

Public Information Officer  
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 www.adc.arkansas.gov

May 30, 2017

Senator David Sanders, Co-Chair  
 Arkansas Legislative Council  
 Administrative Rules and Regulations Subcommittee  
 Via Email

Representative Kim Hammer, Co-Chair  
 Arkansas Legislative Council  
 Administrative Rules and Regulations Subcommittee  
 Via Email

Dear Co-Chairs,

Please consider this letter, and the accompanying attachments, as the Department of Correction's quarterly report on new and revised administrative regulations, directives, and memoranda issued in the previous quarter. Submitted along with this letter are the following administrative directives:

AD #	AD Title	Superseded AD #	Effective Date	Summary
17-02	Restrictive Housing	NEW	02/01/17	This policy superseded <i>AD 2017-07 Administrative Segregation</i> and <i>AD 2013-183 Investigative Status</i> and established that the use of restrictive housing is to be limited to situations where the continued presence of the inmate in the general population poses a direct threat to the safety of persons, or a clear threat to the safe and secure operations of the facility.
17-03	Step-Down Program	NEW	02/01/17	This policy created a program to aid inmates housed in extended-restrictive housing (30 or more days) in their return to general population. Inmates who have spent less than thirty (30) days in restrictive housing may also be considered for this program. A Step-Down program may be a part of an inmate's release or reentry plan as described in <i>Administrative Directive 17-02 Restrictive Housing</i> .
17-05	Emergency Response Team ***CONFIDENTIAL***	13-133	01/12/17	This policy establishes the standards for the selection, qualification, training, and deployment of the department's Emergency Response Team (ERT).

AD #	AD Title	Superseded AD #	Effective Date	Summary
17-06	Use of Force	16-19	01/10/17	This policy was amended to ensure that the Chief Deputy Director, Emergency Preparedness Coordinator and Unit Warden are notified when a firearm is discharged. This notification will be made through the Firearm Discharge Report, which was also added to this policy.
17-07	Records Retention	13-93	03/01/17	This policy was amended to reflect current state licensure requirements related to Substance Abuse Programs. Changes were also made to allow for the digitizing of certain Mental Health and Medical Records.
17-08	Inmate Disciplinary Manual	17-01	02/08/07	This policy was amended to create the following rule violation: <i>12-4 Refusing a direct verbal order to leave or enter any area.</i> This change was made prior to the effectiveness of the changes in AD 2017-01 <i>Inmate Disciplinary Manual.</i> Those changes were: <ul style="list-style-type: none"> <li>• Punitive Isolation was only permitted for Class A rule violations consistent with the AD on Restrictive Housing. Violations of <i>02-05 Unauthorized use of mail or telephone, 02-11 Tattooing, piercing, and self-mutilation intended to change oneself or another's appearance or 11-01 Insolence to a staff member</i> were reduced from Class A to Class B violations.</li> </ul>
17-09	ADC Employee Awards Program	10-24	01/20/17	This policy was amended to allow for an employee with three (3) years of state service to receive a Certificate of Recognition during the Employee Awards Program
17-10	Institutional Visitors Protocol	13-53	01/20/17	This policy was amended to clarify that the members of the Parole Board will receive expedited entry in to ADC facilities.
17-11	Tool Control	10-21	03/01/17	This policy was amended to clarify that inventory sheets for medical and dental instruments, tools, and sharps will be maintained in accordance with Health Services Operational Policy and Procedure 413.00.
17-13	Think Legacy Reentry Program	NEW	03/20/17	This policy was created to establish the operational standards of the Think Legacy Re-Entry Program. The program utilizes an evidenced-based curriculum to increase the potential for an inmate's successful reintegration into the community.

AD #	AD Title	Superseded AD #	Effective Date	Summary
17-14	American with Disabilities Act	15-24	03/02/17	This policy was amended to ensure compliance with the Equal Employment Opportunity Commission (EEOC) Regulations and the Americans with Disabilities Act (ADA) regarding changes/clarifications to the meaning of disability, major life activities and major life functions.
17-16	Internal Investigations and Computerized Voice Stress Analysis (CVSA)	11-35	03/02/17	This policy was amended to reflect current practice in the use of a CVSA. Specifically, it was clarified that a witness statement does in fact serve as corroborating evidence, along with CVSA results when an investigating officer is determining if an allegation has been sustained.

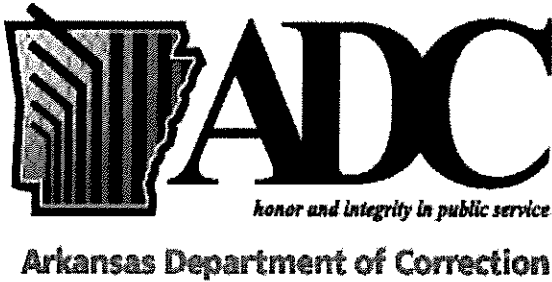
There were no new or revised administrative regulations or memoranda issued during the previous quarter. Please do not hesitate to contact me with any questions or comments.

Sincerely,



Solomon Graves  
Public Information Officer & Legislative Liaison  
Arkansas Department of Correction

CC: Ms. Wendy Kelley, Director, Arkansas Department of Correction  
Mr. Jim DePriest, Assistant Director/Chief Legal Counsel, Arkansas Department of Correction  
Mr. Benny Magness, Chairman, Arkansas Board of Corrections  
File



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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Restrictive Housing

**NUMBER:** 17-02

**SUPERSEDES:** AD 2014-07  
and AD 2013-183

**APPLICABILITY:** Director, Deputy/Assistant Directors,  
Warden/Center Supervisors, Employees  
involved in Segregation, and Inmates

**REFERENCE:** AR-836 Segregation; **PAGE:** 1 of 16  
AD 2014-08 Disciplinary Court Review;  
AD 2016-20 Punitive Segregation-Restriction;  
and AD ~~2016-55~~2017-03 Step-Down Program

**APPROVED:**

**EFFECTIVE DATE:** 02/01/2017

### I. POLICY:

It is the policy of the Arkansas Department of Correction (ADC) to provide secure, safe housing to inmates who require a higher degree of physical control or who staff otherwise find necessary to remove from the general population of the facility. The policy is to limit the use of Restrictive Housing to the shortest period of time possible when it is used while maintaining a safe environment within the institutions.

Note: The use of "segregation" or administrative segregation" in existing policies also applies to inmates in "Restrictive Housing" or "Extended Restrictive Housing" unless this poses a conflict with this policy.

### II. EXPLANATION:

The Institutional Classification Committee or, in an emergency, the Warden/Center Supervisor or designee may place an inmate in Restrictive Housing (RH) if his/her

continued presence in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility.

III. **DEFINITIONS**<sup>[SG1]</sup>:

1. **Administrative Status** – Separation from the general population by the classification committee or other authorized authority when the continued presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. Inmates pending investigation by the unit or law enforcement, pending trial on a criminal act, pending disciplinary court review, or pending transfer also can be included. While this status may be in restrictive housing, it is a temporary status and a release plan is not required while in this status.
2. **Restrictive Housing (RH)** – A placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.
3. **Extended Restrictive Housing** – Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day and for thirty (30) days or longer for the safe and secure operation of the facility. A 48-hour relief does not end Extended Restrictive Housing because the inmate is not returned to general population during this time.
4. **Serious Mental Illness** – Psychotic, Bipolar, and Major Depressive Disorders and any other diagnosed mental disorder (excluding substance use disorders) associated with serious behavioral impairment as evidenced by examples of acute decompensation, self-injurious behaviors, and mental health emergencies that require an individualized treatment plan by a qualified mental health professional.
5. **Step-down Program** – A system of review that establishes criteria to prepare an inmate for transition from restrictive housing to general population or the community. A classification committee made up of a multidisciplinary team (medical, mental health, security, and others determined by the Warden) will determine which individual inmates enter the program.
6. **Protective Custody** – Form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to protective custody are not assigned to restrictive housing due to this status alone. Inmates placed in restrictive housing must be transferred out of restrictive housing within three (3) business days when placement is due to protective custody status alone absent approval by the appropriate Deputy Director.
7. **Disciplinary Court Review (DCR)** – The confinement of an inmate in restrictive housing until a disciplinary hearing is completed due to an alleged disciplinary infraction.
8. **Placement** – Removal of an inmate from general population to a restrictive housing assignment. (twenty-four (24) hour review required)

9. **Assignment** – A decision by the Institutional Classification Committee that restrictive housing is appropriate.
10. **Release Plan** – The steps the inmate needs to take to be released to general population which may include one or more of the following as examples: a certain number of disciplinary free days, completion of disciplinary sanctions, completion of anger management, thinking errors, and/or a step-down program.
11. **Reentry Plan** – A pre-release assessment and plan that includes at a minimum a review of parole stipulations and program referrals, transportation to the inmate's closest commercial pick-up point, information on community services available in the area, and information on how to reinstate voting rights upon discharge of their sentence.

### III. PROCEDURES:

#### A. Initial Placement:

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in Restrictive Housing.
2. Any inmate placement in restrictive housing will be approved, denied, or modified within twenty-four (24) hours by an appropriate and higher authority who was not involved in the initial placement. The higher authority shall, after reviewing the inmate's status, either release him/her from the Restrictive Housing area or retain him/her in the Restrictive Housing area and refer the inmate to the next regularly scheduled meeting of the Classification Committee.
3. The Classification Committee will hold the hearing to determine assignment within seven days of placement and after the inmate has received written notice, along with other provisions listed above.

#### B. Institutional Classification Committee Procedures for assignment to Restrictive Housing:

1. The inmate will be given a meaningful hearing before the Classification Committee within seven (7) days of placement in restrictive housing.
2. The inmate will receive written notification of the hearing not less than twenty-four (24) hours prior to the hearing.
3. The inmate will be allowed to appear before the committee, to make any relevant statement, and to present related documentary evidence.

4. Assignment to restrictive housing will be made by a majority vote of the committee.
5. The inmate will be advised of the reasons for his/her assignment to restrictive housing and the steps he/she needs to take to be released to general population which may include a step-down program. Both the reason for assignment and the method to earn release will be provided to the inmate in writing and a copy of the reasons will be maintained in the inmate's electronic file. All decisions may be subject to review and approval or disapproval by the Warden or his/her designee.
6. Any inmate who is potentially dangerous to himself/herself shall immediately be placed in Restrictive Housing and evaluated by Mental Health Staff the same business day or within four (4) hours.
7. Any inmate who exhibits chronic unruly behavior shall be evaluated by the Mental Health Staff upon request by the Warden or his/her designee. The results of the evaluation shall be considered by the Classification Committee in determining the Restrictive Housing status of the inmate.
8. Confinement of inmates under the age of eighteen (18) years of age in Extended Restrictive housing is prohibited.
9. An inmate will not be placed in Restrictive Housing based on Gender Identity alone.
10. Confinement of pregnant inmates in Extended Restrictive Housing is prohibited.
11. Confinement of inmates who are Seriously Mentally Ill (SMI) in Extended Restrictive Housing is prohibited.

C. Administrative Status:

1. An inmate that poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, can be placed in restrictive housing on administrative status due to one of the following:
  - a. Pending trial on a criminal act, placement is not to exceed three (3) business days following a court decision.
  - b. Pending disciplinary court review, placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned.

- c. Pending transfer to another unit, placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director.
- d. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy/Assistant Warden may not exceed five (5) working days per extension. If there are more than four extensions, they must have the approval of the Director. Extensions can only be made for one of the following reasons:
  - i. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities.
  - ii. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities.
  - iii. The case requires more extensive investigation.

2. For inmates on Administrative Status, these procedures will be followed except that this status is temporary and a release plan is not necessary while in this status.

D. Controls and Privileges while in Restrictive Housing:

1. Housing in a separate area of the institution determined by the Warden.
2. Work duties, if assigned, within the limits of the inmate's medical classification/restrictions.
3. Regularly scheduled meals - may be served in cells.
4. Television and/or radio privileges may be denied only upon documentation of the reason(s) in each Inmate's record.
5. Institutional activities as approved by the Warden.
6. Regular mail privileges.
7. Chaplains will visit the restrictive housing area at least weekly and upon request.



8. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
9. Although no razors will be allowed, inmates will have the opportunity to groom facial hair weekly and shower a minimum of three times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the senior officer on duty. All exceptions will be recorded in the log and justified in writing.
10. Referrals to medical, dental or mental health services are the same as general population; the referrals can be through sick call/health services request or by staff for medical emergencies. Inmates in Restrictive Housing are provided medication as prescribed.
11. Opportunity for exercise, a minimum of one (1) hour of exercise per day five (5) days per week, unless security or safety dictates otherwise. Opportunities to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented. Inmates who have out-of-cell work assignments are not required to receive the one-hour exercise period.
12. Commissary purchases will be limited to \$10 weekly due to security requirements on ~~staff~~ inmates in restrictive housing. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
13. Appropriate clothing is to be issued. Jumpsuits may replace pants/tops due to strings or belts necessary for pants and other security concerns.
14. A reasonable amount of reading material and educational material approved by the Educational Department.
15. Bedding is to be changed weekly and weekly laundry services are to be provided.
16. Access to legal materials upon request and in accordance with unit policy.
17. Access to attorney of record via legal mail and telephone.
18. Inmates leaving or entering the restrictive housing unit must be thoroughly searched. Those on restrictive housing status shall be escorted by two officers and under normal circumstances will be in restraints to and from their destination.
19. This list of controls and privileges does not govern inmates serving punitive restriction, participating or assigned to Step-Down Units, death

row, and other special housing areas including Residential Programming Unit (RPU), infirmaries, and the hospital.

20. Restrictive Housing inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant).; suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.

E. Review of Restrictive Housing Status:

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

5. The calculation and scheduling of an inmate's Restrictive Housing hearing will not change if that inmate transfers to another unit and remains in restrictive housing.
6. If the inmate refuses to appear before any of the above-scheduled hearings, documentation will be maintained. The refusal will be signed by the inmate -and by a member of the classification committee. Should the inmate advise the classification member that he/she did not refuse to appear, the inmate will be scheduled for the next regularly scheduled classification meeting.
7. Inmates assigned to Restrictive housing have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her release plan or to the community in accordance with his/her Reentry plan.
8. The Arkansas Department of Correction will attempt to ensure that inmates are not released directly into the community from Restrictive or Extended Restrictive Housing. In the event that the release of an inmate directly from Restrictive Housing into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally:
  - Classification will have verified that a Reentry Plan is in the Department's electronic offender management information system (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to specific needs of the inmate. This does not apply to court orders for immediate release (other than the sentencing order).
  - Notification of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the Department releases the inmate from custody.
  - Notify releasing inmate of applicable community resources as part of the Reentry Plan.
  - Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

~~Restrictive Housing Placement~~

TO:

FROM:

DATE:

SUBJECT: \_\_\_\_\_ A.D.C. \_\_\_\_\_ is to be placed in six barracks  
(Restrictive Housing) on \_\_\_\_\_ at \_\_\_\_\_ for the following  
reason(s):

Administration Status (Temp):

- pending trial for a criminal act
- pending disciplinary court review
- pending transfer to another unit
- pending investigation (Note: PREA victims cannot be placed in restrictive housing for more than three (3) days)

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

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~~Required Review within 24 Hours of Placement~~

~~I was not involved in the initial placement and have reviewed the reasons for the placement. I find the placement \_\_\_\_\_ appropriate; I find the inmate should be moved to \_\_\_\_\_ rather than remain in restrictive housing.~~

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~~Signature and Title \_\_\_\_\_~~

~~Date and Time \_\_\_\_\_~~

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~~Note: If Inmate's placement in Restrictive Housing is approved, he/she shall appear before Classification for possible assignment within seven (7) days.~~

# RESTRICTIVE HOUSING PLACEMENT

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

TO: \_\_\_\_\_

FROM: \_\_\_\_\_

DATE: \_\_\_\_\_

SUBJECT: \_\_\_\_\_ A.D.C. \_\_\_\_\_ is/was placed in restrictive housing on

\_\_\_\_\_ at \_\_\_\_\_ for the following reason(s):

- Administrative Status (Temporary):**
  - pending trial for a criminal act
  - pending disciplinary court review
  - pending transfer to another unit
  - pending investigation (Note: PREA victims cannot be placed in restrictive housing for more than three (3) days)

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## Review required within twenty-four (24) Hours of placement

I was not involved in the initial placement and have reviewed the reasons for the placement. I find the placement appropriate

I find the inmate should be moved to \_\_\_\_\_ rather than remain in, ~~restrictive housing.~~  
\_\_\_\_\_ restrictive housing.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**Note: If the inmate's placement in restrictive housing is approved, he/she shall appear before the Classification Committee for possible assignment within seven (7) days.**

# RESTRICTIVE HOUSING STATUS REVIEW

## RECORD OF RELEASE CONSIDERATION

Facility
Inmate's Name
ADC#

07 Day Review <input type="checkbox"/>	Warden's Review <input type="checkbox"/>
30 Day Review <input type="checkbox"/>	Director's Review <input type="checkbox"/>
60 Day Review <input type="checkbox"/>	Special Consideration <input type="checkbox"/>

Date of Review \_\_\_\_\_

Date of Initial Assignment \_\_\_\_\_

### REASON FOR INITIAL ASSIGNMENT

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

### COMMITTEE MEMBERS

### VOTE

	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )
	REMAIN ( )	RELEASE ( )

### INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

### ACTION/REASON

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Inmate is not a threat to the security of persons or a clear threat to the safe and secure operations of the facility. Inmate is not a threat to the security and good order of the institution and should be released from Restrictive Housing

Release pending completion of Restrictive Housing Restrictive Release Plan

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MENTAL HEALTH APPRAISAL REPORT: (~~See Attached~~) Completed  Yes  No

**Arkansas Department of Correction  
Internal Affairs Division**

**ADMINISTRATIVE WARNING**

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Employee: \_\_\_\_\_ Rank: \_\_\_\_\_  
Unit: \_\_\_\_\_ Position: \_\_\_\_\_ Employee No: \_\_\_\_\_

This is an official administrative inquiry regarding \_\_\_\_ an incident, \_\_\_\_ misconduct or \_\_\_\_ improper performance of official duties, which is under administrative investigation. This inquiry pertains to \_\_\_\_\_.

The purpose of this interview is to obtain information which will assist in the determination of whether administrative action is warranted. In an administrative investigation you are **required** to truthfully answer all questions directed to you, both orally and when requested in writing.

You are going to be asked a number of specific questions regarding the performance of your official duties. These questions are specifically, directly and narrowly related to the performance of your duty. You are not being questioned for the purpose of instituting criminal proceedings against you.

During the course of this questioning even if you do disclose information which indicates you may be guilty of criminal conduct in this matter, neither your self-incrimination statements, nor the fruit thereof, will be used against you in any criminal proceeding.

If you refuse to answer questions directed to you, you will be given a direct order by a superior officer and/or IAD investigator to answer the question directed towards you in this matter. If you refuse to answer the questions, you will be advised such refusal constitutes a violation of the Arkansas Department of Correction Employee Conduct Standards and may serve as a basis for more serious disciplinary action up to and including, **discharge**.

During this investigation you are directed to not discuss or make known any information concerning this matter with anyone other than your direct Chain of Command, your attorney/representative or members of the Internal Affairs Division.

If you have any questions regarding this warning, or any questions regarding the procedures to be followed, you may direct those questions to the Administrator of Internal Affairs Division, or his designated representative.



I, \_\_\_\_\_, hereby acknowledge the receipt of the above warning; that I have been given an opportunity to read it, or have it read to me; and I fully understand my rights as outlined above.

Witnessed by: \_\_\_\_\_

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

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## WARDEN'S REVIEW

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

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WARDEN OR DESIGNEE SIGNATURE

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DATE

# RESTRICTIVE HOUSING RELEASE PLAN

Note: This form is **NOT** required for inmates placed in restrictive housing on administrative status.

Facility Name: \_\_\_\_\_  
\_\_\_\_\_

Date:

Inmate Name: \_\_\_\_\_  
\_\_\_\_\_

ADC Number:

Upon completion of the following steps, the above-referenced inmate may be returned to general population from a restrictive housing assignment:

- Achieve Class II status or better
- Complete the sanction(s) imposed by the Disciplinary Court
- Complete a Step-down Program
- Complete a/an \_\_\_\_\_ program
- Other (must be specific)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Classification Committee Member \_\_\_\_\_ Date  
Signature

## INMATE ACKNOWLEDGEMENT

I have read, or have had read to me, this restrictive housing release plan. I understand that I may remain in restrictive housing until this plan is completed.

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

## WARDEN'S REVIEW

AD 2017-01 Restrictive Housing

- I have reviewed the above and agree with the proposed restrictive housing release plan.
  
- I have reviewed the above and am referring this proposed restrictive housing release plan back to the Classification Committee.

\_\_\_\_\_  
Warden or Designee's Signature

\_\_\_\_\_  
Date

# CLASSIFICATION COMMITTEE WAIVER

DATE OF REVIEW: \_\_\_\_\_

I, Inmate \_\_\_\_\_, ADC# \_\_\_\_\_  
Hereby waive or refuse to appear before the Restrictive Housing Classification  
Committee (RHCC):

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

Inmate: \_\_\_\_\_ ADC# \_\_\_\_\_

Classification Committee Member: \_\_\_\_\_

Witnessing Officer: \_\_\_\_\_

cc: ~~Institutional File~~  
~~East Building File~~

Inmate Name (Please print): \_\_\_\_\_ ADC# \_\_\_\_\_

Inmate Signature: \_\_\_\_\_

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

RHCC Member Name (Please print): \_\_\_\_\_

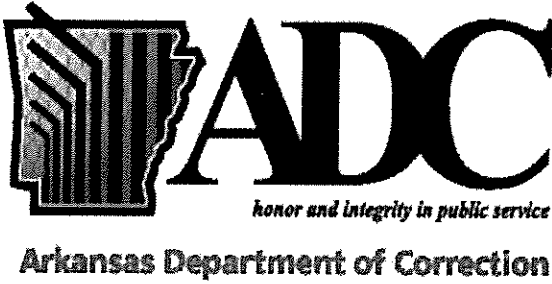
RHCC Member Signature: \_\_\_\_\_

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

Witness Name (Please print): \_\_\_\_\_

Inmate Signature: \_\_\_\_\_

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



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## ADMINISTRATIVE DIRECTIVE

SUBJECT: Step-Down Program

NUMBER: 16-55-17-03

SUPERSEDES: NEW

APPLICABILITY: Director, Deputy/Assistant Directors, Warden/Center Supervisors, Employees involved in segregation, and inmates

REFERENCE: AR-836 Segregation; AD 2016-54 AD 2013-183

PAGE: 1 of 6

Restrictive Housing; Investigative Status; AD 2014-08

Disciplinary Court Review; and

and

AD 2016-20 Punitive Segregation-Restriction

APPROVED:  
201602/01/2017

EFFECTIVE DATE: January 1,

### I. POLICY:

It is the policy of the Arkansas Department of Correction (ADC) to provide a secure, safe housing to inmates. Step-Down Program to assist in reintegrating inmates into general population housing or into the community from a restrictive housing assignment. While not all inmates may be able to reside in general population, this program along with the Restrictive Housing Administrative Directive is intended to reduce the use of Extended Restrictive Housing, who require a higher degree of physical control or who staff otherwise find necessary to remove from the general population of the facility while addressing the negative behavior of inmates who have historically represented themselves as a management problem and/or continue to engage in negative behavior with goals of correcting the behavior and facilitating the reintegration of the inmate into general population or the community.

**II. EXPLANATION:**

The Classification Committee can place an inmate who has been in extended restrictive housing into the Step-Down barracks if he/she cannot be returned directly to general population from a restrictive housing assignment. The Classification Committee can consider inmates who have spent less than thirty (30) days in Restrictive Housing (those not meeting the definition of extended restrictive housing) for this program when appropriate. A Step-Down program can be part of an inmate's release or reentry plan as described in the Restrictive Housing Administrative Directive.

**III. DEFINITIONS:**

**Step-Down Program**—Unit programs that involve a coordinated, multidisciplinary team approach including healthcare, security staff, and others as determined by the Warden. These programs shall include, at a minimum, the following:

1. Pre-screening Evaluation;
2. Monthly Evaluations using a multidisciplinary approach to determine the inmate's compliance with program requirements;
3. Subject to Monthly Evaluations;
  - o Gradually increasing out-of-cell time
  - o Gradually increasing group interaction
  - o Gradually increasing education and programming opportunities
  - o Gradually increasing privileges
4. A Step-Down transition Compliance Review; and
5. A Post Screening Evaluation.

**IV. PROCEDURES:****A. Procedures for assignment to Step-Down Unit:**

1. The Classification Committee or the Unit Warden may place an inmate into the Step-Down Program as part of his/her Release Plan from Restrictive Housing plan.
2. Upon approval of an inmate to be housed in a Step-Down Program, the inmate will receive written notification of a Step-Down hearing not less than twenty-four (24) hours prior to the hearing.
3. The inmate will be allowed to appear before the Classification Committee, to make any statement relevant to his possible assignment.

