  
Location: \_\_\_\_\_

Nature of Accident (please mark with check)

- |                  |                          |                    |                          |
|------------------|--------------------------|--------------------|--------------------------|
| Employee Injury  | <input type="checkbox"/> | First-Aid Only     | <input type="checkbox"/> |
| Vehicle Accident | <input type="checkbox"/> | Third-Party Injury | <input type="checkbox"/> |
| Property Damage  | <input type="checkbox"/> |                    |                          |



1. Name of Employee: \_\_\_\_\_ Age: \_\_\_\_\_  
 2. Occupation: \_\_\_\_\_ Dept.: \_\_\_\_\_  
 3. Date of Accident: \_\_\_\_\_ Time: \_\_\_\_\_  
 4. Place of Accident: \_\_\_\_\_  
 5. Witnesses: \_\_\_\_\_  
 6. Employee Treated by Physician? Y  N   
 Name and Address of Physician: \_\_\_\_\_  
 7. Date & Time Injured Left Work? \_\_\_\_\_ Date & Time Returned to Work? \_\_\_\_\_  
 8. Describe Injuries/Damage: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. Describe Accident: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

10. Accident Causes:(check all that apply)

**Physical Causes:**

- Defective/Improper tools or equipment
- Poor housekeeping (trash, slippery floor, etc.)
- Improperly Maintained equipment
- Unguarded/Improperly guarded equipment
- Congested area
- Unstable/Improper piling or storage
- Improper light
- Poor ventilation
- Extreme temperature
- Inmate (Dashing, assault, etc.)
- Description of cause: \_\_\_\_\_  
 \_\_\_\_\_

**Personal Causes:**

- Not properly trained/instructed
- Failure to use Personal Protective Equipment
- Failure to follow rules or instructions
- Using improper/defective tools
- Horseplay
- Improper apparel
- Using improper methods/procedures
- Operating without authority
- Distracted/Breakdown in awareness
- Description of cause: \_\_\_\_\_  
 \_\_\_\_\_

11. Was accident: **Preventable**  **Non-Preventable**

12. Date & Time Accident Reported to Company Nurse: \_\_\_\_\_ If none why? \_\_\_\_\_  
 13. Date & Time Drug Testing performed: \_\_\_\_\_ If none why? \_\_\_\_\_

14. Disciplinary action taken? Y  N   
 If so, what type?  Verbal warning  Suspension  
 Written warning  Termination

15. What should be done, and by whom, to prevent recurrence? What is the expected completion date?  
 \_\_\_\_\_  
 \_\_\_\_\_

**Signatures:** Prepared by: \_\_\_\_\_ (Reporting Supervisor) (Date)  
 Reviewed by: \_\_\_\_\_ (Safety Officer) (Date)  
 Reviewed by: \_\_\_\_\_ (Warden) (Date)



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: Safety Plan**

**NUMBER: 18-38**

**SUPERSEDES: 11-06**

**APPLICABILITY: All Employees**

**REFERENCE: AR 003 – Inspection Tours by the  
 Unit Warden/Center Supervisor  
 AR 005 – Reporting of Incidents**

**PAGE 1 of 15**

**APPROVED: Original signed by Wendy Kelley**

**EFFECTIVE DATE: 8/17/2018**

**I. POLICY:**

It shall be the policy of the Arkansas Department of Correction to maintain a safe working environment and to work continually toward improving our safety procedures.

**II. PURPOSE:**

The Arkansas Department of Correction desires to provide a safe working environment in all areas, for all employees. Controlling the work environment and the actions of the employees can prevent accidents and injuries. Therefore, safety will take precedence over expediency or shortcuts. Every attempt will be made to reduce the possibility of accident occurrence. The management of the Arkansas Department of Correction believes in public safety to include providing a safe working environment for employees. Several programs to aid in controlling the costs of workers compensation accidents have been implemented. These programs include: new steps to the workers compensation claim procedure, preferred medical providers, and drug testing after on-the-job injuries. These processes, along with the proper training of staff, will ensure that the Arkansas Department of Correction actively provides a safer working environment of its most valued asset, its employees. Management will continue to be guided and motivated by

this policy, and with the cooperation of all employees, will actively pursue a safer working environment throughout the agency.

### **III. DEFINITIONS:**

- A. The Workplace Safety Coordinator is an employee assigned to Central Human Resources who is responsible for:
1. Implementation and enforcement of the ADC's Health and Safety Plan. In the absence of both the Workplace Safety Coordinator and the Human Resources Administrator, the Assistant HR Administrator, Benefits, will assume the duty of enforcing the plan.
  2. Maintenance of Health and Safety Plan records.
  3. Coordinating employee safety with Unit Safety Officers.
  4. Create training to assist employees in the recognition and avoidance of potential work hazards.
  5. Development of accident investigation forms and procedures.
  8. Analyzing trends to identify health and safety needs.
- B. The Unit Safety Officer is an employee designated by the Warden/Center Supervisor/Administrative (Warden) to:
1. Maintain accident/incident reports, audits, inspections, hazard reports and incident investigation at the Unit level.
  2. Review all unit workplace accident and injury investigations.
  3. Monthly inspection of facility.
  4. Create unit specific training to assist in employee awareness and accident avoidance.
  5. Implementation of changes.
- C. The Warden is an employee responsible for:
1. Assuring a thorough accident investigation is conducted.
  2. Assuring that effective corrective actions are performed.
  3. Review reports to determine problem areas.

4. Assure compliance with changes.

#### IV. **PROCEDURES:**

##### A. Safety Inspections

1. The Unit Safety Officer(s) should conduct and document monthly safety inspections at their unit of assignment utilizing the Unit Inspection Checklist (Attachment A). These inspections should be forwarded to the Workplace Safety Coordinator for review and kept on file at the unit.
2. Employees are responsible for inspecting their work areas/posts for potential hazards. Any hazard should be reported immediately in writing or via e-mail to the supervisor. This documentation should include the date the hazard or infraction was discovered, the location of the hazard and a detailed list of discrepancies found. Supervisors will forward any report of hazardous conditions to the Unit Safety Officer so that corrective action may be initiated. The Unit Safety Officer will complete a Safety Hazard Report (Attachment B), recommend corrective action and notify the Warden. The Unit Safety Officer is responsible for follow-up to ensure that corrective actions have been made.
3. The Safety Hazard Report is to be maintained by the Unit Safety Officer for a minimum of one (1) year. All reports will be forwarded to the Workplace Safety Coordinator for inclusion in the Department's log until all discrepancies are corrected or twelve (12) months have passed, whichever is longer.

##### B. Accident Investigations

1. An accident is defined as any occurrence that interrupts or interferes with the orderly progress of the job and usually occurs suddenly and unexpectedly resulting in bodily injury. Investigations are required on all accidents. Accidents should be investigated as soon as possible and at least within the first 24 hours of the occurrence. The sooner the information is gathered, the more accurate the facts will be.

The steps for a thorough and effective investigation include, but are not limited to the following:

- a. Interview of employee(s) involved.
- b. Evaluate the situation and potential liability.
- c. Locate and retrieve statements from witnesses.

- d. Gather facts for the incident.
  - e. Evaluate any evidence found and photograph the work site if necessary.
  - f. Have employee reenact the sequence of events if necessary.
  - g. Prepare a written report including corrective steps to be taken for submission to the Unit Warden.
2. All accidents are to be investigated and documented by the employee's supervisor utilizing the Accident Report Form (Attachment C). Accident investigations are to be reviewed by the Unit Safety Officer and forwarded to the Unit Warden. Upon review by the Unit Warden, a copy of the accident report will be forwarded to the Workplace Safety Coordinator for review.

C. Accident/Injury Analysis

1. The Unit Warden/Administrator and the Workplace Safety Coordinator and/or the Human Resources Administrator will review all accident investigations, hazard and audit/inspection reports upon completion and on a quarterly basis to determine any accident trends or hazards that may be developing at a particular facility.
2. The Workplace Safety Coordinator will recommend corrective actions to be taken to prevent the recurrence of similar accidents and/or hazards.
3. Upon the approval of recommended changes, the Unit Safety Officer will be responsible for implementing the changes and the Unit Warden/Administrator will ensure the changes are implemented.

D. Training

All records of training will be documented through the Unit Trainer or the Training Academy for employees to receive proper credit. Blank forms for all safety-related training and documentation are available through the Workplace Safety Coordinator.

V. **ATTACHMENTS:**

Attachment A- Unit Onspecion Checklist  
Attachment B- Safety Hazard Report  
Attachment C- Accident Investigation Report

## ARKANSAS DEPARTMENT OF CORRECTION UNIT INSPECTION CHECKLIST

Name of Unit \_\_\_\_\_ Location \_\_\_\_\_

Name of Inspector \_\_\_\_\_ Date \_\_\_\_\_

Please perform an inspection for each area listed below, and be sure to check each item listed for the area. If an item or area does not apply, place a N/A for Not Applicable in the Needs Improvement column. If an item has been satisfactorily met, place a check mark (✓) or 'X' in the OK column. If an item is not satisfactorily met, write a brief description of what needs corrected in the Needs Improvement column.

ENTRANCE AREA	OK	Needs Improvement	Projected Date of Correction
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are floors in a safe condition and free from tripping hazards, such as broken tiles, defective flooring, etc?	<input type="checkbox"/>		
3. Is area free of boxes or clutter??	<input type="checkbox"/>		
4. Are lights working properly and covered?	<input type="checkbox"/>		
5. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
6. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Other: _____	<input type="checkbox"/>		

ADMINISTRATION / OFFICES / RESTROOMS	OK	Needs Improvement	Projected Date of Correction
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of boxes or clutter?	<input type="checkbox"/>		
3. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
4. Are desks, chairs and tables in good repair?	<input type="checkbox"/>		
5. Are potential hazards protected, e.g. extension cords across aisles, covered, electrical equipment properly grounded, surge protectors, etc?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
8. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		

9. Are exit signs illuminated?	<input type="checkbox"/>		
10. Other: _____	<input type="checkbox"/>		
<b>STORE ROOMS / WAREHOUSE</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of boxes or clutter?	<input type="checkbox"/>		
3. Are electrical panels accessible and properly labeled?	<input type="checkbox"/>		
4. Are doors and latches working properly?	<input type="checkbox"/>		
5. Are products or supplies properly stored? (Light items on top, arranged to avoid toppling. Powders/Solids above liquids.)	<input type="checkbox"/>		
6. Is shelving in good condition?	<input type="checkbox"/>		
7. Are combustibles kept away from heat sources? (Heating unit, hot water tank, electrical boxes, etc.)	<input type="checkbox"/>		
8. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
9. Are lights working properly and covered?	<input type="checkbox"/>		
10. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
11. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
12. Are exit signs illuminated?	<input type="checkbox"/>		
13. Other: _____	<input type="checkbox"/>		

<b>FOOD SERVICE AREA</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of clutter?	<input type="checkbox"/>		
3. Are drain screens intact and being cleaned regularly?	<input type="checkbox"/>		
4. Are doors and latches working properly?	<input type="checkbox"/>		
5. Is food preparation and storage equipment in good repair?	<input type="checkbox"/>		
6. Is grill and fryer exhaust system clean and in good repair?	<input type="checkbox"/>		
7. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
8. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
9. Are combustibles away from heat sources? (Ovens, grill, fryer, toaster, etc.)	<input type="checkbox"/>		

10. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
11. Are lights working properly and covered?	<input type="checkbox"/>		
12. Are tables and seating in good condition?	<input type="checkbox"/>		
13. Are floor mats in good condition? (Lay flat, smooth edges)	<input type="checkbox"/>		
14. Are exit signs illuminated?	<input type="checkbox"/>		
15. Are floors in walk-in freezers free of ice?	<input type="checkbox"/>		
16. Is the emergency interior door latch of the walk-in freezer or refrigerator in good working order?	<input type="checkbox"/>		
17. Are knives and utensils tethered?	<input type="checkbox"/>		
18. Are inventories correct? (Knives, spices, etc.)	<input type="checkbox"/>		
19. Are exit signs illuminated?	<input type="checkbox"/>		
20. Other: _____	<input type="checkbox"/>		

<b>LAUNDRY AREA</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are the vents clean and free of lint?	<input type="checkbox"/>		
3. Are drain screens intact and being cleaned regularly?	<input type="checkbox"/>		
4. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
5. Are lights working properly and covered?	<input type="checkbox"/>		
6. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
7. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
8. Are supplies completely inventoried?	<input type="checkbox"/>		
9. Are exit signs illuminated?	<input type="checkbox"/>		
10. Other: _____	<input type="checkbox"/>		

<b>INFIRMARY</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are aisles free of clutter?	<input type="checkbox"/>		
3. Are doors and latches working properly?	<input type="checkbox"/>		



4. Are products or supplies properly stored?	<input type="checkbox"/>		
5. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
8. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
9. Are medications and sharps inventoried and accounted for?	<input type="checkbox"/>		
10. Are exit signs illuminated?	<input type="checkbox"/>		
11. Other: _____	<input type="checkbox"/>		

<b>DAY ROOMS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Free from any items that could be used as a weapon by an inmate?	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Other: _____	<input type="checkbox"/>		

<b>BARRACKS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are drain screens intact and being cleaned regularly?	<input type="checkbox"/>		

7. Free from any items that could be used as a weapon by an inmate?	<input type="checkbox"/>		
8. Are exit signs illuminated?	<input type="checkbox"/>		
9. Other: _____	<input type="checkbox"/>		

<b>SEGREGATION / ISOLATION</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are doors and latches working properly?	<input type="checkbox"/>		
3. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
4. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
5. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Other: _____	<input type="checkbox"/>		

<b>RECREATION AREA</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Are outside lights working properly?	<input type="checkbox"/>		
5. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
6. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
7. Are exit signs illuminated?	<input type="checkbox"/>		
8. Is recreational equipment in good condition? (No missing parts, holes or tears, sharp objects, clean, etc.)	<input type="checkbox"/>		
9. Other: _____	<input type="checkbox"/>		

<b>TOWERS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		

2. Are lights working properly and covered?	<input type="checkbox"/>		
3. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
4. Other: _____	<input type="checkbox"/>		

<b>CONTROL CENTER</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

<b>HALLWAYS</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are doors and latches working properly?	<input type="checkbox"/>		
3. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
4. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
5. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
6. Are lights working properly and covered?	<input type="checkbox"/>		
7. Are floor mats in good condition? (Lay flat, smooth edges)	<input type="checkbox"/>		
8. Are exit signs illuminated?	<input type="checkbox"/>		
9. Other: _____	<input type="checkbox"/>		

<b>FARM</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		

2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

<b>INDUSTRY</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
3. Are lights working properly and covered?	<input type="checkbox"/>		
4. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
5. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

<b>MAINTENANCE</b>	<b>OK</b>	<b>Needs Improvement</b>	<b>Projected Date of Correction</b>
1. Are floors clean, dry and in good condition – smooth, clear surfaces without holes, cracks, or humps?	<input type="checkbox"/>		
2. Has the fire extinguishing system been inspected monthly and serviced within the last year? (Check tags)	<input type="checkbox"/>		
3. Have portable fire extinguishers been inspected monthly and serviced within last year? (Check tag and gauge.)	<input type="checkbox"/>		
4. Are outlets, switches and electrical components working properly and adequately covered?	<input type="checkbox"/>		
5. Are lights working properly and covered?	<input type="checkbox"/>		
6. Are exit signs illuminated?	<input type="checkbox"/>		
7. Other: _____	<input type="checkbox"/>		

EXTERIOR (WALKWAYS AND PARKING LOT)	OK	Needs Improvement	Projected Date of Correction
1. Are sidewalks and curbs in good repair?	<input type="checkbox"/>		
2. Is the parking lot free of potholes or tripping hazards?	<input type="checkbox"/>		
3. Are outside lights working properly?	<input type="checkbox"/>		
4. Other: _____	<input type="checkbox"/>		

SAFE WORKING PRACTICES	OK	Needs Improvement	Projected Date of Correction
1. Do employees demonstrate a team approach in preventing accidents?	<input type="checkbox"/>		
2. Are spills or dropped items cleaned up promptly?	<input type="checkbox"/>		
3. Are "Wet Floor" warning signs displayed when needed?	<input type="checkbox"/>		
4. Are employees wearing proper footwear?	<input type="checkbox"/>		
5. Are employees instructed in proper lifting techniques?	<input type="checkbox"/>		
6. Do employees "practice" proper lifting techniques?	<input type="checkbox"/>		
7. Are all cleaning supplies properly labeled?	<input type="checkbox"/>		
8. Do employees know where Material Safety Data Sheets are kept?	<input type="checkbox"/>		
9. Are proper posters displayed? (Workers' Compensation, etc.)	<input type="checkbox"/>		
10. Have all maintenance issues been reported as required?	<input type="checkbox"/>		
11. Other: _____	<input type="checkbox"/>		

FOLLOW-UP	YES	NO
1. Have the hazards that were identified last month been corrected? (If "NO", specify which hazards below.)	<input type="checkbox"/>	<input type="checkbox"/>
2. Have maintenance-related items been reported, called in or entered on the store computer?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have unsafe practices been addressed with all employees?	<input type="checkbox"/>	<input type="checkbox"/>
4. Comments: (Describe all areas that have been marked "Needs improvement")	<input type="checkbox"/>	<input type="checkbox"/>

**Inspector's  
Signature**

**Date**

\_\_\_\_\_



**SAFETY HAZARD REPORT**

Name of Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Day of Week: \_\_\_\_\_ Time: \_\_\_\_\_

Unit: \_\_\_\_\_

Location within Unit: \_\_\_\_\_

Hazard Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Recommendation/Corrective Measures: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Reporting Supervisor

Estimated Date of Correction: \_\_\_\_\_

\_\_\_\_\_  
Unit Safety Officer

\_\_\_\_\_  
Warden

Date Correction(s) Made: \_\_\_\_\_

\_\_\_\_\_  
Unit Safety Officer

\_\_\_\_\_  
Warden

**Accident Investigation Report**

Unit: \_\_\_\_\_  
Location: \_\_\_\_\_

Nature of Accident (please mark with check)

- |                  |                          |                    |                          |
|------------------|--------------------------|--------------------|--------------------------|
| Employee Injury  | <input type="checkbox"/> | First-Aid Only     | <input type="checkbox"/> |
| Vehicle Accident | <input type="checkbox"/> | Third-Party Injury | <input type="checkbox"/> |
| Property Damage  | <input type="checkbox"/> |                    |                          |

1. Name of Employee: \_\_\_\_\_ Age: \_\_\_\_\_  
 2. Occupation: \_\_\_\_\_ Dept.: \_\_\_\_\_  
 3. Date of Accident: \_\_\_\_\_ Time: \_\_\_\_\_  
 4. Place of Accident: \_\_\_\_\_  
 5. Witnesses: \_\_\_\_\_  
 6. Employee Treated by Physician? **Y**  **N**   
 Name and Address of Physician: \_\_\_\_\_  
 7. Date & Time Injured Left Work? \_\_\_\_\_ Date & Time Returned to Work? \_\_\_\_\_  
 8. Describe Injuries/Damage: \_\_\_\_\_

9. Describe Accident: \_\_\_\_\_

10. Accident Causes:(check all that apply)

**Physical Causes:**

- Defective/Improper tools or equipment
- Poor housekeeping (trash, slippery floor, etc.)
- Improperly Maintained equipment
- Unguarded/Improperly guarded equipment
- Congested area
- Unstable/Improper piling or storage
- Improper light
- Poor ventilation
- Extreme temperature
- Inmate (Dashing, assault, etc.)
- Description of cause: \_\_\_\_\_

**Personal Causes:**

- Not properly trained/instructed
- Failure to use Personal Protective Equipment
- Failure to follow rules or instructions
- Using improper/defective tools
- Horseplay
- Improper apparel
- Using improper methods/procedures
- Operating without authority
- Distracted/Breakdown in awareness
- Description of cause: \_\_\_\_\_

11. Was accident: **Preventable**  **Non-Preventable**

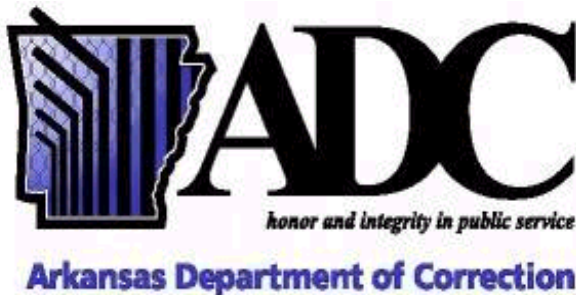
12. Date & Time Accident Reported to Company Nurse: \_\_\_\_\_ If none why? \_\_\_\_\_  
 13. Date & Time Drug Testing performed: \_\_\_\_\_ If none why? \_\_\_\_\_

14. Disciplinary action taken? **Y**  **N**   
 If so, what type?  Verbal warning  Suspension  
 Written warning  Termination

15. What should be done, and by whom, to prevent recurrence? What is the expected completion date?  
 \_\_\_\_\_  
 \_\_\_\_\_

**Signatures:** Prepared by: \_\_\_\_\_ (Reporting Supervisor) (Date)  
 Reviewed by: \_\_\_\_\_ (Safety Officer) (Date)  
 Reviewed by: \_\_\_\_\_ (Warden) (Date)





P O Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-629900  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Information Technology Acceptable Use Policy

**NUMBER:** ~~16-2118-\_\_\_~~

**SUPERSEDES:** 16-~~1321~~

**APPLICABILITY:** All ADC Employees, Contractors, Volunteers and others  
 authorized to Utilize ADC Information Technology Systems

**REFERENCE:** AR 104 Property Control

**PAGE:** 1 of ~~135~~

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

**EFFECTIVE DATE:** 8/15/2016

### I. POLICY:

It shall be the policy of the Arkansas Department of Correction (ADC) to provide guidelines as to the acceptable and proper use of the various forms of information technology that are available to its employees, contractors, volunteers, or others authorized to utilize that technology.

### II. APPLICABILITY:

The Information Technology Acceptable Use Policy applies to all ADC personnel, contractors, volunteers, or others who may be authorized to utilize ADC Information Technology systems. ~~\_-~~ADC management is responsible for enforcing compliance with this policy. ~~-~~Violations will be subject to discipline as governed by the agency Employee Conduct Standards and Discipline Policy. Penalties for non-compliance include internal disciplinary measures, including discharge for instances of non-compliance that result in damage or otherwise compromise the ADC, its employees, or the public and initiation of criminal or civil action, if appropriate.

### III. DEFINITIONS:

Agency – ADC or the Arkansas Department of Correction.

Email – A method of exchanging digital messages from an author to one or more recipients.

Archival – A collection of historical records that primarily consists of records that have been selected for permanent or long-term preservation.

~~Social Networking—Tool used to connect people who share common interests or backgrounds through the use of web-based services. Typically, these sites use multiple methods to connect to registered users such as status updates (micro-blogging), instant messaging, blogs, polls, photo sharing, video sharing, etc.~~

~~Social Media—Social media websites or technologies focus on creating and fostering online social communities for a specific purpose and connect users from varying locations and interest areas. Social media websites can offer many different ways for users to share information including video, audio, images, website links, and other content.~~

Password – A secret work or string of characters that is used for authentication, to prove identify or gain access to a resource. (i.e., access code)

Copyright – Creative artist’s control of original work or intellectual property; the legal right of creative artists or publishers to control the use and reproduction of their original works. In the United States, copyright of creative works extends 50 years beyond the lifespan of its author or designer.

License Agreement – a legal contract between two parties, known as a licensor and the licensee. In a typical license agreement, the licensor grants the licensee the right to produce and sell goods, apply a brand name or trademark or use patented technology owned by the licensor. In exchange, the licensee usually submits to a series of conditions regarding the use of the licensor’s property.

VPN – Virtual Private Network – uses telecommunications infrastructure to provide remote access to the state network.

Mobile Devices – A portable, wireless computing device that is small enough to be used while held in the hand. (i.e., Smartphone, PDA, iPad, Blackberry, MP4 Players, iPods)

#### IV. **PROCEDURES:**

The ADC provides its staff with information technology resources and a local area network with access to the Internet. The purpose of these technologies is to:

- (a) Enhance the programs and services provided by ADC;
- (b) Conduct ADC business;
- (c) Support ADC projects; and
- (d) Ensure that ~~staff are~~staff are equipped with the necessary tools for communication, research, collaboration, and other tasks required to fulfill job obligations.

Each staff member is expected to use accounts and resources for these purposes.

The Arkansas State Governor's Policy Directive GPD-5, 1997 clearly states that "Use of any and all State owned equipment and supplies shall be restricted to official state use only. Unauthorized or personal use of equipment or supplies may be grounds for dismissal." It is the intent of this Administrative Directive to provide guidance to authorized employees in the use of the resources that are available."

Currently, applicable ADC personnel have been provided resources for Internet connectivity in order to adequately perform their job duties and responsibilities. The ADC provides approximately 2600 employees and contractors access to a networked computer. This represents 70% of the total staff in the agency.

V. **GUIDELINES:**

A. Information Technology

(1) Appropriate Use of Information Technology

The ADC strives to provide employees with current information technology resources and equipment. Access to these resources is necessary to complete job tasks. -In general, appropriate uses of technology may include but may not be limited to:

- a. Accessing the World Wide Web/Intranet for work related research and information gathering;
- b. Utility and applications software that accomplishes tasks and fulfills job functions;
- c. Communication and collaboration between staff and/or other appropriate entities;
- d. Access to the Internet/Intranet for up-to-date information published by the ADC, other state agencies, and various other providers of information that may be necessary in order to complete job tasks; and
- e. Activities or projects that support professional activities of employees. (i.e., electronic calendars, electronic scheduling of meetings, electronic prioritizing of tasks, using project management software, keeping electronic address books, and completion of work related forms electronically)

(2) Inappropriate Use of Information Technology

The following general uses are prohibited with respect to the privilege of using information technology of the agency:

- a. Interference with the security or operation of computer systems, or restricting or inhibiting other users from using the system or the efficiency of the computer systems;
- b. Vandalizing equipment, software, or hardware;

- c. Attempting to alter or gain access to unauthorized files or systems;
- d. Downloading or copying copyrighted material or files including music to state computer systems;
- e. Using technology in a way that interferes with work obligations;
- f. Using technology in a way that violates or infringes on the rights of any other person, including the right to privacy;
- g. Violating the rights of others by publishing or displaying any information that is defamatory, false, abusive, pornographic, sexually oriented, obscene, inaccurate, profane, threatening racially offensive, otherwise biased, discriminatory, or illegal material;
- h. Knowingly transmitting material, information, or software in violation of any local, state or federal law;
- i. Conducting any non-governmental-related fund raising or public relations activities;
- j. Conduct any political activity;
- k. Make any unauthorized purchases or conduct any non-approved business;
- l. Solicit the performance of any activity that is prohibited by law;
- m. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive;
- n. Viewing, downloading or sending pornographic or other obscene materials;
- o. Visiting and/or participating in chat rooms not designed for professional interactions specifically related to one's job;
- p. Encourages the use of controlled substances or uses the system for the purpose of criminal intent; or uses the system for any illegal purpose; and
- q. Endangering productivity of the ADC.