4. The determination as to whether an inmate will be placed in the Step-Down Program ~~Unit~~ will be made by a majority vote of the committee. Any denial by the Classification Committee requires a new Release Plan for the inmate.
5. The inmate will be advised of the reason(s) of his/her assignment to the Step-Down Program ~~Unit~~ in writing and a copy of the reason(s) will be maintained in the inmate's electronic file.

B. Review of Step-Down Program Status:

1. The Classification Committee must hold a hearing with every inmate assigned to the Step-Down Program ~~Status~~ every thirty (30) days to determine if the reason(s) for ~~placement~~ assignment continues to exist and if progress is being made at the level assigned.
2. The Mental Health Staff must review the status of every inmate in Restrictive Housing ~~H~~ assigned to the Step-Down Program ~~Unit~~ in compliance with the Restrictive Housing Administrative Directive.
3. No inmate shall remain in the Step-Down Program for more than one year unless the Warden has ~~he has been personally interviewed him/her by the Warden~~ at the end of ~~the one~~ year and approves the continued assignment ~~such action is approved by him~~. At the end of the second year and each additional year that an inmate remains in ~~a the Step-Down Program classification~~, the Warden and the Deputy Director ~~he/she must be personally interviewed by both the Warden and the Deputy/Assistant Director, who the inmate and will then determine if whether~~ continuation in that assignment ~~status~~ is necessary and/or appropriate.
4. The calculation and scheduling of an inmate's Step-Down restrictive housing hearing will not change if that inmate transfers to another unit and remains ~~on~~ Step-Down status ~~in restrictive housing~~.
5. If the inmate refuses to appear before any of the above-scheduled hearings, documentation will be maintained. The refusal will be signed by the inmate and at least one member of the Classification Committee. If the inmate disputes that he/she refused to attend the classification meeting to the committee member, his/her refusal to the Classification member, he/she will be scheduled for the next regular Classification Committee meeting. A refusal can result in a reduction in level ~~to encourage progression throughout the Step-Down process~~.
6. If at any time the Classification Committee finds that the need for housing an inmate in the Step-Down Program no longer exists, the Committee can recommend to the Warden that the inmate be released to general population and/or progress an inmate to a higher level within the Step-Down Process ~~Program~~.



7. The length of time housed in each step will be based on the inmate's behavior and progress in the program.
8. After an inmate completes Level II, the Classification Committee will make a decision based upon a recommendation from mental health staff that the inmate should be referred to the Anger Management Program, recommendation from the STTG Coordinator that the inmate should be referred to a Security Threat Management Program, or proceed to Level III.

#### C. Stepping Back

1. Any inmate participating in the Step-Down Program that is not meeting the programs expectations will be evaluated by the Classification Committee to be possibly "Stepped Back" one level.

2. Some of the criteria used for consideration in returning an inmate to a lower level will include, but is not be limited to, the following:

2.
  - Being found guilty of a Major Disciplinary Violation that carries Class A offense(s) will have a new Release Plan which may include removal from the Step-Down Program
  - Being found guilty of a Major Disciplinary Violation that carries Class B and C offenses
  - Multiple minor disciplinary reports

#### D. Step-Down Level System

1. Level I (Entry Level) a Minimum of Thirty (30) Days in Length

- Step-Down Unit Orientation & Acclimation
- Initiate Classification Reviews ~~in accordance with Restrictive Housing Classification~~ every thirty (30) days
- Begin In-Cell Programming
- Minimum of ninety (90) minutes of out of cell in restraints, seven (7) days a week
- Restrained behind the back and leg restraints for all movement (escorted for all movement)
- Commissary/Canteen—\$15/weekly worth of items can be purchased from the commissary including hygiene. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
- Recreation – Minimum of ninety (90) minutes, seven (7) days week
- Showers – Three (3) times a week (must be restrained and escorted if applicable)

- Phone – One (1) call per week
- Access to attorney of record via legal mail and telephone.
- Meals may be served in cell
- Visits – One (1) non-contact and as many video visits (~~maximum of two (2) hours in length~~) as class status allows per month
- Library Services – (1) book and/or magazine per week: Access to law materials upon request and in accordance with unit policy.
- Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.

## 2. Level II ~~a~~-Minimum of Sixty (60) Days in Length

- Hand Restraints for movement within cellblock and/or housing area, including for programing. Must be escorted (~~however escorted in full restraints for movement outside of cellblock or housing area, or for dayroom programing~~).
- Minimum of ninety (90) minutes of out of cell in restraints, seven (7) days a week to include a minimum of one (1) hour of Programming five (5) days a week.
- Classification committee will begin reviewing and make recommendations for small (2-4 inmates) restrained congregate activity (games/meals/recreation) to be approved per Warden and/or his designee.
- Commissary/canteen - \$25/weekly worth of items can be purchased from Commissary including hygiene items. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
- Recreation – Minimum of ninety (90) minutes, seven (7) days a week.
- Classification Committee may allow the group-recreation time to be in groups – for examples include, allowing one recreation period a week with another inmate, or allowing daily recreation with up to four (4) inmates.
- Showers – Three (3) times a week (Cuffed behind the back and escorted, no leg restraints).
- Phone – Three (3) days per week phones should be activated, — one call per each of those three (3) days unlimited calls
- Access to attorney of record via legal mail and telephone.
- Meals in cell or small rotating groups (2-4 inmates) in Dayroom and/or dining area if applicable
- Visits – -Two (2) non-contact and as many video visits (maximum of two (2) hours in length) as class status allows per month.
- Library Services - (2) books and/or magazines per week: Access to law materials upon request and in accordance with unit policy.
- Self-Help and educational materials permitted.
- Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.

3. Level III - Minimum of Ninety (90) Days in Length. Inmates must be Class I or II

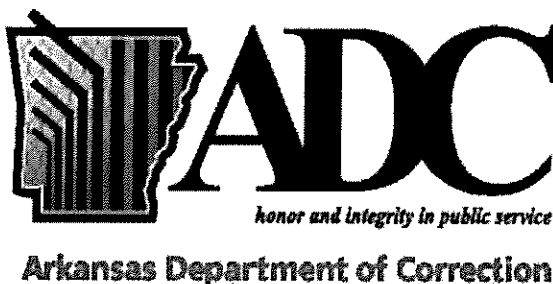
- Classification Committee may approve unrestrained movements (4-8 inmates) in unit with staff present.
- Recreation – Minimum of ninety (90) minutes, seven (7) days a week.
- Classification Committee may approve unrestrained group programs (up to 8 inmates) and activities such as meals in dayroom or dining facility, recreation, programming, group activities.
- In-Unit rotating job assignments as assigned and recommended by Unit Classification Committee and approved by Warden and/or designee (Janitorial).
- Restrained behind the back and escorted outside of unit/cellblock with no leg restraints.
- Commissary/canteen - \$35/weekly worth of items can be purchased from Commissary including hygiene items. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
- Recreation – Minimum of ninety (90) minutes, seven (7) days a week
- Classification Committee may allow group recreation – For example, one (1) recreation period a week with another inmate, or daily recreation with up to four (4) inmates.
- Showers – Three (3) times a week (no restraints).
- Phone – Four (4) days per week phones should be activated-one call per day each of those four (4) days unlimited calls.
- Meals in cell or small rotating groups (up to 8 inmates) in Dayroom and/or dining area if applicable
- Access to attorney of record via legal mail and telephone.
- Visits – Two (2) non-contact and as many video visits (Two (2) hour maximum in length) as class status allows per month.
- Library Services – Three (3) books and/or magazines per week; Access to law materials upon request and in accordance with unit policy.
- Self-Help and educational materials permitted
- Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.
- Self-Help materials permitted

4. Level IV -

May be Long-Term if Transfer or Assignment to General Population is not aApproved.

- Unrestrained movement (up to twelve (12) inmates) in unit with staff present
- Unrestrained group programs (up to twelve (12) inmates) and activities such as meals in dayroom, recreation, group activities
- Continue in Unit rotating job assignments (Janitorial)
- Unrestrained in unit movement to recreation/programming with staff present
- Commissary/canteen - \$75/weekly worth of items can be purchased to include hygiene items. -Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
- Recreation – Ninety (90) minutes a day, seven (7) days per week.
- Showers – Same as general population
- Phone – Same as general population
- Access to attorney of record via legal mail and telephone.
- Meals in rotating groups up to twelve (12) inmates in dayroom and/or dining facility if applicable
- Visits – Four (4) non-contact/video visits (Four (4) hours maximum in length) per month or as class status allows.
- Television – Same as general population (to be scheduled by unit) Self-Help and educational materials permitted
- Library Services – Same as general population; Access to law materials upon request and in accordance with unit policy.
- Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.
- —

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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Step-Down Program

**NUMBER:** 17-03

**SUPERSEDES:** NEW

**APPLICABILITY:** Director, Deputy/Assistant Directors, Warden/Center  
Supervisors, Employees involved in segregation, and inmates

**REFERENCE:** AR-836 Segregation; AD 2016-54  
Restrictive Housing; AD 2014-08  
Disciplinary Court Review; and  
AD 2016-20 Punitive Segregation-Restriction

**PAGE:** 1 of 6

**APPROVED:** Original Signed by Wendy Kelley

**EFFECTIVE DATE:** 02/01/2017

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### I. POLICY:

It is the policy of the Arkansas Department of Correction (ADC) to provide a Step-Down Program to assist in reintegrating inmates into general population housing or into the community from a restrictive housing assignment. While not all inmates may be able to reside in general population, this program along with the Restrictive Housing Administrative Directive is intended to reduce the use of Extended Restrictive Housing.

### II. EXPLANATION:

The Classification Committee can place an inmate who has been in extended restrictive housing into the Step-Down barracks if he/she cannot be returned directly to general population from a restrictive housing assignment. The Classification Committee can consider inmates who have spent less than thirty (30) days in Restrictive Housing (those not meeting the definition of extended restrictive housing) for this program when appropriate. A Step-Down program can be part of an inmate's release or reentry plan as described in the Restrictive Housing Administrative Directive.

**III. DEFINITION:**

**Step-Down Program**—Unit programs that involve a coordinated, multidisciplinary team approach including healthcare, security staff, and others as determined by the Warden. These programs shall include, at a minimum, the following:

1. Pre-screening Evaluation;
2. Monthly Evaluations using a multidisciplinary approach to determine the inmate's compliance with program requirements;
3. Subject to Monthly Evaluations;
  - o Gradually increasing out-of-cell time
  - o Gradually increasing group interaction
  - o Gradually increasing education and programming opportunities
  - o Gradually increasing privileges
4. A Step-Down transition Compliance Review; and
5. A Post Screening Evaluation.

**IV. PROCEDURES:****A. Procedures for assignment to Step-Down Unit:**

1. The Classification Committee or the Unit Warden may place an inmate into the Step-Down Program as part of his/her Release Plan from Restrictive Housing plan.
2. Upon approval of an inmate to be housed in a Step-Down Program, the inmate will receive written notification of a Step-Down hearing not less than twenty-four (24) hours prior to the hearing.
3. The inmate will be allowed to appear before the Classification Committee, to make any statement relevant to his possible assignment.
4. The determination as to whether an inmate will be placed in the Step-Down Program will be made by a majority vote of the committee. Any denial by the Classification Committee requires a new Release Plan for the inmate.
5. The inmate will be advised of the reason(s) of his/her assignment to the Step-Down Program in writing and a copy of the reason(s) will be maintained in the inmate's electronic file.

**B. Review of Step-Down Program Status:**

1. The Classification Committee must hold a hearing with every inmate assigned to the Step-Down Program every thirty (30) days to determine if the reason(s) for assignment continues to exist and if progress is being made at the level assigned.

2. The Mental Health Staff must review the status of every inmate in Restrictive Housing assigned to the Step-Down Program in compliance with the Restrictive Housing Administrative Directive.
3. No inmate shall remain in the Step-Down Program for more than one year unless the Warden has personally interviewed him/her at the end of the year and approves the continued assignment. At the end of the second year and each additional year that an inmate remains in the Step-Down Program, the Warden and the Deputy Director must personally interview the inmate and determine if that assignment is necessary and appropriate.
4. The calculation and scheduling of an inmate's restrictive housing hearing will not change if that inmate transfers to another unit and remains in restrictive housing.
5. If the inmate refuses to appear before any of the above-scheduled hearings, documentation will be maintained. The refusal will be signed by the inmate and at least one member of the Classification Committee. If the inmate disputes that he/she refused to attend the classification meeting to the committee member, he/she will be scheduled for the next regular Classification meeting. A refusal can result in a reduction in level.
6. If at any time the Classification Committee finds that the need for housing an inmate in the Step-Down Program no longer exists, the Committee can recommend to the Warden that the inmate be released to general population and/or progress an inmate to a higher level within the Step-Down Program.
7. The length of time housed in each step will be based on the inmate's behavior and progress in the program.
8. After an inmate completes Level II, the Classification Committee will make a decision based upon a recommendation from mental health staff that the inmate should be referred to the Anger Management Program, recommendation from the STTG Coordinator that the inmate should be referred to a Security Threat Management Program, or proceed to Level III.