(3) Privacy of Information

- a. The ADC reserves the right to monitor and/or log all network activity with or without notice, including e-mail and all website communications, and therefore, users should have no expectation of privacy in the use of these resources. The Agency will not monitor e-mail transmissions on a regular basis; however, the construction, repair, operations and maintenance of electronic messaging systems may occasionally result in random monitoring of transmitted or stored messages.
- b. Messages may be monitored during the course of investigations of illegal activity.
- c. Supervisors and/or Managers may require access to data (including email) under their employee's control when necessary to conduct agency business.
- d. Any electronic record (including email) that serves to document the organization, functions, policies, decisions, procedures, operations or other activities is considered public record and subject to Freedom of Information Act (FOIA). Access to electronic records including e-mail will be in accordance with FOIA guidelines.

B. Electronic Mail (E-mail)

E-mail is considered a network activity and as such is subject to all policies regarding acceptable/unacceptable uses of the Internet. Email is a public record, subject to public inspection and is not confidential, unless specifically cited by statute. The user should not consider e-mail to be either private or secure.

(1) Purpose of E-mail

Electronic mail is provided to support open communication and the exchange of information between staff and other authorized users that have access to a network. This communication allows for the collaboration of ideas and the sharing of information. E-mail is a necessary component of teamwork at ADC.

(2) E-mail Guidelines

Each ADC personnel assigned an E-mail account is responsible for using their account in accordance with established guidelines and in such a way that does not interfere with their duties.

Accounts shall include an **Email Signature** to identify the Sender by Name, Position, Facility or Office Assigned, Email Address,

and Telephone Number. If a telephone number is not assigned to your position, the Facility or Office Main Number shall be included. Fax Number, shall also be included, if one is utilized for your position. Email Signatures shall also include the Agency Confidentiality Notice.

Example:

John Doe  
 Commissary  
 Pine Bluff Unit  
[John.Doe@arkansas.gov](mailto:John.Doe@arkansas.gov)  
 P: xxx-xxx-xxxx  
 C: xxx-xxx-xxxx  
 F: xxx-xxx-xxxx

**Confidentiality Notice:** This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this e-mail.

Specifically prohibited in the use of e-mail is:

- a. Use of cursive or hard to read fonts. Use of font color other than blue or black;
- b. Any activity covered by inappropriate use statements included in this policy;
- c. Sending, /forwarding chain letters, virus, hoaxes, etc.;
- d. Sending, forwarding or opening executable files (.exe) or other attachments unrelated to specific work activities, as these frequently contain viruses;
- e. Use of abusive or profane language in messages;
- f. Any use that reflects a non-professional image or poorly on the ADC or the State of Arkansas;
- g. Emails may NOT have Personal Photos, Image Clips, Inspiration Messages, and backgrounds other than clear white ~~and~~
- ~~h. Photos, Image Clips, Inspirational Messages, and Backgrounds other than Clear White.~~

(3) E-mail Storage

System storage limits are established for email. Personnel shall maintain email by moving important information from server stored E-mail message files to shared folders and drives to ensure proper backup and archives. Users shall receive system notices when server storage limits are approaching maximum capacity.

Messages no longer needed must be periodically purged from personal storage areas. Messages requiring retention must be kept and maintained for future inquiries.

### C. Internet/Intranet Guidelines

The Internet provides a wealth of information useful for educational purposes. With Internet access, an employee of ADC can utilize the many research and resource tools available online. These tools can aid in preparing reports or projects required by the agency. All ADC staff members who are authorized network users may access the Internet and other information resources and services at any time that, in the judgment of the user, such access and use will benefit ADC programs and services.

#### (1) Use of Internet/Intranet Access

Employees are responsible for making sure they use this access correctly and wisely. Staff should not allow Internet/Intranet use to interfere with their job duties. Acceptable uses include:

- a. Access to and distribution of information that is in direct support of the business of ADC;
- b. Providing and simplifying communications with other state agencies, school districts and citizens of Arkansas;
- c. Communication of information related to professional development or to remain current on topics of general ADC interest;
- d. Announcement of new laws, rules, or regulations; and
- e. Encouraging collaborative projects and sharing of resources.

#### (2) Inappropriate Uses of Web Access Include, but are Not Limited to:

- a. Viewing, downloading or sending pornographic or other obscene materials;
- b. "Surfing" the Web for information not related to job assignment;
- c. Otherwise endangering productivity of the ADC;
- d. Audio/Video Streaming;
- e. Purposes, which violates agency policy or Federal or Arkansas law;
- f. Engaging in any activity for personal financial gain, such as



buying or selling of commodities or services with a profit motive; and

- g. Dissemination or printing copyrighted materials (including articles and software) in violation of copyright laws.

#### D. Network Use and User Accounts Guidelines

Use of the state's Internet/Intranet connection and E-mail resources is a privilege, and it is expected that all staff will abide by acceptable user guidelines.

Appropriate network and user account guidelines include:

- (1) ADC personnel will only access those computer accounts, which have been authorized for their use, and must identify computing work with their own names or other approved IDs so that responsibility for the work can be determined, and users can be contacted in unusual situations. Network and Application user accounts and passwords shall never be shared.
- (2) ADC personnel will use accounts for authorized purposes. This policy shall not prevent informal communication, but accounts will not be used for private consulting or personal gain.
- (3) Network administrators may review files and communications to maintain system integrity and ensure that personnel are using the system responsibly. Staff should not expect files and documents to always remain private.
- (4) Users are encouraged to maximize the use of the technologies covered under this user policy to reduce the cost of postage, letters, reports, etc.

#### ~~E. Social Networking and Media~~

~~A Social Networking presence improves interactivity between ADC and the public. ADC enhances public communication strategies by using social networking websites.~~

#### ~~F. Professional Use of Social Networking and Media~~

~~All professional use of social networking and media sites by ADC staff should be consistent with applicable information technologies policies.~~

##### ~~(1) Professional Use~~

- ~~a. Accounts created for the representation of the agency shall be authorized by the agency Public Information Officer;~~
- ~~b. The Public Information Officer/Designee shall maintain a list~~

~~of agency social media accounts, their domain names, all authorized administrators and their associated user accounts and passwords;~~

~~e. Changes to the account administrator, including termination, shall include an immediate change of all passwords and account information to maintain agency control;~~

~~d. All agency related communication through social media outlets should remain professional in nature and should always be conducted in accordance with the agency policies;~~

~~e. Communication should not include confidential or non-public agency information;~~

~~f. State Employees must not knowingly communicate inaccurate or false information;~~

~~g. Communications must be conducted with the highest possible ethical standard;~~

~~h. Public corrections shall be communicated for any content that is later found to be in error; and~~

~~i. Social media communication content is considered public records and must be kept for a required period in compliance with records retention guidelines.~~

~~Social Media sites shall include the following statement:~~

~~(2) "Representatives of the Arkansas Department of Correction communicate via this web site. Any communication via this site (whether by a state employee or the public) may be subject to monitoring and disclosure to third parties."~~

~~(3) Personal Use of Social Networking and Media~~

~~The department recognizes employees have the right to create and maintain a personal account for the use of social media. It is not the intention of this policy to discourage or unduly limit any personal expression or online activities. Each employee is personally responsible for the content he/she publishes on any social media platform. Each employee should recognize the potential for damage that may be caused either directly or indirectly to the department in circumstances via social media when identified as a Department of Correction employee. Accordingly, employees should comply with the guidelines listed below:~~

- a. ~~Employees are not permitted to use agency equipment and/or the agency network infrastructure for personal Social Networking.~~
- b. ~~Employees are not permitted to use personal equipment including, but not limited to smart phones during working hours for the purpose of personal Social Networking.~~
- c. ~~Employees are not permitted to use state email accounts, phone numbers or passwords for personal Social Networking use.~~
- d. ~~Employees are required to follow and act consistent with all the employer's rules, whether related to harassment, confidentiality, and computer use or otherwise. Employees cannot post or display comments about co-workers, supervisors, that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the employer's workplace policies against discrimination, or harassment on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected characteristics.~~
- e. ~~Employees cannot post information or comments on ADC business or inmates.~~
- f. ~~Employees cannot represent or indicate that the ADC endorses any of his/her communication or personal opinion.~~
- g. ~~Employees shall not let social networking activities interfere with work responsibilities.~~

## G. Copyright Guidelines

### (1) Purpose of Software Availability

ADC provides utility and application software that enhances the efficiency and productivity of its employees. ADC personnel must honor copyright laws regarding protected commercial software used at the agency.

### (2) Compliance with Copyright Laws

- a. Copyright laws do not allow a person to store copies of a program on multiple machines, distribute copies to others via disks or Internet, or to alter the content of the software, unless permission has been granted under the license

agreement.

- b. Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law.
- c. Unauthorized use of copyrighted materials or another person's original writing is considered copyright infringement.
- d. All staff that use software owned by ADC or the state must abide by the limitations included in the copyright and license agreements entered into with software providers.

Any user that copies and distributes software in any form for any purpose should do so only on the authority of the user's immediate supervisor.

#### H. VPN (Virtual Private Network)

VPN is a technology that provides a secure (encrypted) connection from a remote site to the state network for access to state hosted applications.

Approved users are granted VPN access to the state network. The Information Technology department grants access and provides configuration instructions to this resource.

##### (1) Use of VPN Service

- a. It is the responsibility of those with VPN privileges to ensure that their VPN connection is not shared with unauthorized users. The VPN must be disconnected when it is not in use by an authorized user for state network resources.
- b. All computers (state issued and personal) must use the most recent anti-virus software, definition file, and have all current security-related operating system patches. Equipment and Software must be configured to comply with ADC and state security policies. It is understood that equipment used for VPN services are a de facto extension of the ADC network and as such are subject to the same rules and regulations that apply to ADC owned equipment.
- c. VPN privileges may be revoked by ADC management at any time, for any reason and for any length of time, including permanently.
- d. All VPN resource USE must comply with ADC and state policies regarding USE and applicable state, federal and local laws.

- e. VPN is a “user managed” service. This means that the user is responsible for selecting an Internet Service Provider (ISP) for remote use, coordinating installation, installing any required software, and paying associated fees.
- f. Violations of VPN use may include loss of certain privileges or services and/or disciplinary action including termination.
- g. VPN services are to be used solely for ADC business support purposes. All users are subject to auditing of VPN usage.

#### I. Mobile Devices

Mobile Devices extend end user access to agency data and resources beyond the confines of the traditional office providing the availability of the end user and the agency computing resources.

Mobile devices include, but are not limited to, a variety of devices and accompanying media that fit the following classifications:

- a. Mobile/Cellular Phones;
- b. Smartphone;
- c. PDAs;
- d. Laptop/Notebook/Tablet PCs;
- e. Home or Personal Computers used to access the state network;
- f. iPads and any mobile device capable of storing agency data and connecting to an unmanaged network;
- g. USB Memory Stick;
- h. CD/DVD;
- i. Backup Tapes;
- j. Floppy Disk;
- k. MP4 Players (including iPods); and
- l. Recording Devices.

All mobile devices and their content remain the property of the ADC and are subject to regular audit and monitoring.

#### J. Appropriate Use of Mobile Devices

- a. It is the responsibility of the Mobile Device end user to adhere to all ADC policies and procedures established for standard Information Technology devices and network usage. Mobile Devices use is considered an extension of the ADC network.
- b. All mobile devices used to conduct ADC business shall adhere to all security protocols and should be utilized appropriately,

responsibly and ethically.

- c. All end users of mobile devices must use reasonable physical security measures. Mobile Devices must be protected by a strong password. Passwords should never be shared. All data stored on the mobile device must be encrypted using approved encryption techniques.
- d. End Users must follow procedures to permanently remove (wipe) ADC specific data from devices once their use is no longer required.
- e. In the event of a lost or stolen mobile device, the end user must notify their Supervisor immediately. The device shall be remotely wiped of all data. If recovered, notification to the Supervisor of the recovery shall follow.
- f. Supervisor Permission must be granted for use of Mobile Devices to make audio recordings of meetings and the meeting participants must be notified of the recording.

#### K. Inappropriate Use of Mobile Devices

- a. Mobile Devices may not be provided to inmates for use, configuration, training and/or education, troubleshooting or for any other reason.
- b. The use of Mobile Devices in an attempt to bypass security implementation of network, application, and data access will be deemed as an intrusion attempt and disciplinary action may result.
- c. Modifications to ADC owned hardware and/or software including reconfiguration without appropriate agency approval.
- d. Using mobile devices in a manner that violates ADC policy, procedure or any applicable state, federal or local laws.

#### L. eOMIS (Confidentiality Statement)

##### Purpose of eOMIS

The electronic Offender Management Information System (eOMIS) is a web-based application used to track inmate sentence and institutional records including electronic health, mental health, dental, pharmacy, lab and other added modules as needed and developed to effectively maintain offender information.

a. eOMIS User Account Compliance

The State of Arkansas and the Arkansas Department of Correction considers all information and electronic data contained in the electronic offender management information system (eOMIS) to be confidential and sensitive in nature. It is agreed that all information obtained from eOMIS is to be treated as confidential. Access to and use of such information or data is subject to legitimate business needs, and shall only be authorized for employees whose normal job duties require such access. At no time is such information to be disseminated to unauthorized individuals, or individuals who are not approved by the Department of Correction to view this information. Exhibiting a lack of confidentiality, professionalism, integrity, or malicious intent in the dissemination of eOMIS information may result in an employee being found in violation of this policy and subject to significant disciplinary action, up to and including termination.

b. eOMIS information considered available for the public shall be released by authorized ADC personnel only or made available to the public on the ADC website.

M. Enforcement and Penalties

ADC personnel are responsible for complying with this policy. Penalties for noncompliance will be governed by agency Employee Conduct Standards and Discipline Policy.

**VI. REFERNCES:**

**Act 1287 of 2001**

Governor's Policy Directive (GPD) 5 of 1997 – State Owned Equipment and Supplies

AR 225 Employee Conduct Standards AD  
on Employee Conduct Standards

AD on Electronic Equipment and Systems

[AD on Social Media](#)

EE CONSENT FORM  
Information Technology  
Arkansas Department of Correction

Employee Name \_\_\_\_\_ Date \_\_\_\_\_

I have read this Information Technology Acceptable Use Policy and agree to comply with all its terms and conditions.

The Arkansas Department of Correction provides access to technology resources and equipment as an instrument to complete job tasks.

I understand that the agency will not monitor e-mail transmissions or internet access on a regular basis; however, through the construction, repair, performance of annual audits, and operations and maintenance, occasional monitoring may result in random user activity.

No Expectation of Privacy: Using the Agency’s Technology Resources and Equipment, I waive all rights to privacy that I may have for such use. I agree that the agency representatives may monitor my use of the agency technology resources including but not limited to: email, email archives, data or record archives, voice, video transmissions, digital images, instant messages, personal email accessed from agency owned technology resources and equipment, and application usage to insure proper use of the systems. I also understand that monitoring of archives may occur even after my employment with the agency has ended.

The Arkansas Department of Correction makes no warranties of any kind, whether expressed or implied, for the service that is the subject of this policy. In addition, the Arkansas Department of Correction will not be responsible for any damages whatsoever for which an employee may suffer arising from or related to their use of any agency electronic information resources. Users must recognize that the use of state agency electronic information resources is a privilege and that the policies implementing usage are requirements that mandate adherence.

Employee \_\_\_\_\_

Date \_\_\_\_\_

Supervisor \_\_\_\_\_

Date \_\_\_\_\_





P O Box 8707  
Pine Bluff, AR 71611-8707  
Phone: 870-267-6299  
Fax: 870-267-6244  
www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Information Technology Acceptable Use Policy

**NUMBER:** 18-39

**SUPERSEDES:** 16-21

**APPLICABILITY:** All ADC Employees, Contractors, Volunteers and others  
authorized to Utilize ADC Information Technology Systems

**REFERENCE:** AR 104 Property Control

**PAGE:** 1 of 13

**APPROVED:** Original signed by Wendy Kelley

**EFFECTIVE DATE:** 08/24/18

---

### I. POLICY:

It shall be the policy of the Arkansas Department of Correction (ADC) to provide guidelines as to the acceptable and proper use of the various forms of information technology that are available to its employees, contractors, volunteers, or others authorized to utilize that technology.

### II. APPLICABILITY:

The Information Technology Acceptable Use Policy applies to all ADC personnel, contractors, volunteers, or others who may be authorized to utilize ADC Information Technology systems. ADC management is responsible for enforcing compliance with this policy. Violations will be subject to discipline as governed by the agency Employee Conduct Standards and Discipline Policy. Penalties for non-compliance include internal disciplinary measures, including discharge for instances of non-compliance that result in damage or otherwise compromise the ADC, its employees, or the public and initiation of criminal or civil action, if appropriate.

### III. DEFINITIONS:

Agency – ADC or the Arkansas Department of Correction.

Email – A method of exchanging digital messages from an author to one or more recipients.

Archival – A collection of historical records that primarily consists of records that have been selected for permanent or long-term preservation.

Password – A secret work or string of characters that is used for authentication, to prove identify or gain access to a resource. (i.e., access code)

Copyright – Creative artist’s control of original work or intellectual property; the legal right of creative artists or publishers to control the use and reproduction of their original works. In the United States, copyright of creative works extends 50 years beyond the lifespan of its author or designer.

License Agreement – a legal contract between two parties, known as a licensor and the licensee. In a typical license agreement, the licensor grants the licensee the right to produce and sell goods, apply a brand name or trademark or use patented technology owned by the licensor. In exchange, the licensee usually submits to a series of conditions regarding the use of the licensor’s property.

VPN – Virtual Private Network – uses telecommunications infrastructure to provide remote access to the state network.

Mobile Devices – A portable, wireless computing device that is small enough to be used while held in the hand. (i.e., Smartphone, PDA, iPad, Blackberry, MP4 Players, iPods)

#### IV. **PROCEDURES:**

The ADC provides its staff with information technology resources and a local area network with access to the Internet. The purpose of these technologies is to:

- (a) Enhance the programs and services provided by ADC;
  - (b) Conduct ADC business;
  - (c) Support ADC projects; and
  - (d) Ensure that staff are equipped with the necessary tools for communication, research, collaboration, and other tasks required to fulfill job obligations.
- Each staff member is expected to use accounts and resources for these purposes.

The Arkansas State Governor's Policy Directive GPD-5, 1997 clearly states that "Use of any and all State owned equipment and supplies shall be restricted to official state use only. Unauthorized or personal use of equipment or supplies may be grounds for dismissal." It is the intent of this Administrative Directive to provide guidance to authorized employees in the use of the resources that are available.”

Currently, applicable ADC personnel have been provided resources for Internet connectivity in order to adequately perform their job duties and responsibilities. The ADC provides approximately 2600 employees and contractors access to a networked computer. This represents 70% of the total staff in the agency.

#### V. **GUIDELINES:**

##### A. Information Technology

- (1) Appropriate Use of Information Technology

The ADC strives to provide employees with current information technology resources and equipment. Access to these resources is necessary to complete job tasks. In general, appropriate uses of technology may include but may not be limited to:

- a. Accessing the World Wide Web/Intranet for work related research and information gathering;
- b. Utility and applications software that accomplishes tasks and fulfills job functions;
- c. Communication and collaboration between staff and/or other appropriate entities;
- d. Access to the Internet/Intranet for up-to-date information published by the ADC, other state agencies, and various other providers of information that may be necessary in order to complete job tasks; and
- e. Activities or projects that support professional activities of employees. (i.e., electronic calendars, electronic scheduling of meetings, electronic prioritizing of tasks, using project management software, keeping electronic address books, and completion of work related forms electronically)

(2) Inappropriate Use of Information Technology

The following general uses are prohibited with respect to the privilege of using information technology of the agency:

- a. Interference with the security or operation of computer systems, or restricting or inhibiting other users from using the system or the efficiency of the computer systems;
- b. Vandalizing equipment, software, or hardware;
- c. Attempting to alter or gain access to unauthorized files or systems;
- d. Downloading or copying copyrighted material or files including music to state computer systems;
- e. Using technology in a way that interferes with work obligations;
- f. Using technology in a way that violates or infringes on the rights of any other person, including the right to privacy;
- g. Violating the rights of others by publishing or displaying any information that is defamatory, false, abusive,

pornographic, sexually oriented, obscene, inaccurate, profane, threatening racially offensive, otherwise biased, discriminatory, or illegal material;

- h. Knowingly transmitting material, information, or software in violation of any local, state or federal law;
- i. Conducting any non-governmental-related fund raising or public relations activities;
- j. Conduct any political activity;
- k. Make any unauthorized purchases or conduct any non-approved business;
- l. Solicit the performance of any activity that is prohibited by law;
- m. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive;
- n. Viewing, downloading or sending pornographic or other obscene materials;
- o. Visiting and/or participating in chat rooms not designed for professional interactions specifically related to one's job;
- p. Encourages the use of controlled substances or uses the system for the purpose of criminal intent; or uses the system for any illegal purpose; and
- q. Endangering productivity of the ADC.

(3) Privacy of Information

- a. The ADC reserves the right to monitor and/or log all network activity with or without notice, including e-mail and all website communications, and therefore, users should have no expectation of privacy in the use of these

resources. The Agency will not monitor e-mail transmissions on a regular basis; however, the construction, repair, operations and maintenance of electronic messaging systems may occasionally result in random monitoring of transmitted or stored messages.

- b. Messages may be monitored during the course of investigations of illegal activity.
- c. Supervisors and/or Managers may require access to data

(including email) under their employee's control when necessary to conduct agency business.

- d. Any electronic record (including email) that serves to document the organization, functions, policies, decisions, procedures, operations or other activities is considered public record and subject to Freedom of Information Act (FOIA). Access to electronic records including e-mail will be in accordance with FOIA guidelines.

B. Electronic Mail (E-mail)

E-mail is considered a network activity and as such is subject to all policies regarding acceptable/unacceptable uses of the Internet. Email is a public record, subject to public inspection and is not confidential, unless specifically cited by statute. The user should not consider e-mail to be either private or secure.

(1) Purpose of E-mail

Electronic mail is provided to support open communication and the exchange of information between staff and other authorized users that have access to a network. This communication allows for the collaboration of ideas and the sharing of information. E-mail is a necessary component of teamwork at ADC.

(2) E-mail Guidelines

Each ADC personnel assigned an E-mail account is responsible for using their account in accordance with established guidelines and in such a way that does not interfere with their duties.

Accounts shall include an **Email Signature** to identify the Sender by Name, Position, Facility or Office Assigned, Email Address, and Telephone Number. If a telephone number is not assigned to your position, the Facility or Office Main Number shall be included. Fax Number, shall also be included, if one is utilized for your position. Email Signatures shall also include the Agency Confidentiality Notice.

Example:

John Doe  
Commissary  
Pine Bluff Unit  
[John.Doe@arkansas.gov](mailto:John.Doe@arkansas.gov)  
P: xxx-xxx-xxxx  
C: xxx-xxx-xxxx  
F: xxx-xxx-xxxx

**Confidentiality Notice:** This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this e-mail.

Specifically prohibited in the use of e-mail is:

- a. Use of cursive or hard to read fonts. Use of font color other than blue or black;
  - b. Any activity covered by inappropriate use statements included in this policy;
  - c. Sending, /forwarding chain letters, virus, hoaxes, etc.;
  - d. Sending, forwarding or opening executable files (.exe) or other attachments unrelated to specific work activities, as these frequently contain viruses;
  - e. Use of abusive or profane language in messages;
  - f. Any use that reflects a non-professional image or poorly on the ADC or the State of Arkansas;
  - g. Emails may NOT have Personal Photos, Image Clips, Inspiration Messages, and backgrounds other than clear white.
- (3) E-mail Storage

System storage limits are established for email. Personnel shall maintain email by moving important information from server stored E-mail message files to shared folders and drives to ensure proper backup and archives. Users shall receive system notices when server storage limits are approaching maximum capacity. Messages no longer needed must be periodically purged from personal storage areas. Messages requiring retention must be kept and maintained for future inquiries.

### C. Internet/Intranet Guidelines

The Internet provides a wealth of information useful for educational purposes. With Internet access, an employee of ADC can utilize the many research and resource tools available online. These tools can aid in preparing reports or projects required by the agency. All ADC staff members who are authorized network users may access the Internet and other information resources and services at any time that, in the judgment of the user, such access and use will benefit ADC programs and services.

#### (1) Use of Internet/Intranet Access

Employees are responsible for making sure they use this access correctly and wisely. Staff should not allow Internet/Intranet use to interfere with their job duties. Acceptable uses include:

- a. Access to and distribution of information that is in direct support of the business of ADC;
- b. Providing and simplifying communications with other state agencies, school districts and citizens of Arkansas;
- c. Communication of information related to professional development or to remain current on topics of general ADC interest;
- d. Announcement of new laws, rules, or regulations; and
- e. Encouraging collaborative projects and sharing of resources.

#### (2) Inappropriate Uses of Web Access Include, but are Not Limited to:

- a. Viewing, downloading or sending pornographic or other obscene materials;
- b. "Surfing" the Web for information not related to job assignment;
- c. Otherwise endangering productivity of the ADC;
- d. Audio/Video Streaming;
- e. Purposes, which violates agency policy or Federal or Arkansas law;
- f. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive; and

- g. Dissemination or printing copyrighted materials (including articles and software) in violation of copyright laws.

#### D. Network Use and User Accounts Guidelines

Use of the state's Internet/Intranet connection and E-mail resources is a privilege, and it is expected that all staff will abide by acceptable user guidelines.

Appropriate network and user account guidelines include:

- (1) ADC personnel will only access those computer accounts, which have been authorized for their use, and must identify computing work with their own names or other approved IDs so that responsibility for the work can be determined, and users can be contacted in unusual situations. Network and Application user accounts and passwords shall never be shared.
- (2) ADC personnel will use accounts for authorized purposes. This policy shall not prevent informal communication, but accounts will not be used for private consulting or personal gain.
- (3) Network administrators may review files and communications to maintain system integrity and ensure that personnel are using the system responsibly. Staff should not expect files and documents to always remain private.
- (4) Users are encouraged to maximize the use of the technologies covered under this user policy to reduce the cost of postage, letters, reports, etc.