C. Stepping Back:

1. Any inmate participating in the Step-Down Program that is not meeting the programs expectations will be evaluated by the Classification Committee to be possibly "Stepped Back" one level.
2. Some of the criteria used for consideration in returning an inmate to a lower level will include, but is not be limited to, the following:

- Being found guilty of a Major Disciplinary Violation that carries Class A offense(s) will have a new Release Plan which may include removal from the Step-Down Program
- Being found guilty of a Major Disciplinary Violation that carries Class B and C offenses
- Multiple minor disciplinary reports

D. Step-Down Level System:

1. Level I - (Entry Level) a Minimum of Thirty (30) Days in Length

- Step-Down Unit Orientation & Acclimation
- Initiate Classification Reviews every thirty (30) days
- Begin In-Cell Programming
- Minimum of ninety (90) minutes of out of cell in restraints, seven (7) days a week
- Restrained behind the back and leg restraints for all movement (escorted for all movement)
- Commissary/Canteen—\$15/weekly worth of items can be purchased from the commissary including hygiene. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
- Recreation – Minimum of ninety (90) minutes, seven (7) days week
- Showers – Three (3) times a week (must be restrained and escorted if applicable)
- Phone – One (1) call per week
- Access to attorney of record via legal mail and telephone.
- Meals may be served in cell
- Visits – One (1) non-contact and as many video visits as class status allows per month
- Library Services – (1) book and/or magazine per week; Access to law materials upon request and in accordance with unit policy.
- Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.

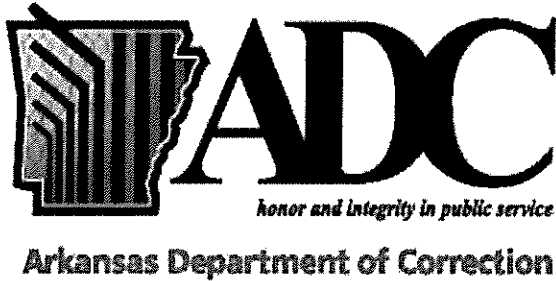
2. Level II - Minimum of Sixty (60) Days in Length

- Hand Restraints for movement within cellblock and/or housing area, including for programming. Must be escorted in full restraints for movement outside of cellblock or housing area.
- Minimum of ninety (90) minutes of out of cell in restraints, seven (7) days a week to include a minimum of one (1) hour of Programming five (5) days a week.



- Classification committee will begin reviewing and make recommendations for small (2-4 inmates) restrained congregate activity (games/meals/recreation) to be approved per Warden and/or designee.
  - Commissary/canteen - \$25/weekly worth of items can be purchased from Commissary including hygiene items. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
  - Recreation – Minimum of ninety (90) minutes, seven (7) days a week.
  - Classification Committee may allow the recreation time to be in groups – *examples include*, allowing one recreation period a week with another inmate, or allowing daily recreation with up to four (4) inmates.
  - Showers – Three (3) times a week (Cuffed behind the back and escorted, no leg restraints).
  - Phone – Three (3) days per week phones should be activated – one call per each of those three (3) days
  - Access to attorney of record via legal mail and telephone.
  - Meals in cell or small rotating groups (2-4 inmates) in Dayroom and/or dining area if applicable
  - Visits – Two (2) non-contact and as many video visits as class status allows per month.
  - Library Services - (2) books and/or magazines per week; Access to law materials upon request and in accordance with unit policy.
  - Self-Help and educational materials permitted.
  - Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.
3. Level III - Minimum of Ninety (90) Days in Length. Inmates must be Class I or II.
- Classification Committee may approve unrestrained movements (4-8 inmates) in unit with staff present.
  - Recreation – Minimum of ninety (90) minutes, seven (7) days a week.
  - Classification Committee may approve unrestrained group programs (up to 8 inmates) and activities such as meals in dayroom or dining facility, recreation, programming, group activities.
  - In-Unit rotating job assignments as assigned and recommended by Unit Classification Committee and approved by Warden and/or designee (Janitorial).
  - Restrained behind the back and escorted outside of unit/cellblock with no leg restraints.
  - Commissary/canteen - \$35/weekly worth of items can be purchased from Commissary including hygiene items. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
  - Recreation – Minimum of ninety (90) minutes, seven (7) days a week

- Classification Committee may allow group recreation – For example, one (1) recreation period a week with another inmate, or daily recreation with up to four (4) inmates.
  - Showers – Three (3) times a week (no restraints).
  - Phone – Four (4) days per week phones should be activated-one call per day each of those four (4) days
  - Meals in cell or small rotating groups (up to 8 inmates) in Dayroom and/or dining area if applicable
  - Access to attorney of record via legal mail and telephone.
  - Visits – Two (2) non-contact and as many video visits as class status allows per month.
  - Library Services – Three (3) books and/or magazines per week; Access to law materials upon request and in accordance with unit policy.
  - Self-Help and educational materials permitted
  - Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.
4. Level IV - May be Long-Term if Transfer or Assignment to General Population is not approved.
- Unrestrained movement (up to twelve (12) inmates) in unit with staff present
  - Unrestrained group programs (up to twelve (12) inmates) and activities such as meals in dayroom, recreation, group activities
  - Continue in Unit rotating job assignments (Janitorial)
  - Unrestrained in unit movement to recreation/programming with staff present
  - Commissary/canteen - \$75/weekly worth of items can be purchased to include hygiene items. Items not allowed include ice cream, razors, sharp objects, canned items, and others as designated in writing by unit policies.
  - Recreation – Ninety (90) minutes a day, seven (7) days per week.
  - Showers – Same as general population
  - Phone – Same as general population
  - Access to attorney of record via legal mail and telephone.
  - Meals in rotating groups up to twelve (12) inmates in dayroom and/or dining facility if applicable
  - Visits – Four (4) non-contact/video visits per month or as class status allows.
  - Self-Help and educational materials permitted
  - Library Services – Same as general population; Access to law materials upon request and in accordance with unit policy.
  - Radio/MP4/Tablet – Devices permitted and additional personal property allowed by unit policy.



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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Use of Force

**NUMBER:** ~~16-19-16-55~~

**SUPERSEDES:** ~~15-1816-19~~

**REFERENCE:** AR 409 Use of Force; AR 410 Use of Chemical Agents and Other Non-Lethal Weapons; AR 411 Use of Audio Visual Equipment; AD 2014-17 Electronic Control Devices;

**APPLICABILITY:** All Employees and Inmates

**Page:** 1 of 6

**APPROVED:** Original Signed by Wendy Kelley

**EFFECTIVE DATE:** 6/10/2016

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**I. POLICY:**

The Arkansas Department of Correction will train all security personnel and others as designated by Administrative Directive or by the Director, in the permissible use of force to ensure that force is only used to the degree necessary to maintain order and discipline, and to ensure the safety of persons and the security of operations.

**II. EXPLANATION:**

The use of force is sometimes necessary in a correctional environment to maintain safety and security; therefore, the following procedures will be followed:

**III. DEFINITIONS:**

Deadly Force: Any force that under the circumstances is readily capable of causing death or serious physical injury.

Non-deadly Force: Any force that is not deadly.

**IV. PROCEDURES:****A. Authorized Use of Non-deadly Force**

Non-deadly force may be used when necessary in order to restrain, maintain or regain control of an inmate(s) with a minimum of injury to staff, inmate(s) and others.

Non-deadly force is authorized for use in, but not limited to the following situations:

1. Preventing escapes
  - a. To prevent an inmate from escaping custody of the Arkansas Department of Correction.
  - b. To prevent any person from aiding or abetting the escape of an offender.
2. To prevent unauthorized entry into an institution, property, or work area by any person.

3. Protecting individuals

Employees may use force to protect themselves or any person from reasonably foreseeable injury by an inmate or others in the performance of their official duties.

4. Protection of property

An employee may use non-deadly force to prevent damage to property by an inmate or others if no alternative method of persuasion is effective.

5. Compelling compliance with orders

In ordinary day-to-day correctional situations, employees may use non-deadly force to compel an inmate to comply with lawful orders when other methods of persuasion are not effective and noncompliance jeopardizes safety and security of the institution.

6. Assisting other law enforcement agencies.

B. Levels of Force

Only that amount of force necessary shall be used to restrain, regain or maintain control of an inmate.

The level of force used by staff shall be directly related to the amount of force used by the inmate. Force shall not be used as a means of punishment.

C. Use of Chemical Agents and Other Control Devices

If the use of non-deadly force is authorized, chemical agents, irritants or other non-deadly control devices may be used.

1. Definitions:

- a. Chemical agents may be various types of agents or irritants, as approved for use by the Director or designee.
- b. Control devices such as less lethal munitions, batons, electronic restraints (i.e., Stun Shields, RACC belts, tasers, stun guns, or other electrical weapons).

2. Determination of Authorized Use:

- a. If circumstances allow, before any chemical agent/irritant or other control device is used, the subject shall be informed that these devices will be used unless he/she complies with orders.
- b. Only employees who have received training approved by the Arkansas Department of Correction Training Academy shall be permitted to use chemical agents/irritants or other control measures such as electronic control devices or restraints. This training shall include scenario-based training.
- c. For planned use of force, situations that are non-emergency in nature, chemical agents and/or electronic control devices or restraints are not to be utilized to manage inmates who are classified in electronic Offender Management System eomis (eOMIS) under health classification as a mental health code 3 or higher without first-consulting mental health staff.

- d. For planned use of force situations that are non-emergency in nature, chemical agents and/or electronic restraint devices are not to be utilized to manage inmates with known Coronary Artery Disease, implanted pacemaker or defibrillator, without first consulting medical staff.
- e. Electronic restraints or control devices are not to be utilized to manage pregnant inmates.
- f. Electronic control devices may not be used in situations when an inmate is restrained and non-combative or nonresistant. Justification for its use must be generally to restore control of the inmate. In other words, inmates must pose a physical threat to him/her or another person before use of electronic control devices are justified. Inmates who disobey direct orders in a non-violent, non-threatening manner shall not be subject to the use of electronic control devices.

D. Use of Deadly Force

1. The Director or designee may authorize an employee to carry firearm(s) in the course of employment duties.
2. No employee may carry a firearm until they have successfully completed firearms training and/or met annual certification standards as required by the Arkansas Department of Correction policy.
3. An employee may use deadly force only to:
  - a. Prevent foreseeable death or serious physical injury to any person, to include while authorized by the Director or Director's designee while assisting other law enforcement agencies designee.
  - b. Prevent escape
    - In fenced institutions, the employee may assume an escape is in progress if the inmate begins to climb over, go through, or crawl under the interior fence.
    - In non-fenced institutions or where no fence exists, including, but not limited to outside work crews and transporting of inmates, an employee may assume an escape is in progress when the inmate has left or

is attempting unauthorized leave of his/her assigned area.

Prior to the discharge of a firearm, the employee should, if time and circumstances allow, issue a loud and firm verbal warning directing the inmate to cease his/her actions and comply with orders. Warning shots are not required, but may be fired if it can be done safely and under circumstances where no person is at risk. If the inmate does not cease his/her actions, the employee may shoot to stop. Only non-deadly physical force may be used if the officer knows or reasonably should know that the escapee has been convicted of only a misdemeanor, or is a detainee, except to prevent reasonably foreseeable death or serious physical injury to any person.

NOTE: When any firearm is discharged, a Firearm Discharge report shall be completed. (See Attachment – Page 7) The Warden, Chief Deputy Director and the Emergency Preparedness Coordinator shall all be notified of the firearm discharge.

E. Documentation

1. All instances of use of force against any person shall be reported in writing, using the appropriate incident reporting form(s), to the Warden/Center Supervisor as soon after the incident as is possible.
2. Every employee who uses or observes force being used against any person shall complete an incident report. Failure to document any such occurrence may result in disciplinary action against the employee.
3. All documentation of each use of force shall be entered into eOMIS by the appropriately trained personnel and properly referred before the completion of the shift.
4. All reports prepared concerning the use of force shall be retained for the amount of time prescribed in the Department's record retention policy. These reports may include, but are not limited to all inmate violation reports, medical reports, statements of witnesses, the summary and recommendations by the Warden/Center Supervisor.

5. Any Employee of the Department of Corrections involved in any serious incident where deadly force has been used against another person or persons may be placed on Administrative Leave with pay status at the discretion of the Director. The leave shall continue until the Director deems appropriate to return the employee to duty

F. Use of Recording Equipment

1. The use of recording equipment is permitted to accurately record an incident in which force is employed.
2. The Warden/Center Supervisor of the unit/facility is responsible for the establishment of procedures for the use of audio-visual recording equipment.
3. Any recordings containing recorded use-of-force incidents will be labeled for identification and forwarded by the Warden/Center Supervisor to the appropriate Deputy/Assistant Director, along with all use of force reports and any other documentation. These recorded incidents will also be included in the unit's monthly serious incident report.
4. The Deputy/Assistant Director will review the reports of each incident, including recordings. The materials will then be forwarded to the Internal Affairs Division for review. The Compliance Administrator may review the reports and recordings with the permission of the Director. If the need for such procedure is determined by the Warden/Center Supervisor, Deputy/Assistant Director, or Director, Internal Affairs will follow its review with an investigation.
5. The entire report, including written material and recordings will be filed and maintained by the Internal Affairs Division.
6. Recordings containing use of force incidents must be kept on file for time prescribed in the Department's record retention policy. Appropriate Staff wishing to review these recordings must receive written approval by the appropriate Deputy/Assistant Director.



FIREARMS DISCHARGE REPORT

UNIT: \_\_\_\_\_

REPORTING PERIOD: \_\_\_\_\_

This report will be filled out in triplicate and filed immediately with the office of the Assistant Director, Institutional Services.

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

LOCATION: \_\_\_\_\_

TYPE OF AMMO FIRED:

-	-	-	-	-	-	-	-
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NUMBER OF ROUNDS FIRED:

-	-	-	-	-	-	-	-
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SUMMARY: \_\_\_\_\_

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REVIEWED & APPROVED BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

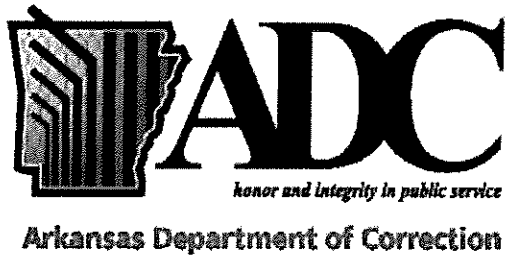
TO BE FILLED OUT BY THE WARDEN

\_\_\_\_\_ I am aware of the above report, and to the best of my knowledge, no violation of regulations has occurred.

\_\_\_\_\_ Did not comply with regulations; action taken.

Warden: \_\_\_\_\_

cc: Board Report; Warden;  
 Unit Ammunition Officer;  
 Assistant Director/Institutional  
 Services; and Emergency  
 Preparedness Coordinator



PO Box 8707  
Pine Bluff, AR 71611-8707  
Phone: 870-267-6200  
Fax: 870-267-6244  
www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Inmate Disciplinary Manual

**NUMBER:** ~~16-5417-08~~  
1117-01

**-SUPERSEDES:** ~~16-~~

**APPLICABILITY:** Inmates and Staff

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

**PAGE:** 1 of 39

**APPROVED:**

**EFFECTIVE DATE:** ~~12/16/2016~~ 02/08/2017

- 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. **EXPLANATION:** 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; ~~and~~
  - D. blatant forms of partiality which can result from prior knowledge, involvement, bias, or personal interest in a particular case ~~is-are is 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. Warden's are responsible for ensuring Serving Officers are properly trained and will designate an officer to be trained to handle the minor disciplinary's.
- B. Disciplinary Hearing Officer – conducts hearings on Major Disciplinary's 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 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's 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 sex organs for gratification or pleasure.
- J. Masturbation – manipulating one's genitals sex organ 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. ~~A~~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. ~~When video conferencing is unavailable at units~~ The Disciplinary Hearing Officer(s) assigned to the Randall L. Williams Correctional Facility will conduct hearings at these 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, servicing 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 ~~a~~ Minor Disciplinary Officers (~~s~~) and ensure that such officers ~~officers e-officer(s) is~~ 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 failure 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. AB
- 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. AB
- 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**. AB
- 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 A

one (1) calendar year of the privilege to purchase or possess any item which was used as a weapon, for one (1) calendar year.

- 04-8. **Battery** – Use of physical force upon an inmate. A
- 04-17. **Throwing or attempting to throw substances,** A  
known or unknown, toward or upon another person.  
Rule violation may result in loss of all good time.
- 04-18. **Aggravated Battery** upon inmate –Use of weapon in A  
a battery upon another inmate. Rule violation  
may result in the loss of all good time.

### ASSAULT CATEGORY

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

### THEFT, DESTRUCTION OF PROPERTY OR EXTORTION CATEGORY

- 06-1. **Demanding/receiving money or favors** or anything A  
of value in return for an offer/promise of  
protection from others ~~of bodily harm~~, or  
to keep information secret.
- 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 B  
**property** of another or the Department.
- 08-6. **Adulteration of any food(s) or drink(s)** with A  
intent to harm others. Rule violation may result in the  
loss of all good time.
- 08-7. **Setting a fire** or destruction or **tampering** A  
**with fire detection** or suppression device.

### POSSESSION/MANUFACTURE OF CONTRABAND CATEGORY

- 09-1. Possession/introduction of any firearm, A  
ammunition, weapon, fireworks, explosive,



unauthorized combustible substance, or unauthorized tool. Rule violation may result in loss of all good time.

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|--------|--|---|
| 09-3.  | Possession/introduction/manufacture of any drug, narcotic intoxicant, tobacco, chemical, OR drug paraphernalia not prescribed by medical staff.  | A |
| 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. <b>Rape or forced sexual act</b> with/on an inmate. Rule violation may result in the loss of all good time. (PREA)  | A |
| 04-19. <b>Rape or forced sexual act</b> 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 12-1, 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 and/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. ~~When available~~ When available 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 by 6:00 p.m. the following Thursday assuming there were no holidays. ~~Disciplinary should be tried between 6:00 a.m. and 6:00 p.m. whenever possible.~~

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 ~~1~~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 ~~1~~60 days.
- 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.
- 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 ~~1~~150 days.
- b. Loss of designated privileges up to ~~1~~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.
  - g. Reduce up to two (2) steps in class.
3. Penalty Class "C"\*
- a. Loss of earned credits up to ~~1~~60 days.
  - b. Loss of designated privileges up to ~~1~~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.
  - 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 ~~in~~ 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, ~~the 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 Officers are-is to make his/her their decision based solely upon the evidence presented to them in disciplinary court and is/are 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) ~~Minor disciplinary reports~~ 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. ~~The Minor Disciplinary Officer shall not sentence any inmate to punitive isolation, nor shall the Minor Disciplinary Officer reduce the accrued "good time" or class status of an inmate.~~
- 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

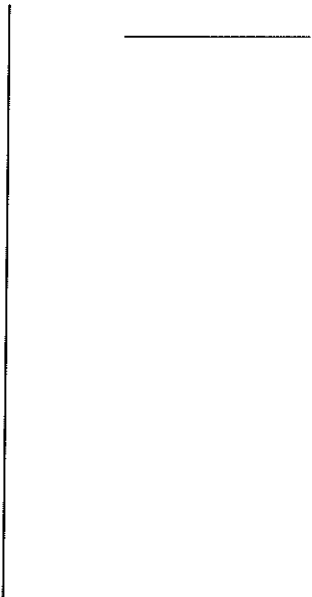
1. Each Unit Warden of the Department shall establish and designate a Minor Disciplinary Officer to hear and dispose of any and all minor infractions of institutional rules and regulations.
2. The Minor Disciplinary Officers at each unit shall be nominated by the Chief Security Officer of the Building 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 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 Disciplinary 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)

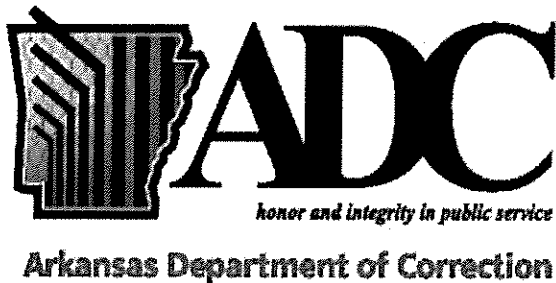
Loss of Privilege \_\_\_\_\_  
(Describe Briefly)

Warning & Reprimand \_\_\_\_\_  
(Describe Briefly)

Not Guilty \_\_\_\_\_  
Disciplinary Hearing Officer

Hearing Date/Time \_\_\_\_\_

Date Penalty Served \_\_\_\_\_ Shift Supervisor \_\_\_\_\_



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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** ADC Employee Awards Program

**NUMBER:** ~~10-2416-xx17-09~~  
98-0510-24

**SUPERSEDES:**

**APPLICABILITY:** Board of Corrections; ADC Employees/Agents, School District  
Employees/Agents, Riverside Vo-Tech Employees/Agents

**REFERENCE:** AR 225 Employee Conduct Standards PAGE 1 of 4

**APPROVED:** Original signed by ~~Ray Hobbs, Director~~ Wendy Kelley **EFFECTIVE DATE:**  
~~09/10/2010~~ 01/21/2017

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### I. POLICY:

The Arkansas Department of Correction (ADC) recognizes the value of employee recognition to recruitment and retention efforts, as the overall success of the agency is dependent on the efforts of its employees. Therefore, it is the policy of the Department of Correction to recognize meritorious and dedicated service through a program of annual service and meritorious awards.

### II. EXPLANATION:

A. **DIVISION/UNIT AWARDS:** Administrators and Wardens/Center Supervisors are responsible for administering Division, Operation or Institutional level individual recognition awards on an annual basis. As may be applicable for the area of operation, awards, as further detailed in Section III should include but not be limited to, the following:

1. **EMPLOYEE OF THE YEAR:** Individuals employed by, or an agent of, the Arkansas Department of Correction are eligible for this award.

2. **CORRECTIONAL OFFICER OF THE YEAR:** Correctional Officers supervising ~~fewer~~ less than two full-time employees and performing supervisory duties less than 51% of the time are eligible for this award.
3. **SUPERVISOR/ADMINISTRATOR OF THE YEAR:** Eligible individuals supervise the equivalent of two or more full-time employees and perform supervisory duties at least 51% of the time.
4. **CORRECTIONAL SUPERVISOR OF THE YEAR:** Correctional Officers supervising the equivalent of two or more full-time employees and performing supervisory duties at least 51% of the time are eligible for this award.
5. **SERVICE AWARDS:**—ADC supports the statewide program providing recognition for total years of service. All employees shall receive a Certificate of Recognition inclusive of all state service at ~~increments of no less than five (5) years~~ increments of no less than three (3) years and again at five (5) years of service. Beginning with five (5) years of service, and all employees shall receive a Certificate of Recognition at increments of each five (5) years thereafter. ~~The Human Resources Division~~ Central Human Resources will assist each area in determining service awards and will provide applicable Certificates of Recognition upon request. (Note: The Arkansas Correctional Industries Program will provide upon request a recognition plaque for employees achieving thirty (30) years of service.)
6. **DEPARTMENT-WIDE AWARDS :-** The ADC Director and Chairman of the Board of Corrections, as applicable, will administer department-wide awards for which all employees are eligible. These awards include:
  - DIRECTOR'S OUTSTANDING SERVICE AWARD
  - WARDEN OF THE YEAR AWARD
  - DEPUTY/ASSISTANT WARDEN OF THE YEAR AWARD
  - ADMINISTRATOR'S AWARD – Note: This award may be given as merited by Division Administrators/Wardens/Center Supervisors.
  - CITATION OF EXCELLENCE – Note: This award may be given as merited by the ADC Director.

~~BOARD OF CORRECTIONS MERITORIOUS SERVICE AWARD  
DIRECTOR'S OUTSTANDING SERVICE AWARD~~

~~WARDEN OF THE YEAR AWARD~~

~~DEPUTY/ASSISTANT WARDEN OF THE YEAR AWARD~~

~~ADMINISTRATOR'S AWARD~~

~~(This award may be given as merited by Division Administrators/Wardens/Center Supervisors)~~

~~CITATION OF EXCELLENCE~~

~~(This award may be given as merited by the ADC Director)~~

BOARD OF CORRECTIONS MERITORIOUS SERVICE AWARD

**III. PROCEDURES FOR AWARDS:**

- A. Each Division/Unit's Employee Awards Programs shall include:
1. Establishment of an appropriate award selection format;
  2. Determination of time and method of presentation of awards;
  3. Identification of eligible employees as defined in ~~€~~ below; paragraph 9 below;
  4. Recognition of employees for specific contributions and achievements;
  5. Ensuring equity in the distribution of awards;
  6. Obtaining awards; and;
  7. Notifying Director and Management Team in advance of awards presentations to request attendance.
  8. An employee awards committee may be utilized to announce and collect nominations from staff for various awards. The Director may appoint an employee awards committee for central administrative operations. Division Administrators and each Warden/Center Supervisor may appoint the committee for the operation that he/she supervises. If committees are utilized, they will be appropriate to the size of the operations (usually at least five members) and be broadly representative of the staff.