#### G. Copyright Guidelines

##### (1) Purpose of Software Availability

ADC provides utility and application software that enhances the efficiency and productivity of its employees. ADC personnel must honor copyright laws regarding protected commercial software used at the agency.

##### (2) Compliance with Copyright Laws

- a. Copyright laws do not allow a person to store copies of a program on multiple machines, distribute copies to others via disks or Internet, or to alter the content of the software, unless permission has been granted under the license agreement.
- b. Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law.



- c. Unauthorized use of copyrighted materials or another person's original writing is considered copyright infringement.
- d. All staff that use software owned by ADC or the state must abide by the limitations included in the copyright and license agreements entered into with software providers.

Any user that copies and distributes software in any form for any purpose should do so only on the authority of the user's immediate supervisor.

#### H. VPN (Virtual Private Network)

VPN is a technology that provides a secure (encrypted) connection from a remote site to the state network for access to state hosted applications.

Approved users are granted VPN access to the state network. The Information Technology department grants access and provides configuration instructions to this resource.

##### (1) Use of VPN Service

- a. It is the responsibility of those with VPN privileges to ensure that their VPN connection is not shared with unauthorized users. The VPN must be disconnected when it is not in use by an authorized user for state network resources.
- b. All computers (state issued and personal) must use the most recent anti-virus software, definition file, and have all current security-related operating system patches. Equipment and Software must be configured to comply with ADC and state security policies. It is understood that equipment used for VPN services are a de facto extension of the ADC network and as such are subject to the same rules and regulations that apply to ADC owned equipment.
- c. VPN privileges may be revoked by ADC management at any time, for any reason and for any length of time, including permanently.
- d. All VPN resource USE must comply with ADC and state policies regarding USE and applicable state, federal and local laws.
- e. VPN is a "user managed" service. This means that the user is responsible for selecting an Internet Service Provider (ISP) for remote use, coordinating installation, installing any

required software, and paying associated fees.

- f. Violations of VPN use may include loss of certain privileges or services and/or disciplinary action including termination.
- g. VPN services are to be used solely for ADC business support purposes. All users are subject to auditing of VPN usage.

#### I. Mobile Devices

Mobile Devices extend end user access to agency data and resources beyond the confines of the traditional office providing the availability of the end user and the agency computing resources.

Mobile devices include, but are not limited to, a variety of devices and accompanying media that fit the following classifications:

- a. Mobile/Cellular Phones;
- b. Smartphone;
- c. PDAs;
- d. Laptop/Notebook/Tablet PCs;
- e. Home or Personal Computers used to access the state network;
- f. iPads and any mobile device capable of storing agency data and connecting to an unmanaged network;
- g. USB Memory Stick;
- h. CD/DVD;
- i. Backup Tapes;
- j. Floppy Disk;
- k. MP4 Players (including iPods); and
- l. Recording Devices.

All mobile devices and their content remain the property of the ADC and are subject to regular audit and monitoring.

#### J. Appropriate Use of Mobile Devices

- a. It is the responsibility of the Mobile Device end user to adhere to all ADC policies and procedures established for standard Information Technology devices and network usage. Mobile Devices use is considered an extension of the ADC network.
- b. All mobile devices used to conduct ADC business shall adhere to all security protocols and should be utilized appropriately, responsibly and ethically.
- c. All end users of mobile devices must use reasonable physical security measures. Mobile Devices must be protected by a strong password. Passwords should never be shared. All data stored on the mobile device must be encrypted using approved

encryption techniques.

- d. End Users must follow procedures to permanently remove (wipe) ADC specific data from devices once their use is no longer required.
- e. In the event of a lost or stolen mobile device, the end user must notify their Supervisor immediately. The device shall be remotely wiped of all data. If recovered, notification to the Supervisor of the recovery shall follow.
- f. Supervisor Permission must be granted for use of Mobile Devices to make audio recordings of meetings and the meeting participants must be notified of the recording.

K. Inappropriate Use of Mobile Devices

- a. Mobile Devices may not be provided to inmates for use, configuration, training and/or education, troubleshooting or for any other reason.
- b. The use of Mobile Devices in an attempt to bypass security implementation of network, application, and data access will be deemed as an intrusion attempt and disciplinary action may result.
- c. Modifications to ADC owned hardware and/or software including reconfiguration without appropriate agency approval.
- d. Using mobile devices in a manner that violates ADC policy, procedure or any applicable state, federal or local laws.

L. eOMIS (Confidentiality Statement)

Purpose of eOMIS

The electronic Offender Management Information System (eOMIS) is a web-based application used to track inmate sentence and institutional records including electronic health, mental health, dental, pharmacy, lab and other added modules as needed and developed to effectively maintain offender information.

- a. eOMIS User Account Compliance

Correction considers all information and electronic data contained in the electronic offender management information system (eOMIS) to be confidential and sensitive in nature. It is agreed that all information obtained from eOMIS is to be treated as confidential. Access to and use of such information or data is subject to legitimate business needs, and shall only be authorized for employees whose normal job duties require such access. At no time is such information to be disseminated to unauthorized individuals, or individuals who are not approved by the Department of Correction to view this information. Exhibiting a lack of confidentiality, professionalism, integrity, or malicious intent in the dissemination of eOMIS information may result in an employee being found in violation of this policy and subject to significant disciplinary action, up to and including termination.

- b. eOMIS information considered available for the public shall be released by authorized ADC personnel only or made available to the public on the ADC website.

M. Enforcement and Penalties

ADC personnel are responsible for complying with this policy. Penalties for noncompliance will be governed by agency Employee Conduct Standards and Discipline Policy.

**VI. REFERENCES:**

**Act 1287 of 2001**

Governor's Policy Directive (GPD) 5 of 1997 – State Owned Equipment and Supplies

AR 225 Employee Conduct Standards AD  
on Employee Conduct Standards

AD on Electronic Equipment and Systems

AD on Social Media

**EE CONSENT FORM**  
**Information Technology**  
**Arkansas Department of Correction**

Employee Name \_\_\_\_\_ Date \_\_\_\_\_

I have read this Information Technology Acceptable Use Policy and agree to comply with all its terms and conditions.

The Arkansas Department of Correction provides access to technology resources and equipment as an instrument to complete job tasks.

I understand that the agency will not monitor e-mail transmissions or internet access on a regular basis; however, through the construction, repair, performance of annual audits, and operations and maintenance, occasional monitoring may result in random user activity.

No Expectation of Privacy: Using the Agency's Technology Resources and Equipment, I waive all rights to privacy that I may have for such use. I agree that the agency representatives may monitor my use of the agency technology resources including but not limited to: email, email archives, data or record archives, voice, video transmissions, digital images, instant messages, personal email accessed from agency owned technology resources and equipment, and application usage to insure proper use of the systems. I also understand that monitoring of archives may occur even after my employment with the agency has ended.

The Arkansas Department of Correction makes no warranties of any kind, whether expressed or implied, for the service that is the subject of this policy. In addition, the Arkansas Department of Correction will not be responsible for any damages whatsoever for which an employee may suffer arising from or related to their use of any agency electronic information resources. Users must recognize that the use of state agency electronic information resources is a privilege and that the policies implementing usage are requirements that mandate adherence.

Employee \_\_\_\_\_

Date \_\_\_\_\_

Supervisor \_\_\_\_\_

Date \_\_\_\_\_



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-~~6200~~6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** ~~Public~~Public, Legislative, and News Media Relations

**NUMBER:** ~~16-4618-XX~~  
~~46, 13-78~~

**SUPERSEDES:** ~~13-16616-~~  
~~& 13-154~~

Formatted: Tab stops: 5.19", Left

**APPLICABILITY:** All ~~Staff~~Employees

**REFERENCE:** AR 007 Legislative Liaison and/or **PAGE: 1 of 5**  
Inquiries; AR 011 – News Media  
Interviews and Correspondence **PAGE: 1 of 4**  
~~and Correspondence~~

**APPROVED:** ~~Original Signed by Wendy Kelley~~ \_\_\_\_\_ **EFFECTIVE**  
**DATE:** ~~9/23/2016~~

### I. POLICY:

It is the policy of the Arkansas Department of Correction (ADC) to inform ~~establish the agency's its commitment to informing~~ the public and the News Media of the various programs, services, and events within the agency ADC's area of responsibility. ~~It is also the policy of the ADC to maintain a positive and productive relationship with members and staff of the General Assembly (legislature).~~

### II. PURPOSE:

Consistent with the ADC's strategic plan, this policy is designed to foster a positive, transparent, and consistent relationship with members of the general public, legislature and news media.

### III. DEFINITIONS:

News Media - Properly credentialed representatives of news organizations; whose primary purpose is not for commercial production or entertainment. This may include representatives of: general circulation newspapers, periodical magazines of national circulation sold through newsstands and/or subscriptions to the general public, online outlets,

Formatted: Normal, Indent: Left: 0.5", No bullets or numbering

AD ~~46-4618-XX~~ Public, Legislative, and News Media Relations \_\_\_\_\_  
Page 2 of 7

local/national/international news services; and radio/television stations/networks holding a Federal Communication Commission license.

#### **HIV. PROCEDURES:**

A. ~~Identification of areas in the facility that are~~ Facility and Program Areas  
Accessible to News Media Representatives:

1. When properly escorted by the Public Information Officer or his/her designee, all areas of Central Office and the Administration East Annex Building are accessible to news media representatives for a tour when the presence of news media would not adversely affect the business operations at either location; and when inmates are not present.
2. At the ~~Department's ADC's~~ correctional and program facilities, members of the news media may tour any area when the presence of news media would not adversely affect the operations of the facility or program. However, all news media tours must be approved in advance and the Public Information Officer or designee must accompany representatives of news ~~or~~ organizations at all times.
- ~~2.3.~~ 3. ~~The Director may give~~ grant permission for the use of cameras under restrictions which include not recording inmates except when an authorized inmate interview has been granted. ~~Under special circumstances, including open houses and legislative tours,~~ the Director may grant permission to take pictures in the housing areas.

B. Contact Person- General Public and News Medias

1. The Public Information Officer is the designated point of contact ~~person~~ for requests and inquiries from the news media, ~~and~~ the public, ~~and the legislature~~. When requests ~~are made at the unit level~~ are received by unit or administrative staff from the news media, ~~or~~ the public, ~~and the legislature~~, those requests will be forwarded to the Public Information Officer.  
~~1. The decision will be made at this point whether the response should come from the unit or administrative area, or the office of the Public Information Officer.~~
2. During declared institutional emergencies, staff may be designated by the Unit Commander to assist the Public Information Officer ~~in~~ the release of authorized information.

Formatted: List Paragraph, Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Indent at: 1.5"

Formatted: Indent: Left: 1.5", No bullets or numbering

Formatted: List Paragraph, Indent: Left: 1.5", First line: 0"

C. Consent to be Photographed ~~and~~ or Interviewed

1. Before being photographed or interviewed for promotional or news media purposes, an inmate must sign the attached Consent Form



(Attachment I) and have the same witnessed by an ADC Department staff member.

2. Interview requests must follow the guidelines established within the ~~administrative~~ Administrative directive ~~Directive~~ on Inmate Visitation.

#### D. Special Events

1. The Public Information Officer must be notified by the Warden/Center Supervisor/Program Administrator or designee when scheduling a special event. For the purpose of this policy, a special event is defined as any activity not held in the normal course of facility/program operations.
2. When special events occur, the Public Information Officer may notify the news media. This notification will outline any photo opportunities for the event. Photo opportunities will be conducted in a manner consistent with this directive and all other ~~departmental~~ ADC policies.

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 2.38" + Indent at: 2.63"

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 2.38" + Indent at: 2.63"

#### E. Press Releases and Information Sharing

1. The Public Information Officer will issue press releases, in the appropriate medium, when required by law or ~~departmental~~ ADC policy; or when beneficial to highlight a special event or advance the public's knowledge of the ~~Department~~ ADC. All press releases must be approved by the Director prior to their release. Press releases must be issued in a manner sufficient to encourage statewide media coverage.
2. All publications prepared by the ADC which advance the public's knowledge of the various programs, services, and events within the ADC, will be made available to the public through the ADC's public website or social media pages. Examples of such publications include newsletters, monthly or annual reports, and informational brochures.

Formatted: List Paragraph, Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Indent at: 1.5"

#### F. Legislative Relations Liaison

1. The Public Information Officer is designated as the Director's primary liaison to members and staff of the General Assembly. When requests are received by unit or administrative staff from a member of the legislature or their staff other than individual inmate inquiries, those requests will be forwarded to the responses will be coordinated with the Public Information Officer.

Formatted: List Paragraph, Indent: Left: 1.5"

Formatted: Indent: Left: 0.5"

Formatted: List Paragraph, Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Indent at: 1.5"

~~The decision will be made at this point whether the response should come from the unit or administrative area, the Public Information Officer, or another member of the Management Team.~~

Formatted: List Paragraph, Indent: Left: 1.5"

2. The Public Information Officer is responsible for providing regular and timely updates regarding legislative issues in advance of, and during, Regular, Fiscal, and Extraordinary Sessions of the General Assembly. Updates will be made to the Management Team, Board of Corrections, and Governor's Office.

Formatted: List Paragraph, Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Indent at: 1.5"

3. Upon request, the Public Information Officer is authorized to provide presentations and testimony to the various legislative committees having oversight over the operations of the ADC. Additional employees, who are subject-matter experts in a particular area, may also be tasked with this responsibility.