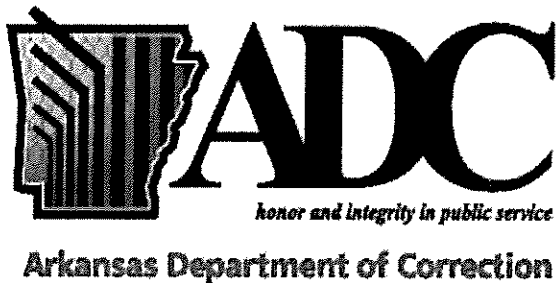
9. Unless otherwise determined by the Director/Board of Corrections, nominees for awards must have one (1) year of active service in the Department prior to nomination. Nominees must not be on probation or received any disciplinary actions within the past three years. The supervisor of each nominee will determine whether the nominee meets the eligibility criteria prior to the announcement of nominations. The supervisor's decision on eligibility shall be final, and the reason(s) for ineligibility shall remain confidential. Considerations for nominees should include, but not be limited to:
  - Efforts to advance the mission and achieve goals of ADC
  - Setting an example of excellence in service
  - Having an exemplary attendance record
  - Exhibiting outstanding performance of assigned duties
  - Assisting others to do their jobs better
  - Improving services provided by the department
  - Applying innovation or creativity to job duties
  - Seeking training opportunities and developing new job skills
  - Keeping a consistently positive attitude despite work demands
  - Accomplishing savings in cost and/or time
10. Department-wide awards will normally be announced at the December meeting of the Board of Corrections. Central Administration/Unit/Center awards will be announced at an appropriate awards ceremony as determined by the Director/Administrator/Warden/Center Supervisor. Institutions are encouraged to schedule annual awards to coincide with National Correctional Officers Week usually dedicated as the first full week in May of each year.
11. Each Division/Unit shall notify, by electronic mail, Central Human Resources and the Public Information Officer/Employee Newsletter Editor of the schedule for awards ceremonies and provide a list of recipients following ceremonies. Each Division/Unit shall also post notification of all awards on Spotlight - the ADC Internal Website.
12. Central Human Resources will routinely provide each Division/Unit reminders during the year to schedule award ceremonies, offer assistance as may be applicable, and provide the ADC Director and Board of Corrections a report at the end of each calendar year listing the ceremonies held and the award recipients for each Division/Unit. Central Human Resources will also coordinate a statewide event to recognize all Division/Unit award recipients as may be appropriate.

13. Other administrative units of the Department may present awards and/or organize award ceremonies as may be approved by the applicable Administrator/Warden/Center Supervisor.

**IV. AWARD CEREMONIES/PROCUREMENT OF AWARDS/GIFTS:**

No agency funds may be utilized to hold award ceremonies, purchase awards or provide gifts for employees. Employee Associations of the ADC are authorized and encouraged to finance the various award functions and solicit donations in accordance with established policy. Awards may be subject to tax. Employees shall be responsible for determining whether or not awards are taxable, in accordance with IRS tax regulations.

~~10-24~~  
~~10Sept10~~



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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Institutional Visitors Protocol

**NUMBER:** ~~13-53-17-10~~

**SUPERSEDES:** ~~01-0713-53~~

**APPLICABILITY:** All Units and Departmental Staff

**REFERENCE:** ~~Administrative Regulation 865~~ — AR-865 Visitation      **PAGE:** 1 of 2

**APPROVED:** Original signed by ~~Ray Hobbs~~ — Wendy Kelley      **EFFECTIVE**  
**DATE:** ~~11/22/2013~~ 01/20/2017

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### I. POLICY:

It is the policy of the Arkansas Department of Correction (ADC) that any visitors or employees not assigned to a specific unit/center shall be escorted at all times while inside the unit/center.

### II. EXPLANATION:

All units receive many visitors for many purposes in any given day. It is essential that a policy be implemented so as to maintain the security of the unit, while at the same time ensuring that the business of the unit runs smoothly.

### III. PROCEDURES:

A. Upon advance notice to the Warden/Center Supervisor, arrangements will be made for an appropriate escort. If security warrants, the Warden/Center Supervisor may make exceptions.

B. All visitors, whether employees of the Department of Correction or others, will check in at the PBX/front check point and go through the following check-in procedure:

a.          Visiting Department of Correction Personnel



- i. 1. Visiting Department of Correction personnel will advise the check-in officer where in the unit they desire to go.
- ii. 2. The PBX/check-in officer will then check the identification badge of the Department person and then check with the division head in the area that the person wishes to visit.
- iii. 3. Once the division head clears the employee, a color-coded card will be issued to the visitor.
- iv. 4. All Non-Unit Department of Correction employees will be escorted at all times unless specifically approved by the Warden/Center Supervisor.

iv.

## b. Non-Department of Correction Persons:

- i. 1. A Non-Department of Correction person who wishes to enter a unit/center must be properly identified and registered at the PBX/check-in point.
- ii. 2. The check-in officer will then contact the Warden/Center Supervisor for clearance of the individual to be approved.
- iii. 3. The visitor will be met at the PBX/check-in point by the division head or his designee who will escort the visitor while in the unit/center.
- iv. 4. Prompt attention must be given to Board of Corrections members and visitors from the Attorney General's Office, Governor's Office, Parole Board and those from the law enforcement community.



Arkansas Department of Correction

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## ADMINISTRATIVE DIRECTIVE

SUBJECT: Records Retention

NUMBER: ~~13-93~~-17-07

SUPERSEDES: ~~09-52~~13-93

APPLICABILITY: ADC All

REFERENCE: AR 100 Series/AR 804

PAGE: 1 of 43

APPROVED:

EFFECTIVE DATE: 11/22/2013

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### I. POLICY:

It shall be the policy of the Arkansas Department of Correction (ADC) to maintain a system of records that complies with the State Records Retention Act and documents important features of departmental and facility operations.

### II. EXPLANATION:

#### A. Common State Records

The Arkansas General Records Retention Schedule sets forth the minimum retention requirements of records commonly found in state government. It is not intended to require the creation of such records but rather establishes minimum retention requirements for records created or retained by a state agency. This schedule does not govern the retention of records that are unique to individual agencies (See **I.B. – ADC Specific Records**).

The records within this schedule are organized into the following seven record categories: 1) General Administrative; 2) Meetings; 3) Automated Systems; 4) Personnel and Human Resources; 5) Fiscal; 6) Legal, and 7) Grants. These categories are logical in nature and are not intended to establish any requirement for physical organization or operational handling, other than the specified retention periods. The name of a record category may or may not correspond to the area or section of an agency that handles the record.

The retention periods established in the schedule attached to this directive are minimum retention periods. They are not intended to prevent individual agencies from establishing

longer retention periods for any of their records. Regardless of the minimum retention periods stated within this schedule, an agency may determine any of its records may be of permanent value to agency operations, may have external requirements for perpetual retention, or may be useful for the study of history. Such records should be kept permanently. Should any differences in retention periods be found between this schedule and state or federal law, the applicable law will take precedence.

The retention periods of this schedule apply only to the official version of a record. Duplicates of the official version have no retention requirements under this schedule, even if the duplicates are found in different media.

In some cases, this schedule provides examples for record types in order to help agencies identify records. Such examples are not intended to be all-inclusive.

*This retention schedule addresses all record formats and media (i.e. electronic, paper, microfiche, etc.). The minimum retention requirement is determined by content, not by format or media.*

The Arkansas General Records Retention Schedule will be maintained and updated as may be required by the Arkansas Records Retention Workgroup. The Workgroup is composed of approximately 80 members from Arkansas state agencies and is facilitated by a member of the Office of Information Technology. The ADC Policy Coordinator will be required to make changes to the Common Agency Record Retention Periods when the Arkansas Records Retention Workgroup makes changes.

In some cases, ADC has determined to retain Common Agency Records for a longer period than state law requires. In these cases, a notation has been made following the minimum retention period for Common Agency Records.

#### B. ADC Specific Records

Non-Common Agency Records are utilized by ADC specific to the agency to sufficiently document the operational status of facilities, administrative and security operations, and services offered to inmates. A schedule of retention is therefore needed in order to maintain consistency throughout ADC for the maintenance of these records in addition to Common Agency Records maintained in accordance with state law.

Records within the attached schedule are organized into categories that correspond to the seven (7) categories for Common Agency Records noted in **I.A** above and include additional Agency Specific record categories for the following: Work Release Program, Inmate Medical/Mental Health/Treatment, Food Services, Chaplaincy, Classification & Intake, Unit Operations, Farm Operations, and Industry Operations. Changes to Agency Specific Retention Schedule shall be submitted to the ADC Policy Coordinator in accordance with agency policy for submitting changes.

### III. PROCEDURES:

All ADC records governed by state and agency policy will be maintained and disposed of in accordance with the records retention schedule contained within this directive.

A. Utilization of Forms

1. The applicable Deputy/Assistant Director over a division shall approve all forms/records utilized and the applicable retention period for Agency Specific records.
2. When a policy/procedure is developed that requires the use of a form that constitutes an ADC Specific Record, the retention period and method of disposal once retention requirements are met should be specified within the procedure, and the Policy Coordinator notified to add the form to the retention schedule.
3. Development of all new forms should also be forwarded to the ADC Forms Coordinator. Printing of additional forms shall also be coordinated through the Forms Coordinator.

B. Management/Storage of Hard Copy Documents

1. Each unit/facility/office shall appoint an employee who shall be responsible for the retention and disposal of documents maintained in accordance with state law and ADC policy. Human Resources shall schedule training for ADC employees to ensure compliance with state and agency policy. A record will be kept of those documents destroyed.
2. Stored documents shall be placed in a designated storage area and clearly labeled.
3. A destruction date shall be clearly noted on each storage box.

C. Management/Storage of Electronic Documents

1. ADC utilizes technology to conduct business that results in both common and agency specific records. Sources of electronic records range from workstation applications such as word processing, spreadsheets, presentation and e-mail as well as various records created by other agency-specific applications, e.g., eOMIS, Inmate Banking, etc. Such records must be maintained in accordance with state law and agency policy.
2. E-mail Messages – Electronic mail has become the most common form of general communications for ADC, and as such, employees must take care to maintain electronic files for these records in accordance with their applicable retention period. Specifically, ADC employees are responsible for:
  - Managing e-mail messages the same as they do for other records.
  - Organizing their e-mail messages so they can be located and used as may be required.
  - Using the state retention law and ADC policy on retention to identify how long e-mail messages must be kept.

- Ensuring that e-mail messages are accessible for the duration of applicable state or federal retention schedules.
  - Deleting messages in accordance with the Arkansas General Records Retention Schedule and ADC Policy.
3. ADC's Office of Information Technology will provide a framework that allows for capturing, archiving and accessing electronic records for their full retention period. ADC Human Resources shall schedule training for ADC employees to ensure compliance with state law and agency policy for the retention of electronic records.

|

**Records Retention Schedule  
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The Arkansas General Records Retention Schedule

**General Schedule (GS) 01 ~ General Administrative Records**

This category includes records regarding state agency policies, activities and actions, including information releases, public information, office files, and requests for information.

The following record retention periods reflect the retention and disposition of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the official version or scheduled separately if a different retention is required.

Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

Record Number & Category Title	Description	Minimum Retention Period
<p><b>GS 01001</b> Agency Directives, Internal Policies and Procedures</p>	<p>Manuals, general guidelines, or similar records distributed internally for the use of employees that sets out agency policies and procedures and do not affect the private rights or procedures available to the public Any agency record that officially initiates, rescinds, or amends internal policies or procedures that are applicable to Arkansas agencies, boards, commissions</p>	<p>Until superseded plus 3 years</p>
<p><b>GS 01002</b> Complaint Records</p>	<p>Formal complaint documents received by an agency from the public concerning general operations of the agency or its employees, and records pertaining to the resolution of the complaint</p>	<p>3 years after the final disposition of the complaint <i>If a complaint becomes the subject of litigation, which involves the agency receiving the complaint, it must be included in and is subject to the minimum retention period of a litigation record - Refer to GS 06006 within this schedule.</i></p>
<p><b>GS 01003</b> Correspondence – Substantive</p>	<p>Communication that has significant administrative value and pertains to the implementation or modification of an agency's administrative operations, rules, or policies and procedures that govern the agency. Examples include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>- Correspondence record that announces reports, decisions, or recommendations implemented in agency business</li> <li>- Correspondence that is essential to supporting a final decision related to the formulation, implementation or modification of an agency's administrative operations, rules, procedures, or policies</li> <li>- Executive-level correspondence record regarding state agency policies and procedures</li> <li>- Executive-level correspondence record announcing a new internal policy to agency staff</li> </ul> <p><i>Note: An attachment or enclosure within a correspondence record should be evaluated separately for its respective retention period.</i></p>	<p>4 years This records category should be used only for correspondence that is not included in or directly related to another records series in this schedule <i>Note: Retention of E-mail correspondence is decided by the CONTENT not the medium of the record.</i></p>
<p><b>GS 01004</b> Correspondence – Non-Substantive</p>	<p>Communication that conveys information of temporary business importance or unremarkable communication concerning day-to-day office administration and activities. Examples include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>- Correspondence that includes information not attempting to influence state policy</li> </ul>	<p>Record may be destroyed after it has served its intended purpose or is no longer of administrative value to the agency <i>Note: Retention of E-mail correspondence is decided by the CONTENT not the medium of the record.</i></p>

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
	<ul style="list-style-type: none"> <li>- An e-mail message sent to a large number of people, at the same time, via an e-mail distribution list software application (i.e. listserv message).</li> <li>- Agency event notices                             <ul style="list-style-type: none"> <li>o A correspondence record notifying employees of an upcoming meeting would only have value until the meeting has been attended or the employee receiving the message has marked the date and time in his/her calendar</li> </ul> </li> <li>- Routine requests for publications records</li> <li>- Incoming letters or memoranda of transmittal that add nothing of substance to enclosures</li> </ul> <p><i>Note: An attachment or enclosure within a correspondence record should be evaluated separately for its respective retention period.</i></p>	
<b>GS 01005</b> News or Press Releases	News or press release issued by the agency	1 Year (ADC Requires 3 years)
<b>GS 01006</b> Publications, State	A record that is produced by the authority of or at the total or partial expense of a state agency or is required to be distributed under law by the agency and is publicly distributed. One copy of each state publication as defined above except a publication that is subject to a different retention period in this schedule. For example, information pamphlets or booklets.	<ul style="list-style-type: none"> <li>- Until the release of the next part in a series (i.e. serial publications issued in successive parts bearing numerical or chronological designations).</li> <li>- If the publication is not part of a series: Until it has served its intended purpose.</li> <li>- Consistent with Arkansas Code Annotated: § 13-2-201</li> <li>- Copies of state publications must be submitted to the Arkansas State Library for document types and exemptions. The Arkansas State Library retains copies of all state publications as the State Document Depository and the State and Local Government Publications Clearinghouse. Publications are subject to periodic evaluation to determine if the publication merits further retention.</li> </ul>
<b>GS 01007</b> Presentations	Formal presentations delivered by the agency	1 year
<b>GS 01008</b> Papers and Reports	Papers or reports as published by the agency	4 years (ADC Research & Planning to keep Annual Reports for in-house library indefinitely)
<b>GS 01009</b> Training Materials	Instructional materials developed by, or for, an agency for training entities or individuals it regulates or serves	1 year after updated or after it has served its intended purpose
<b>GS 01010</b> Strategic Plans	Agency/division strategic plans which would also include, but not be limited to, Disaster Preparedness/Recovery Plans, Business Continuity Plans, and Information Technology Plans	Until plan is replaced by an updated version plus 1 year.



**General Schedule (GS) 02 ~ Meeting Records**

The agency, board or commission that is in charge of the meeting is the party responsible for retaining the meeting records described in this section.

The following record retention periods reflect the retention and disposition of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the official version or scheduled separately if a different retention is required.

Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

**General Schedule (GS) 03 ~ Automated System Records**

Record Number & Category Title	Description	Minimum Retention Period
GS 02001 Meeting - Agenda and Minutes of Governing Bodies	<ul style="list-style-type: none"> <li>- Official agenda and minutes of public meetings</li> <li>- 'Public meetings' defined as set forth in the Arkansas Freedom of Information Act</li> </ul>	Permanent
GS 02002 Meeting - Notes of Governing Bodies	<ul style="list-style-type: none"> <li>- Official notes from which minutes are intended to be prepared of public meetings</li> <li>- 'Public meetings' defined as set forth in the Arkansas Freedom of Information Act</li> </ul>	4 years
GS 02003 Meeting - Supporting Documentation of Governing Bodies	<ul style="list-style-type: none"> <li>- Records received at public meetings of state agencies, boards, commissions, committees, and councils that include documentation of a substantive nature and are referenced in the minutes</li> <li>- 'Public meetings' defined as set forth in the Arkansas Freedom of Information Act</li> </ul>	1 year

Automated System Records include those that are generated or produced in support of the agency's information system operations.

The following record categories are supportive of the audit process of the Arkansas Division of Legislative Audit.

The following record retention periods reflect the retention and disposition of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the primary copy or scheduled separately if a different retention is required. Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
GS 03001 Data or Database Dictionary Documentation	Database and data file documentation, including, but not limited to, data dictionaries, metadata documentation, data element reports, diagram of logical data model, and any other database or data file documentation that could be used for reference material.	Until record is replaced by an updated version
GS 03002 Network Design Files	Records that describe the agencies' local and wide area network schematics, including, but not limited to, records containing network topology, circuit descriptions, types of network connections, cable ID map, and other relevant network design information	Until record is replaced by an updated version
GS 03003 Network and System Usage Files	<p>Records created to monitor the use of the agency's network traffic and system access by its customers or employees</p> <ul style="list-style-type: none"> <li>• System usage files would include, but not be limited to, user account log records and access authorization log files</li> <li>• Network usage files would include, but not be limited to, log-in records, security logs, router logs and firewall logs</li> </ul>	As long as administratively valuable to the agency
GS 03004 Support Services Files - Hardware	Records documenting support services provided to specific data processing equipment or installations, including site visit reports, program and equipment service reports, service histories, and related correspondence and memos	As long as administratively valuable to the agency
GS 03005 Systems and Applications Development Records	Records created and used to develop, redesign or modify an automated software system or application, including user requirements, status reports, correspondence, and high-productivity tool logic constructs used to generate such components as reports, queries, forms, and macros; user and operational documentation describing system operations, including system documentation records, user guides, system diagrams, and input/output specifications	Production copies until no longer useful for tracking system changes or until transfer of system data to a new operating environment
GS 03006 System and Database Backup Files	Records needed to restore a system and its data in the event of system or data loss	Until 3 successive backup cycles have been completed; OR until the agency deems they are of no more value
GS 03007 System Security Access Files	Records created to document users' access rights and privileges to data repositories or granting authorization to systems, applications or databases based on a unique user identity; this definition applies to mission-critical operations and financial applications that require monitoring and tracking to ensure the security of an enterprise's resources; records documenting general access given to a user to services such as active directory, file, print, email and network are not required to be retained unless there is significant security risk from unintended exposure	1 Year
GS 03008 Source Code	Production source code that generates the machine language instructions used to operate an automated information system, including all support program-related files needed to generate objects	The 3 most recent versions of production source code; there is not a requirement to keep source code for systems that are no longer in production or service

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
GS 03009 Computer Operation Documentation	Records concerning processes for data entry, the operation of computer equipment, production control, tape library, system backup, operation, and maintenance of an agency's data processing equipment, including operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems and other aspects of a data processing operation	Until record is replaced by an updated version

**General Schedule (GS) 04 ~ Personnel and Human Resource Records**

This category includes records of each state agency's employees, showing the name, title, position held, organizational assignment, salary, changes of employment status, attendance, leave, performance evaluations, and such other information or policies as may be necessary for the administration of rules pertaining to this category of records.

If a personnel record is the subject of litigation or other official action, the retention period listed within this schedule will be superseded and the record will be retained until such action has been finalized.

This section is not intended to govern compliance with federal employment laws such as Equal Pay Act, Fair Labor Standards Act, Family and Medical Leave Act, etc.

Note: The FOIA does not define the term "personnel records."

The following record categories are supportive of the audit process of the Arkansas Division of Legislative Audit.

The following record retention periods reflect the retention and disposition of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the primary copy or scheduled separately if a different retention is required.

Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

Record Number & Category Title	Description	Minimum Retention Period
GS 04001 Equal Employment Opportunity Plan	A plan that includes goals and objectives which delineates the steps an agency will take to provide equal opportunity within its workforce	Until plan is replaced by an updated version
GS 04002 Training and Education Records	Documents classes, meetings, and seminars for training or education purposes	4 years or as long as administratively necessary to the agency, whichever is greater
GS 04003 Discrimination Complaint Case Files -Charges Filed	Any charge of discrimination filed against the agency including all records of the charge	3 years or until final disposition of the charge or action, whichever is greater

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
GS 04004 Discrimination Complaint Case Files -Charges Not Filed	Any allegation of discrimination where a charge has not been filed	3 years from the incident report
GS 04005 Eligibility Verification Form and Records (1-9)	Documents that an employer has verified prospective employee / recruit is a U.S. citizen, resident alien or legal immigrant eligible to work in U.S., as required by U.S. Immigration and Naturalization Service	3 years after date of hire or one year after separation date, whichever is later (as required within The Immigration Reform & Control Act of 1986/PL 99-603, Sec. 274)
GS 04006 Employee Benefit Records	Documents pertaining to an employee's personal health information such as medical and dental benefit records	5 years after separation or until closure of unresolved personnel issues, whichever is greater
GS 04007 Employee Personnel Records	Records documenting an individual's employment, such as professional certification, promotions, evaluations, disciplinary actions, and security check records	5 years from the date of separation or until closure of unresolved personnel issues, whichever is greater
GS 04008 Employment History Records	Documents pertaining to an employee's length of service and pay-grade evidencing proof of service	Permanent
GS 04009 Employee Wage and Hour Records	Records pertaining to time and leave information	Until authorized by the legislative auditor
GS 04010 Grievance Records and Reports	Documents the proceedings of an employee grievance, including the initial complaint, actions, investigation, summary and disposition	3 years after closure
GS 04011 Position Classification and Description Files	Documents job description by a position or class of positions	Until superseded plus three years
GS 04012 Recruitment, Hiring, Interview and Selection Records	Documentation of recruitment, selection, hire, and promotion of employees. Includes position descriptions, job announcements and advertisements, selection criteria, evaluations, rankings, and employment applications of successful and unsuccessful applicants.	3 years from date position is filled or until final disposition of the charge or action, whichever is greater. (see U.S. Code 29 C.F.R. § 1602.31)
GS 04013 Unemployment Insurance Records and Reports	Documents payment or denial of unemployment claims.	5 years after case closure
GS 04014 Workers Compensation Accident Reports	Documents the occurrence of occupational injuries as reported to the Arkansas Workers Compensation Commission	3 years from date of injury
GS 04015 Workers Compensation Illness Reports	Documents the occurrence of occupational disease or occupational infection as reported to the Arkansas Workers Compensation Commission	6 years from the date incident occurred (refer to Arkansas Code Annotated: § 11-9-702)

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**Agency Specific Schedule (ADC) 04 ~ Personnel and Human Resource Records**

This category includes records that are specific to the operation of the Central Office Human Resources Office operations including maintenance of the Administration Annex East Building.

Record Number & Category Title	Description	Minimum Retention Period
ADC 04001 Uniform Destruction Report	D. Form used to document destruction of uniforms	1 year
ADC 04002 Monthly Uniform Report	E. Form used in accountability of uniforms received and issued	2 years
ADC 04003 Position Status Report	F. Report that documents filled and vacant positions in various areas	2 years
ADC 04004 Exit Interview Reports	G. Report used as compilation of individual exit interviews	3 years
ADC 04005 Individual Exit Interviews	H. Form used by separated employees to rate working environment	90 days
ADC 04006 Building Inspection & Corrective Action Reports-F.S.S.O. (Includes Fire Extinguishers, Emergency Lights and Smoke Detectors).	I. Form used to document inspection of building	1 year or until completion of current A.C.A. Audit period.
ADC 04007 Quarterly Fire Drill Report	J. Form used to document fire drill conducted during specific time periods	1 year or until completion of current A.C.A. Audit period
ADC 04008 Pest Control Monthly Inspection Report	K. Form that indicates performance of pest control action taken	1 year or until completion of current A.C.A. Audit period
ADC 04009 Inmate Safety Meeting	L. Form used to document meeting of safety related issues	3 years

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 04010 Key Log/Inventory	M. Form used to record and keep track of keys	1 year
ADC 04011 Monthly Ammunition Inventory	N. Form used for accountability of ammunition	3 years
ADC 04012 Monthly Batons Inventory	O. Form used for accountability of batons	1 year
ADC 04013 Monthly Chemical Agents Inventory	P. Form used for accountability of chemical agents	3 years
ADC 04014 Monthly Defensive Tactics Inventory	Q. Form used for accountability of defensive tactics equipment	1 year
ADC 04015 BCOT Evaluations	R. Form used by students to evaluate quality of training received	6 months or until completion of current A.C.A. Audit period
ADC 04016 Sanitation Inspection Report	S. Form used to document sanitation issues	6 months
ADC 04017 Chemical Log	T. Form used for accountability of cleaning chemicals	1 year or until completion of current A.C.A. Audit period
ADC 04018 Supplies Inventory	U. Form used for accountability of office supplies	6 months

**General Schedule (GS) 05 ~ Fiscal Records**

This category focuses on records documenting fiscal operations encompassing most activities undertaken by state agencies to manage, account for, collect and expend funds. These would include general accounting records, banking, budget, allotment and expenditure records, contract accounting, central payroll accounting, and appropriation requests.