Formatted: List Paragraph, Indent: Left: 1", Hanging: 0.5"

Formatted: List Paragraph, Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Indent at: 1.5"

4. ~~The Public Information Officer~~No employee shall not engage in an activity, the result of which would require registration as a lobbyist pursuant to A.C.A. § 21-8-601.

Formatted: Indent: Left: 1", Hanging: 0.5"

Formatted: List Paragraph, Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Indent at: 1.5"

5. While an employee may only speak on behalf of the ADC to a member of the legislature or their staff when authorized by the Director or by policy; however, an employee is free to address legislative issues impacting them personally, while off duty. If an employee wishes to address a legislative committee regarding a personal matter, or regarding a matter outside the scope of their position, the employee must take leave time if the presentation is during work hours.

Formatted: Indent: Left: 1.5"

Note: Nothing in this policy restricts an employee from making a report of under the Arkansas Whistle-Blower Act.

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0"

**III. REFERENCE:**

~~Central Office ACA Standard~~

**IV. ATTACHMENT:**

Consent Form

Attachment I

Arkansas Department of Correction

Formatted: Font: Not Italic

INMATE CONSENT FORM

**THE UNDERSIGNED DOES HEREBY CONSENT TO BE PHOTOGRAPHED AND/OR INTERVIEWED BY:**

\_\_\_\_\_  
\_\_\_\_\_

**FOR THE EXCLUSIVE PURPOSE OF:**

\_\_\_\_\_  
\_\_\_\_\_

The photographs may include filming of any kind, and the interview may include a recording thereof. The undersigned consents and authorizes that any such photographs or interview material may be utilized by:

\_\_\_\_\_  
\_\_\_\_\_

**FOR THE AFOREMENTIONED PURPOSE.**

Furthermore, the undersigned does hereby release and does hold harmless the Department of Correction, its agents and employees, from any and all claims based on the use of said material. The above consent is given by me freely and voluntarily without any promises, threats or duress.

Inmate First and Last Name PRINTED & Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Public, Legislative, and News Media Relations

**NUMBER:** 18-40

**SUPERSEDES:** 16-46, 13-78  
& 13-154

**APPLICABILITY:** All Employees

**REFERENCE:** AR 007 Legislative Liaison and/or  
 Inquiries; AR 011 – News Media  
 Interviews and Correspondence

**PAGE:** 1 of 5

**APPROVED:** Original signed by Wendy Kelley

**EFFECTIVE DATE:** 8/24/18

### **I. POLICY:**

It is the policy of the Arkansas Department of Correction (ADC) to inform the public and the News Media of the various programs, services, and events within the ADC. It is also the policy of the ADC to maintain a positive and productive relationship with members and staff of the General Assembly (legislature).

### **II. PURPOSE:**

Consistent with the ADC's strategic plan, this policy is designed to foster a positive, transparent, and consistent relationship with members of the general public, legislature and news media.

### **III. DEFINITIONS:**

News Media - Properly credentialed representatives of news organizations; whose primary purpose is not for commercial production or entertainment. This may include representatives of: general circulation newspapers, periodical magazines of national circulation sold through newsstands and/or subscriptions to the general public, online outlets, local/national/international news services; and radio/television stations/networks holding a Federal Communication Commission license.

**IV. PROCEDURES:**

- A. Facility and Program Areas Accessible to News Media Representatives:
1. When properly escorted by the Public Information Officer or his/her designee, all areas of Central Office and the Administration East Annex Building are accessible to news media representatives for a tour when the presence of news media would not adversely affect the business operations at either location; and when inmates are not present.
  2. At the ADC's correctional and program facilities, members of the news media may tour any area when the presence of news media would not adversely affect the operations of the facility or program. However, all news media tours must be approved in advance and the Public Information Officer or designee must accompany representatives of news organizations at all times.
  3. The Director may give permission for the use of cameras under restrictions which include not recording inmates except when an authorized inmate interview has been granted. Under special circumstances, including open houses and legislative tours, the Director may grant permission to take pictures in the housing areas.
- B. Contact Person- General Public and News Media
1. The Public Information Office is the designated point of contact for requests and inquiries from the news media and the public. When requests are received from the news media or the public, those requests will be forwarded to the Public Information Office.
  2. During declared institutional emergencies, staff may be designated by the Unit Commander to assist the Public Information Office in the release of authorized information.
- C. Consent to be Photographed or Interviewed
1. Before being photographed or interviewed for promotional or news media purposes, an inmate must sign the attached Consent Form (Attachment I) and have the same witnessed by an ADC staff member.
  2. Interview requests must follow the guidelines established within the Administrative Directive on Inmate Visitation.
- D. Special Events

1. The Public Information Office must be notified by the Warden/Center Supervisor/Program Administrator or designee when scheduling a special event. For the purpose of this policy, a special event is defined as any activity not held in the normal course of facility/program operations.
2. When special events occur, the Public Information Office may notify the news media. This notification will outline any photo opportunities for the event. Photo opportunities will be conducted in a manner consistent with this directive and all other ADC policies.

E. Press Releases and Information Sharing

1. The Public Information Office will issue press releases, in the appropriate medium, when required by law or ADC policy; or when beneficial to highlight a special event or advance the public's knowledge of the ADC. All press releases must be approved by the Director prior to their release. Press releases must be issued in a manner sufficient to encourage statewide media coverage.
2. All publications prepared by the ADC which advance the public's knowledge of the various programs, services, and events within the ADC, will be made available to the public through the ADC's public website or social media pages. Examples of such publications include newsletters, monthly or annual reports, and informational brochures.

F. Legislative Relations

1. The Public Information Officer is designated as the Director's primary liaison to members and staff of the General Assembly. When requests are received from a member of the legislature or their staff other than individual inmate inquiries, the responses will be coordinated with the Public Information Officer.
2. The Public Information Officer is responsible for providing regular and timely updates regarding legislative issues in advance of, and during, Regular, Fiscal, and Extraordinary Sessions of the General Assembly. Updates will be made to the Management Team, Board of Corrections, and Governor's Office.
3. Upon request, the Public Information Officer is authorized to provide presentations and testimony to the various legislative committees having oversight over the operations of the ADC. Additional employees, who are subject-matter experts in a particular area, may also be tasked with this responsibility.

4. No employee shall engage in an activity, which would require registration as a lobbyist pursuant to A.C.A. § 21-8-601.
5. While an employee may only speak on behalf of the ADC to a member of the legislature or their staff when authorized by the Director or by policy; however, an employee is free to address legislative issues impacting them personally, while off duty. If an employee wishes to address a legislative committee regarding a personal matter, or regarding a matter outside the scope of their position, the employee must take leave time if the presentation is during work hours.

Note: Nothing in this policy restricts an employee from making a report under the Arkansas Whistle-Blower Act.

**V. ATTACHMENT:**

Consent Form



# Arkansas Department of Correction

## INMATE CONSENT FORM

**THE UNDERSIGNED DOES HEREBY CONSENT TO BE PHOTOGRAPHED AND/OR INTERVIEWED BY:**

\_\_\_\_\_

**FOR THE EXCLUSIVE PURPOSE OF:**

\_\_\_\_\_

The photographs may include filming of any kind, and the interview may include a recording thereof. The undersigned consents and authorizes that any such photographs or interview material may be utilized by:

\_\_\_\_\_

**FOR THE AFOREMENTIONED PURPOSE.**

Furthermore, the undersigned does hereby release and does hold harmless the Department of Correction, its agents and employees, from any and all claims based on the use of said material. The above consent is given by me freely and voluntarily without any promises, threats or duress.

Inmate First and Last Name PRINTED & Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: SOCIAL MEDIA POLICY**

**SUPERSEDES: NEW**

**NUMBER: 18-\_\_**

**APPLICABILITY: ALL EMPLOYEES**

**REFERENCE: AR 011 – News Media Interviews  
 & Correspondence, AR 014 Internal  
 Affairs & Investigations, & AR 225  
 Employee Conduct Standards**

**PAGE: 1 of 4**

**APPROVED:**

**EFFECTIVE DATE:**

### **I. POLICY:**

It is the policy of the Arkansas Department of Correction (ADC or department) to utilize social media to increase the public's knowledge of the various programs, services, events, and career opportunities within the ADC; in addition to using social media as an investigative and monitoring tool. It is also the policy of the department to encourage the responsible personal use of social media by its employees.

### **II. PURPOSE:**

The purpose of this policy is to establish the ADC's standards for the administration and management of its social media accounts and pages, and to provide guidance to employees regarding the personal use of social media.

### **III. DEFINITIONS:**

- A. Administrator - An individual with the ability to assign roles, manage settings, or create content on a social media page.
- B. Inappropriate Comments – Topics such as advertisements or endorsements for services or products not affiliated with the ADC; abusive or profane language, inappropriate photo-graphic or video content, hate speech, personal attacks, harassment or threats of violence; libelous or slanderous statements against

- ADC or its employees; statements that threaten the good order and safety of ADC facilities.
- C. Personal Use – The use of social media by an employee in an unofficial capacity.
  - D. Post – Content an individual shares on a social media site or the act of publishing content on a site or through a direct message.
  - E. Professional Use – The use of social media to increase the public’s knowledge of the various programs, services, events, and career opportunities within the ADC. Professional use also includes providing the general public and news media with updates regarding institutional emergencies and other critical incidents; in addition to its use by an employee as an investigative and monitoring tool.
  - F. Social Media Account – An established profile using a social media site for the purpose of professional or personal social media use.
  - G. Social Media Page – The specific portion of a social media site where content is displayed, and managed by an individual or individuals with administrator privileges.
  - H. Social Media Site – Internet based services that allow individuals to create public profiles, share information and socialize with others using a range of communications technologies. This includes, but is not limited to, social networking, blogging, photo/video sharing sites, wikis, and news sites.

#### **IV. PROCEDURES:**

- A. Professional Use Guidelines.
  - 1. Responsibilities of the Public Information Officer (PIO):
    - a. The Public Information Officer (PIO) is responsible for the administration and management of the department’s social media accounts and pages.
    - b. The PIO must authorize the creation of social media accounts and pages for use by the ADC and any employee ~~designated to~~ ~~who will~~ serve as page administrators; in addition to the modification or expansion of existing social media accounts.
    - c. The PIO, or designee, will maintain a list of the ADC’s social media accounts, which includes the names of all authorized administrators and their associated user account information.

Note: An individual will be immediately removed from their administrator role upon ~~the voluntary or involuntary~~ termination of their employment. Removal of an administrator will be accompanied by the immediate change of all passwords and any other necessary account information in order to maintain ADC control.

~~d~~—The PIO, or designee, will monitor posts made to the ADC’s social media pages and remove inappropriate comments.

**Formatted:** Font: 11.5 pt  
**Formatted:** Body Text, Indent: Hanging: 0.25", Space After: 0 pt, Line spacing: single, Numbered + Level: 3 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.5" + Indent at: 1.63", Tab stops: 1.63", Left

## 2. Account and Page Guidelines.

- a. All social media accounts or pages representing the ADC will bear the name “Arkansas Department of Correction” and include the department’s Central Office contact information. The department’s logo or uniform badge will be used for a profile image.

b. In order to maintain the consistency of the information presented through social media to the public, current and potential employees, news media representatives, and any other stakeholders; the various correctional facilities and administrative areas within the ADC, will ~~not create or maintain social media accounts or pages, except those that serve as an investigative or monitoring tool.~~ follow these rules:

~~b.~~

- Correctional facilities and administrative areas within the ADC wishing to distribute promotional or recruitment information through social media should provide that information to the Public Information Office or Central Human Resources for posting to the department’s social media accounts and pages.
- The Industry Division, ~~and~~ Paws in Prison Program, and ADC facilities are authorized to maintain social media accounts and pages. The PIO will have administrator access to ~~the Industry Division and Paws in Prison~~ accounts and pages.

Formatted: Indent: Left: 1.63", No bullets or numbering

## 3. Standards for ADC Social Media Administrator.

- a. The ADC’s social media posts must meet established ethical and professional standards.
- b. The ADC’s social media posts must not include confidential or otherwise non-publicly accessible department information, or information that is false, inaccurate, or misleading.

~~Note: Public corrections will be made to any content later found to be false, inaccurate, or misleading.~~

- ~~e.~~ Content generated within the ADC’s social media accounts may be considered a public record. Social media content must be maintained in a manner consistent with all applicable laws and policies.

The ADC’s social media accounts will include the following statement: “Representatives of the Arkansas Department of Correction ~~communicate share information~~ via this ~~page~~ web site. ~~-Any communication via this page site, whether by a state employee or the public, may be subject to monitoring and disclosure. Refer to the contact information section on this page to officially communicate with the Department. .-~~”

|



**Formatted:** Font: 11.5 pt, Condensed by 0.05 pt

**Formatted:** Body Text, Indent: Hanging: 0.25", Space After: 0 pt, Line spacing: single, Numbered + Level: 3 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.5" + Indent at: 1.63", Tab stops: 1.63", Left

4. The Information Technology Section will only grant access to social media sites for employees whose duties include the professional use of social media. All professional uses of social media will be consistent with applicable information technology policies.

Formatted: No bullets or numbering

4.

#### B. Personal Use Guidelines

1. The ADC recognizes employees have the right to create and maintain personal social media accounts and groups. It is not a purpose of this policy to discourage or unduly limit any personal expression or online activity. Each employee is personally responsible for the content they publish on any social media platform. Each employee should recognize the potential for harm to the ADC by personal social media posts in circumstances when the individual is identified as, or known to be, an ADC employee. Accordingly, employees should comply with the guidelines listed below:

- a. Employees are not permitted to use ADC equipment or network infrastructure for personal social media use.
- b. Employees are not permitted to use state email accounts, phone numbers or passwords for personal social media use.
- c. Employees cannot post confidential or otherwise non-publicly accessible ADC-related information, or information about the department that is false, inaccurate, or misleading.

d. Employee cannot post or display comments about co-workers, or supervisors, that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the department's policies against discrimination, or harassment on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected characteristics.

~~e.~~ Employees cannot represent or indicate that the ADC endorses any of the employee's personal social media posts.

~~e.f.~~ Employees will not let personal social media usage interfere with their ability to complete their assigned duties.

Formatted: Indent: Left: 1.63", No bullets or numbering

2. The ADC's conduct standards are applicable to employees while on or off duty. Employees are expected to follow the department's conduct standards during their personal social media use. Employees who fail to meet these standards will be subject to disciplinary sanctions provided for in the Employee Conduct Standards and Discipline Administrative Directive.
3. Employees should be mindful that, because of their chosen career field, they

may be targeted by individuals using social media. Employees should regularly evaluate each site's security settings in order to ensure that personal content is only available to theire intended audiences.





PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT: SOCIAL MEDIA POLICY**

**SUPERSEDES: NEW**

**NUMBER: 18-41**

**APPLICABILITY: ALL EMPLOYEES**

**REFERENCE: AR 011 – News Media Interviews  
 & Correspondence, AR 014 Internal  
 Affairs & Investigations, & AR 225  
 Employee Conduct Standards**

**PAGE: 1 of 4**

**APPROVED: Original signed by Wendy Kelley**

**EFFECTIVE DATE: 8/24/18**

### **I. POLICY:**

It is the policy of the Arkansas Department of Correction (ADC or department) to utilize social media to increase the public's knowledge of the various programs, services, events, and career opportunities within the ADC; in addition to using social media as an investigative and monitoring tool. It is also the policy of the department to encourage the responsible personal use of social media by its employees.

### **II. PURPOSE:**

The purpose of this policy is to establish the ADC's standards for the administration and management of its social media accounts and pages, and to provide guidance to employees regarding the personal use of social media.

### **III. DEFINITIONS:**

- A. Administrator - An individual with the ability to assign roles, manage settings, or create content on a social media page.
- B. Inappropriate Comments – Topics such as advertisements or endorsements for services or products not affiliated with the ADC; abusive or profane language, inappropriate photographic or video content, hate speech, personal attacks, harassment or threats of violence; libelous or slanderous statements against

- ADC or its employees; statements that threaten the good order and safety of ADC facilities.
- C. Personal Use – The use of social media by an employee in an unofficial capacity.
  - D. Post – Content an individual shares on a social media site or the act of publishing content on a site or through a direct message.
  - E. Professional Use – The use of social media to increase the public’s knowledge of the various programs, services, events, and career opportunities within the ADC. Professional use also includes providing the general public and news media with updates regarding institutional emergencies and other critical incidents; in addition to its use by an employee as an investigative and monitoring tool.
  - F. Social Media Account – An established profile using a social media site for the purpose of professional or personal social media use.
  - G. Social Media Page – The specific portion of a social media site where content is displayed, and managed by an individual or individuals with administrator privileges.
  - H. Social Media Site – Internet based services that allow individuals to create public profiles, share information and socialize with others using a range of communications technologies. This includes, but is not limited to, social networking, blogging, photo/video sharing sites, wikis, and news sites.

#### **IV. PROCEDURES:**

- A. Professional Use Guidelines.
  - 1. Responsibilities of the Public Information Officer (PIO):
    - a. The Public Information Officer (PIO) is responsible for the administration and management of the department’s social media accounts and pages.
    - b. The PIO must authorize the creation of social media accounts and pages for use by the ADC and any employee designated to serve as page administrators; in addition to the modification or expansion of existing social media accounts.
    - c. The PIO, or designee, will maintain a list of the ADC’s social media accounts, which includes the names of all authorized administrators and their associated user account information.

Note: An individual will be immediately removed from their administrator role upon termination of their employment. Removal of an administrator will be accompanied by the immediate change of all passwords and any other necessary account information in order to maintain ADC control.

- d. The PIO, or designee, will monitor posts made to the ADC’s social media pages and remove inappropriate comments.

## 2. Account and Page Guidelines.

- a. All social media accounts or pages representing the ADC will bear the name “Arkansas Department of Correction” and include the department’s Central Office contact information. The department’s logo or uniform badge will be used for a profile image.
- b. In order to maintain the consistency of the information presented through social media to the public, current and potential employees, news media representatives, and any other stakeholders; the various correctional facilities and administrative areas within the ADC, will follow these rules:
  - Correctional facilities and administrative areas within the ADC wishing to distribute promotional or recruitment information through social media should provide that information to the Public Information Office or Central Human Resources for posting to the department’s social media accounts and pages.
  - The Industry Division, Paws in Prison Program, and ADC facilities are authorized to maintain social media accounts and pages. The PIO will have administrator access to accounts and pages.

## 3. Standards for ADC Social Media Administrator.

- a. The ADC’s social media posts must meet established ethical and professional standards.
- b. The ADC’s social media posts must not include confidential or otherwise non-publicly accessible department information, or information that is false, inaccurate, or misleading.
- c. Content generated within the ADC’s social media accounts may be considered a public record. Social media content must be maintained in a manner consistent with all applicable laws and policies.

The ADC’s social media accounts will include the following statement:  
“Representatives of the Arkansas Department of Correction share information via this page. Any communication via this page, whether by a state employee or the public, may be subject to monitoring and disclosure. Refer to the contact information section on this page to officially communicate with the Department.

4. The Information Technology Section will only grant access to social media sites for employees whose duties include the professional use of social media. All professional uses of social media will be consistent with applicable information technology policies.

B. Personal Use Guidelines

1. The ADC recognizes employees have the right to create and maintain personal social media accounts and groups. It is not a purpose of this policy to discourage or unduly limit any personal expression or online activity. Each employee is personally responsible for the content they publish on any social media platform. Each employee should recognize the potential for harm to the ADC by personal social media posts in circumstances when the individual is identified as, or known to be, an ADC employee. Accordingly, employees should comply with the guidelines listed below:
  - a. Employees are not permitted to use ADC equipment or network infrastructure for personal social media use.
  - b. Employees are not permitted to use state email accounts, phone numbers or passwords for personal social media use.
  - c. Employees cannot post confidential or otherwise non-publicly accessible ADC-related information, or information about the department that is false, inaccurate, or misleading.
  - d. Employee cannot post or display comments about co-workers, or supervisors, that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the department's policies against discrimination, or harassment on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected characteristics.
  - e. Employees cannot represent or indicate that the ADC endorses any of the employee's personal social media posts.
  - f. Employees will not let personal social media usage interfere with their ability to complete their assigned duties.
2. The ADC's conduct standards are applicable to employees while on or off duty. Employees are expected to follow the department's conduct standards during their personal social media use. Employees who fail to meet these standards will be subject to disciplinary sanctions provided for in the Employee Conduct Standards and Discipline Administrative Directive.
3. Employees should be mindful that, because of their chosen career field, they may be targeted by individuals using social media. Employees should regularly evaluate each site's security settings in order to ensure that personal content is only available to their intended audiences.



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-~~699200~~  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Health and Wellness Policy

**NUMBER:** 18-xx

**SUPERSEDES:** New

**APPLICABILITY:** All Employees

**PAGE 1 of 34**

**REFERENCE:**

**APPROVED:** Original Signed by ~~Wendy Kelley~~ \_\_\_\_\_ **EFFECTIVE**  
**DATE:**

### **I. POLICY:**

It is the policy of the Arkansas Department of Correction (ADC) to provide initial health and wellness benefits information to all newly hired employees and on-going annual ~~information notification~~ for current employees, regarding health and wellness education, programs, and activities.

### **II. PURPOSE:**

This directive is intended to encourage and support employees to participate and engage in health and wellness activities inside and outside of the ADC.

### **III. PROCEDURES:**

**A.** All employees will be provided information regarding health and wellness \_\_\_\_\_ activities. The information will be discussed in new employee orientation

**A.** \_\_\_\_\_ and provided through agency brochures and/or in-service training.

**B.** All employees are eligible to participate in ARBenefits Plus which offers

Formatted: Indent: Left: 0.75", No bullets or numbering

\_\_\_\_\_ the following services: Free Nurse Coaching, ~~Maternity-Pregnancy~~ Program, Case Management, 24/7 Nurse Line, Bariatric Surgery and programs offered through Guidance Resources. ~~—~~Below is a summary of each program offered.

Formatted: Indent: Left: 0.75", No bullets or numbering

Formatted: Indent: Left: 1", No bullets or numbering

### 1. Free Nurse Coaching

If the employee has one of the conditions listed below, ~~are that employee is~~ eligible for the Nurse Coaching program. -When the employee enrolls, ~~he or she they~~ will work one-to-one with an Arkansas-based Nurse Coach at no cost to the employee.

- Asthma;
- Coronary Artery Disease;
- Congestive Heart Failure;
- Chronic Obstructive Pulmonary Disease;
- Diabetes;
- Chronic Pain;
- High cholesterol;
- High Blood Pressure;
- ~~Pregnancy~~Maternity; and
- Chronic Kidney Disease

### 2. ~~Pregnancy~~Maternity Program

If the employee or ~~their~~ dependent is pregnant, ~~he or they she~~ can take advantage of one-to-one support from a Registered Nurse who will help them achieve a healthy pregnancy. Even if they aren't a first time mom, the nurse can help them through the changes that come with each unique pregnancy. -The program is available to the employee at no cost and they may register until 20 weeks gestation.

### 3. Case Management

If ~~a member an employee~~ has an illness or injury that's difficult, long-term, or costly, ~~he or she they~~ can work with a case manager to make sure they're getting the care they need. The case manager can help them understand treatment options and their benefit plan.

### 4. 24/7 Nurse Line

The 24/7 Nurse Line is available around-the-clock, every day. -When the employee calls, ~~they he or she~~ will speak directly with a nurse, who can answer health questions or help the employee decide if they need to see a doctor or go the emergency room.

### 5. Bariatric Surgery

The ARBenefits Plus Bariatric Surgery offers a pilot program which has specific requirements for participation. ~~—~~To learn about the requirements, contact the Employee Benefits Division.

#### 6. Guidance Resources

Guidance Resources offers wellness programs, employee assistance programs, online access its health modules, and training for all employees.

#### 7. Wellness Programs

Guidance Resources has certified wellness coaches and online health modules to provide free, confidential assistance with:

- Tobacco cessation;
- Weight management;
- Stress reduction;
- Healthy eating;
- Diabetes prevention;
- Cardiovascular maintenance;
- Exercise;
- Health Risk Assessments; and
- Sleep Health.

#### 8. Employee Assistance Program – EAP

EAP is designed to provide short-term counseling services, work-life support, legal, and financial guidance to help the employee and their families handle concerns constructively before they become major issues. Areas of assistance include:

- Confidential and free counseling;
- Legal assistance and support;
- Financial information and resources; and
- Personalized work-life solutions for childcare, eldercare, moving and more.

#### 9. Catapult Health

Catapult Health is a benefit offered to employees and covered spouses through Guidance Resources and ARBenefits. ~~They-It~~ provided the following benefits:

- Health Check-ups;
- Testing results provided immediately;
- Covered by ARBenefits at 100%;

- Completely private and secure; and
- Counts towards the ARBenefits Wellness program requirement.

|





PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Health and Wellness Policy

**NUMBER:** 18-42

**SUPERSEDES:** New

**APPLICABILITY:** All Employees

**PAGE** 1 of 3

**REFERENCE:**

**APPROVED:** Original Signed by Wendy Kelley

**EFFECTIVE DATE:** 9/19/18

### **I. POLICY:**

It is the policy of the Arkansas Department of Correction (ADC) to provide initial health and wellness benefits information to all newly hired employees and on-going annual information for current employees regarding health and wellness education, programs, and activities.

### **II. PURPOSE:**

This directive is intended to encourage and support employees to participate and engage in health and wellness activities inside and outside of the ADC.

### **III. PROCEDURES:**

- A. All employees will be provided information regarding health and wellness activities. The information will be discussed in new employee orientation and provided through agency brochures and/or in-service training.
- B. All employees are eligible to participate in ARBenefits Plus which offers the following services: Free Nurse Coaching, Pregnancy Program, Case

Management, 24/7 Nurse Line, Bariatric Surgery and programs offered through Guidance Resources. Below is a summary of each program offered.

### 1. Free Nurse Coaching

If the employee has one of the conditions listed below, that employee is eligible for the Nurse Coaching program. When the employee enrolls, he or she will work one-to-one with an Arkansas-based Nurse Coach at no cost to the employee.

- Asthma;
- Coronary Artery Disease;
- Congestive Heart Failure;
- Chronic Obstructive Pulmonary Disease;
- Diabetes;
- Chronic Pain;
- High cholesterol;
- High Blood Pressure;
- Pregnancy; and
- Chronic Kidney Disease

### 2. Pregnancy Program

If the employee or dependent is pregnant, he or she can take advantage of one-to-one support from a Registered Nurse who will help them achieve a healthy pregnancy. Even if they aren't a first time mom, the nurse can help them through the changes that come with each unique pregnancy. The program is available to the employee at no cost and they may register until 20 weeks gestation.

### 3. Case Management

If an employee has an illness or injury that's difficult, long-term, or costly, he or she can work with a case manager to make sure they're getting the care they need. The case manager can help them understand treatment options and their benefit plan.

### 4. 24/7 Nurse Line

The 24/7 Nurse Line is available around-the-clock, every day. When the employee calls, he or she will speak directly with a nurse, who can answer health questions or help the employee decide if they need to see a doctor or go the emergency room.

### 5. Bariatric Surgery

The ARBenefits Plus Bariatric Surgery offers a pilot program which has specific requirements for participation. To learn about the requirements, contact the Employee Benefits Division.

## 6. Guidance Resources

Guidance Resources offers wellness programs, employee assistance programs, online access its health modules, and training for all employees.

## 7. Wellness Programs

Guidance Resources has certified wellness coaches and online health modules to provide free, confidential assistance with:

- Tobacco cessation;
- Weight management;
- Stress reduction;
- Healthy eating;
- Diabetes prevention;
- Cardiovascular maintenance;
- Exercise;
- Health Risk Assessments; and
- Sleep Health.

## 8. Employee Assistance Program – EAP

EAP is designed to provide short-term counseling services, work-life support, legal, and financial guidance to help the employee and their families handle concerns constructively before they become major issues. Areas of assistance include:

- Confidential and free counseling;
- Legal assistance and support;
- Financial information and resources; and
- Personalized work-life solutions for childcare, eldercare, moving and more.

## 9. Catapult Health

Catapult Health is a benefit offered to employees and covered spouses through Guidance Resources and ARBenefits. It provides the following benefits:

- Health Check-ups;
- Testing results provided immediately;
- Covered by ARBenefits at 100%;
- Completely private and secure; and
- Counts towards the ARBenefits Wellness program requirement.



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6999  
 Fax: 870-267-6258  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Unit Recreational Programs

**NUMBER:** ~~13-6818-~~

**SUPERSEDES:** ~~13-6805-25~~

**APPLICABILITY:** Institutional Staff

**REFERENCE:** 800 Series

**PAGE 1 of 1**

**APPROVED:** Original signed by ~~Ray Hobbs~~  
~~11/22/2013~~

**EFFECTIVE DATE:** \_\_\_\_\_

### **I. POLICY:**

It shall be the policy of the Arkansas Department of Correction to provide a recreational program that includes leisure time activities comparable to those in the community.

### **II. PROCEDURES:**

Each unit warden and his/her designated staff will be responsible for the recreational activities depending on the safety and security of staff and inmates to include, but not limited to, the following:

- A. Interdepartmental activities
- B. Maintenance of facilities and equipment
- C. Staff supervision
- D. Evaluation of recreational programs
- E. Indoor ~~or~~ outdoor exercise, weather permitting
- F. Instruction to inmate recreational assistants



PO Box 8707  
Pine Bluff, AR 71611-8707  
Phone: 870-267-6999  
Fax: 870-267-6258  
www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Unit Recreational Programs

**NUMBER:** 18-43

**SUPERSEDES:** 13-68

**APPLICABILITY:** Institutional Staff

**REFERENCE:** 800 Series

**PAGE 1 of 1**

**APPROVED:** Original signed by Wendy Kelley

**EFFECTIVE DATE:** 9/19/18

---

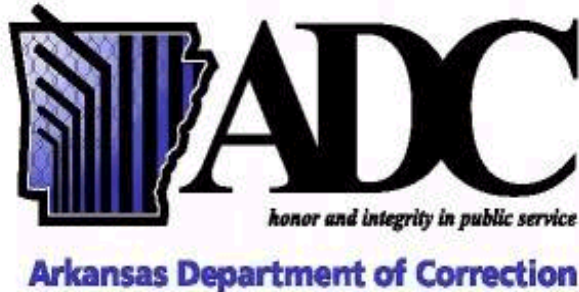
### **I. POLICY:**

It shall be the policy of the Arkansas Department of Correction to provide a recreational program that includes leisure time activities comparable to those in the community.

### **II. PROCEDURES:**

Each unit warden and his/her designated staff will be responsible for the recreational activities depending on the safety and security of staff and inmates to include, but not limited to, the following:

- A. Interdepartmental activities
- B. Maintenance of facilities and equipment
- C. Staff supervision
- D. Evaluation of recreational programs
- E. Indoor or outdoor exercise, weather permitting
- F. Instruction to inmate recreational assistants



Director's Office  
 PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6200  
 Fax: 870-267-6244  
 www.arkansas.gov/doc

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Situational Response Team Training for Non-Security Personnel

**NUMBER:** 13-102

**SUPERSEDES:** 07-27

**APPLICABILITY:**

**REFERENCE:** AR 020 – Emergency Preparedness **PAGE 1 of 2**

**APPROVED:** Original signed by Ray Hobbs

**EFFECTIVE DATE:** 11/22/2013

### I. POLICY:

The purpose of this procedure is to establish minimum training requirements for non-security personnel who are recommended by a Unit Warden/Administrator, and approved by the ADC Director, to participate in situational responses for escapes and various other emergency or rescue situations, and have not previously received training for emergency-type response situations by virtue of their position (e.g., required subjects are covered in BCOT for security officers and for those certified correctional police officers).

### II. EXPLANATION:

Non-Security personnel approved to serve as a Situational Response Team member must complete the specific topics listed below prior to participating in a Situational Response such as an escape, civilian search, unit emergency, perimeter security, natural disasters, etc.

### III. TRAINING REQUIREMENT:

The ADC Training Academy will schedule Situational Response Team Training for Non-Security Employees annually or as may be required to meet agency needs. Situational Response Team Training will minimally include the following:

**Specific Topics:**

- Unit Chain of Command, Unit Emergency Procedures, Unit Command Center in case of an escape
- Search Teams (dogs, scents, etc.)
- Overview of Emergency Preparedness Procedures (previously covered in pre-service)
- ADC Employee Relationships with Members of the Public
- ADC Employee Relationships with Inter-Agencies
- Chase/Patrol Area (Defensive Driving, use of emergency lights, sirens, grid area, etc.)
- Searches (dwellings, out-buildings, geographic areas)
- Radio Procedures (\*unit level/AWIN instructions)
- Use of Force Overview (previously covered in pre-service)
- Search of and Restraining of inmates (handcuffing procedures – both compliant and tactical)
- Transportation of inmates, including return to unit, medical treatment, etc.
- Weapons Qualification (handgun, rifle, shotgun)

**Class Length:** 12 – 16 Hours



PO Box 8707  
 Pine Bluff, AR 71611-8707  
 Phone: 870-267-6200  
 Fax: 870-267-6244  
 www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Use of Canine Teams in Aggression and Protection Roles

**NUMBER:** 13-155

**SUPERSEDES:** 08-71

**APPLICABILITY:**

**REFERENCE:** AR 412-Use of Canine Teams in  
 Aggression & Protection Roles

**PAGE 1 of 6**

**APPROVED:** Original signed by Ray Hobbs

**EFFECTIVE DATE:** 11/22/2013

### I. POLICY:

It shall be the policy of the Department of Correction to allow the utilization of canine teams (excluding tracking dogs) as an element of force applied to control situations where no alternative method would be as effective. This program will provide Unit Wardens/Center Supervisors with an effective supplemental security measure for use in specific situations within the confines of the Arkansas Department of Correction's authority/control.

### II. EXPLANATION:

The Department uses several types of specially trained dogs throughout the units. The aggression and protection dogs are trained to work with the handler to function as a team, and may be used to either supplement regular security personnel and equipment or to provide an alternative to less effective methods. The term "dog handler" is identified as a trained employee of ADC.

#### A. Uses of Canine Teams in Aggression and Protection Roles



There are several uses for dogs in aggression and protection roles. These fall into four general areas:

1. Patrol or Escort;
2. On-Leash Passive Aggression;
3. On-Leash Active Aggression; and
4. Off-Leash Active Aggression.

The first two areas are primarily used as defensive measures or to provide a show of force in certain situations and the latter two areas are those in which the dogs are used as applied force.

B. Functions of Canine Teams in Aggression and Protection Roles

1. Patrol or Escort

The canine team may be used to supplement normal security escort for high security risk inmates or violent/aggressive inmates. The team may also be used to patrol the interior, exterior or perimeter of the unit. The presence of the canine team in these situations provides supplemental protection for staff and inmates and offers an effective alternative to potentially more dangerous methods of force.

2. On Leash Passive Aggression

The dog handler may use the dog as a show of force by allowing the dog to become agitated although not allowing any physical contact. This is a particularly useful tool in breaking up combatants or crowds and allows security officers to regain control of a situation promptly. This technique can also be applied to isolate an individual or as a defensive measure for correctional staff.

3. On-Leash Active Aggression

This represents the most common use of the dogs as actual applied force. In this role, the dog is allowed to seize the target individual and hold him until security staff can apply restraints or the inmate is otherwise brought under control. The dog handler must make the decision of when to commit the dog to a bite based upon the situation. Normally this use of the dogs will be limited to situations where time or circumstances do not allow other means of force to be as effective.

#### 4. Off-Leash Active Aggression

This activity is primarily used in situations where the handler's safety would be jeopardized or in cases where the dog's effectiveness would be hindered by a leash. Typical examples of this would be armed inmates or inmates fleeing. The use of canine team dogs can substantially reduce the danger to correctional officers in situations where inmates occupy an easily defensible location by providing effective response to the situation without exposing the officers unnecessarily. Inmates attempting to escape or flee from an area can be easily captured by the dogs and held until security staff can restrain the inmate.

#### C. Procedures for Deployment of Canine Teams

The Unit Warden/Center Supervisor or in his/her absence the Assistant Warden/designee is authorized to request canine teams either as a precautionary move or in response to an emergency situation. In all cases, the following procedures will apply.

##### 1. Routine Request

Requests for canine teams to perform routine escort or patrol functions will be made by the Unit Warden/Center Supervisor, Assistant Warden or his/her designee by contacting the appropriate Assistant Director during normal duty hours. The requesting unit/center will be required to provide transportation for the dog team unless other arrangements are made with the Assistant Director. Normally these requests will be made at least three (3) days in advance of the desired use of the canine team.

##### 2. Emergency Requests

The canine teams are available for prompt response in any emergency situation. The Unit Warden/Center Supervisor/Assistant Warden/designee will request use of the team from the appropriate Assistant Director or the Director. Transportation for the canine team will be arranged at the time of the request.

- a. Upon the arrival of the canine team the Unit Warden/Center Supervisor/Assistant Warden/designee, will meet with the handler and brief him/her on the current situation. This briefing should include showing the handler the area (when practicable) or providing detailed diagrams or description of the area.

- b. After analyzing the situation, the dog handler will make recommendations to the Unit Warden/Center Supervisor/Assistant Warden/designee regarding the utilization of the dogs in the situation.
- c. If the Unit Warden/Center Supervisor/designee determines that use of the dogs would be appropriate, he/she will authorize the dog handler to deploy the dog team.
- d. Once the decision to use the dogs is made and authorized by the Unit Warden/Center Supervisor/designee, the dogs will be brought into the area and deployed.
- e. Throughout the time the dogs are being used, the dog handler and Unit Warden/Center Supervisor, or designee, will determine the most appropriate method of using the dogs and direct all activities surrounding the dogs.
- f. Once the situation is under control, the dogs will be removed from the area and unit security will assume control.
- g. All inmates coming in physical contact with the dogs will be examined by the ADC medical staff, and will receive treatment for any injuries immediately after the incident.

3. Requests From Other Law Officials

Requests for canine teams to perform in routine and emergency situations for other law officials will be made through the appropriate Assistant Director and/or the Director. The same procedures used in cases where these requests were made by a Unit Warden/Center Supervisor/designee will be used by other law officials.

4. Documentation of Incident

All deployments of the canine team will be documented on the Form 005/409 by all employees involved. The dog handler will furnish the Unit Warden/Center Supervisor/designee a Form 501/409 upon completion of the assignment.

D. Training and Maintenance Requirements

Each appropriate Unit Warden will ensure the operational capability of the Canine Unit is maintained through thorough and continuous training of dogs and handlers.

1. Handler Training

All dog handlers will receive the following training in addition to the required training for correctional officers:

a. Initial Training

Prior to serving in an operational capacity, each handler must receive a minimum of:

- (1) 20 hours of classroom and/or on the job training in dog handling techniques; and
- (2) 20 hours of actual hands-on training with the dogs in various scenarios.

b. Continuing Training

Each handler will receive at least five (5) hours of supervised training with the dogs each week in order to maintain certification.

2. No dog or handler will be used in operational situations unless certified as properly trained by the Canine Unit Supervisor.

3. Dog Training

- a. All aggression and protection dogs must receive at least 60 hours of training prior to becoming eligible for evaluation by the Canine Unit Supervisor for certification.
- b. Dogs assigned to aggression and protection roles must receive at least five (5) hours of training per week in order to maintain certification by the Canine Unit Supervisor.

4. Health Precautions - Dog and Handler

The potential of serious injury exists when canine aggression procedures are implemented; whether to an identified target or bystander. To protect the state's interest and all parties involved, each dog assigned to a canine aggression/protection team will be required to have, minimally, an annual physical examination and

receive appropriate vaccinations; i.e. rabies. Records attesting to this will be kept on each dog throughout the duration of his/her service; microfilmed for permanent record at close of service.

Repeal