The following records retention periods reflect the retention of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the primary copy or scheduled separately if a different retention is

**The Arkansas General Records Retention Schedule**

required. Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

The following record categories are supportive of the audit process of the Arkansas Division of Legislative Audit.

<b>Record Number &amp; Category Title</b>	<b>Description</b>	<b>Minimum Retention Period</b>
GS 05001 Accounts Payable	Current outstanding liabilities of the agency including records of payments of bills, goods and services, contracts, vendor payments, and travel	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05002 Accounts Receivable	Current outstanding monies and funds owed the agency for goods and services	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05003 Account Reconciliation	Reconciliation of agency funds and accounts, federal revenues/federal expenditures, capital asset/capital expenditures	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05004 Legislative Adopted Budgets	The comprehensive financial plan for the agency's biennial operating budget that was approved by the legislature and forms a basis of the appropriations	Until authorized by the legislative auditor
GS 05005 Appropriation, Budget and Fund Requests	Including any supporting documentation created and/or used to justify and support legislative appropriations requests by an agency	Until authorized by the legislative auditor
GS 05006 Audit Report Prepared by the Arkansas Division of Legislative Audit	The final report of an audit performed on an Arkansas agency, board or commission under the Arkansas Division of Legislative Audit but not including the supporting audit records, only the final audit report; any supporting audit records may be covered under other record categories of this schedule	Until the next audit report is issued by Legislative Audit
GS 05007 Bank Statements	Current status of transaction activity of agency funds held at the State Treasury and/or a bank	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05008 Cash Receipt Registers	Cash receipt transactions for each agency including, but not limited to, deposit slips and other records used to verify receipts, estimate revenues, and reconcile accounts	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05009 Check Registers	Log of checks issued	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05010 Checks: Not Redeemed/ Redeemed	Voided and not-redeemed checks, cancelled checks, and re-issued checks; redeemed checks written on agency accounts	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05011 Competitive Bids	Evaluation and award of bids to vendors and/or agencies including, but not limited to, requests for proposals, bid and quote lists, notices of bid openings, comparison summaries, or evidence of rejected and accepted bids, vendor correspondence	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
GS 05012 Debit/Credit	Adjustment of dollar amounts in funds due to recording errors, transfers between accounts, receipt and verification of special deposits, and/or	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)

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Record Number & Category Title	Description	Minimum Retention Period
	withdrawals	
<b>GS 05013</b> General Ledger Registers	An accounting of all fiscal transactions for the agency for each month	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05014</b> Invoices	Record of demand for payment	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05015</b> Journal Entry Registers	Account records of original entry/input and provides a record of debit and credit journal transactions	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05016</b> Petty Cash Fund	Petty cash activity for the agency including requests and authorization to establish petty cash funds, ledgers, statements, requests for disbursements, copies of receipts and invoices	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05017</b> Purchasing	Purchase of goods and services by the agency including, but not limited to, purchase requisitions, orders, authorizations, contracts, encumbrances, maintenance contracts	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05018</b> Inventory and Capital Assets	Documents a listing of equipment and furniture owned by the agency not including expendable supplies	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05019</b> Transfers	Records that authorize the movement and transfer of funds between various accounting structures intra-agency and inter-agency	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)
<b>GS 05020</b> Travel Expenses	Travel expenses for agency employees including, but not limited to, reimbursement claims, travel detail sheets, and supporting documentation such as receipts	Until authorized by the legislative auditor (as required by Arkansas Code Annotated: § 19-4-1108)

**General Schedule (GS) 06 ~ Legal Records**

Legal actions involving state agencies are handled by the Office of the Attorney General, primarily by Assistant Attorneys General assigned to each agency. Therefore, most records pertaining to legal actions are centralized under the auspices of the Attorney General. However, many state agencies maintain separate files on legal matters pertaining to the agency, informal letter opinions, and formal opinions.

The following record retention periods reflect the retention of the official record regardless of media. Copies used for specific legal, fiscal, or administrative purposes may be either retained using the retention for the primary copy or scheduled separately if a different retention is required.

Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

Record Number & Category Title	Record Description	Minimum Retention Period
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<b>GS 06001</b> Complaint Files – Agency	Communication and other relevant information concerning complaints filed, resulting in litigation that involve the agency or its employees	3 years after final disposition
<b>GS 06002</b> Complaint Files – Regulated Entity	Communication and other relevant information concerning complaints filed with an agency resulting in litigation that involves one of its regulated entities	3 years after final disposition
<b>GS 06003</b> Contracts / Agreements	Documents the contractual obligations of an agency or those owed to the agency	5 years after contract or agreement termination
<b>GS 06004</b> Freedom of Information Act (FOIA) Documentation	- State FOIA request and agency reply to the request - The reply does not include the records provided pursuant to the FOIA request	3 years
<b>GS 06005</b> Legal Opinions	Legal opinions received from agency legal counsel including any requests eliciting the opinions	As long as administratively valuable to the agency
<b>GS 06006</b> Litigation Files	Documents the status of litigation involving an agency or its officials, employees, or departments	5 years after final disposition
<b>GS 06007</b> Permits / Licenses	Original and renewal of a license or permit issued by an agency	Period of license or permit plus 3 years
<b>GS 06008</b> Permits / Licenses Applications	Completed applications for licenses or permits	3 years

**Agency Specific Schedule (ADC) 06 ~ Legal Records**

This category includes records regarding 1983 Lawsuit documents and Internal Affairs Investigation Files.

<b>Record Number &amp; Category Title</b>	<b>Description</b>	<b>Minimum Retention Period</b>
<b>ADC 06001</b> Personnel, 1983 Lawsuits, Settlement Agreements and Consent Decrees	Agreements between the agency and other party or parties resulting in settlement of litigation.	Retain indefinitely or until consent decree or settlement agreement expires.
<b>ADC 06002</b> I/A Investigation Files	Records relating to Internal Affairs Investigations including Incident Notification/Referral Files, Investigative Tapes, Major Disciplinary Confidential Statements, Major Disciplinary Form (Original), Major Disciplinary Hearing Tapes, and State Claim Forms.	Retain seven (7) years;destroy.

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**General Schedule (GS) 07 ~ Grant Records**

This category includes records generated in the administration of grants either issued by the state or received by state agencies. Records include grant applications, grantor and grantee correspondence and official responses, grant contracts, fiscal records, compliance reports, administrative correspondence, grant products and related records.

The following records retention periods reflect the retention of the official record regardless of media. Copies used for specific legal, fiscal or administrative purposes may be either retained using the retention for the official copy or scheduled separately if a different retention is required.

Copies of these documents preserved only for convenience of reference or informational purposes may be discarded when no longer needed.

Record Number & Category Title	Record Description	Minimum Retention Period
<b>GS 07001</b> <b>Grants Issued - Application, Administrative and Program Files</b>	Documentation of awarding agency's grants and grant programs including grant announcements, parameters, grant applications, grant evaluation summaries, notification of grant awards, fiscal reports, correspondence related to grant monitoring, audit reports and related documentation including grant project status and progress and compliance reports prepared and submitted by grantees	Until authorized by the legislative auditor or in compliance with grant regulations and specifications, whichever is greater
<b>GS 07002</b> <b>Grants Denied</b>	Documentation of grants administered by the state in which the application has been denied including applications, grant evaluation summaries, letters of denial and other related documentation	1 year
<b>GS 07003</b> <b>Grants Received</b>	Documentation of grant projects and funds received and expended by state agencies including copies of Requests for Proposals, applications, notification of grant awards, fiscal reports and supporting documentation, reports and correspondence related to grant monitoring, audit reports, status reports, compliance reports, grant modification requests, progress reports and final reports	Until authorized by the legislative auditor or in compliance with grant regulations and specifications, whichever is greater

**Agency Specific Schedule (ADC) 08 ~ Work Release Program**

This category includes records generated in the administration of the ADC Work Release Program.

Record Number & Category Title	Description	Minimum Retention Period
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Record Number & Category Title	Description	Minimum Retention Period
ADC 08001 Employer Agreements (see also GS06003)	Agreements between ADC and Employer outlining the requirements for Inmates participating in Work Release Program.	5 years after contract or agreement termination
ADC 08002 Inmate Van Drivers	List of Approved Inmate Drivers	Retain three (3) years; destroy
ADC 08003 Work Release Transport Log	Travel Log showing Odometer reading at beginning of each trip and ending Odometer, as well as, location to and from where with reason and time included.	Retain three (3) years; destroy
ADC 08004 Application for Work Study Release	Application for Inmates who apply for College courses instead of Work Release. Similar to Work Release Program. AR-1200	Retain seven (7) years; image
ADC 08005 Work Release Application	Application submitted by Inmate for transfer to Work Release program.	Retain seven (7) years; image
ADC 08006 Work Release Screening Result Form	Form no longer used. Part of Work Release Application.	Retain seven (7) years; image

Agency Specific Schedule (ADC) 09 ~ Inmate Medical/Mental Health Records

This category includes internal records regarding medical and mental health services.

Record Number & Category Title	Description	Minimum Retention Period
<u>MEDICAL:</u> ADC 09001 Accident/Incident Injury Report	Form used by facility health care staff to document accidents and/or injuries to inmates, officers, contracted staff, or guests, that occur at an ADC facility.	Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge. Retain six (6) years; destroy. For inmate accidents/injuries, destroy after scanned into the electronic health record.
ADC 09002 ADH Report of Drug Surrendered	This is a form completed for expired drugs and is submitted mailed to the Arkansas Department of Health (ADH) with the expired drug.	Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge. Retain six (6) years; destroy.
ADC 09003	Form completed for an inmate when a terminal illness is diagnosed	Retain four (4) years after death; image and

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Record Number & Category Title	Description	Minimum Retention Period
<del>Advance Directive (MSF-10)</del>		<del>Destroy. Image and destroy upon parole or discharge.</del>
ADC 09004 Chronic Care (MSF-70)	<del>Forms used to document chronic care clinic contacts for inmates</del>	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09005 Chronic Viral Syndrome (MSF-706)	Form used to document a chronic viral syndrome	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09006 Clinical History and Physical Form (MSF-02A)	Intake form completed by a <del>physician provider</del> when an inmate is admitted to the ADC Hospital.	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09007 Clinicians Orders (MSF-203)	Form used by <del>health care providers</del> to document medical orders.	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09008 Consent for Blood Transfusion (MSF-08A)	Form an inmate must sign authorizing a blood transfusion.	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09009 Consent to Surgery (MSF-403)	Form an inmate must sign authorizing surgery.	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09010 Dental Charge Chart (MSF-501)	Form used by <del>dentists dental staff</del> to document dental history.	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09011 Dental Prosthetic Work Request (MSF-503)	Form completed by a <del>dentist dental staff</del> requesting ordering dental work/prosthetics.	<del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>
ADC 09012 Diagnostic Hospital Floor Census	Form completed by ADC Hospital staff to <del>take record</del> daily hospital census.	<del>Retain six (6) years; destroy. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del>

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Record Number & Category Title	Description	Minimum Retention Period
ADC 09013 Discharge Summary (MSF-404)	Form completed by the ADC Hospital attending provider summarizing an inmate's hospital stay. <del>Form used by the ADC Hospital summarizing an inmate's hospital stay.</del>	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09014 Health History (MSF-101)	Intake form used by health care staff to document an inmate's health history.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09015 Immunization Record	Form used to document an inmate's immunization history	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09016 In-House Consultation (MSF-404)	Form used by providers to request consultation from other providers.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09017 Initial Plans and Progress Notes (MSF-202)	Form used by providers to document inmate's treatment and progress.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09018 Inmate Transfer (MSF-601)	Form completed by medical staff when an inmate is transferring from one correctional facility to another facility.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09019 Laboratory Studies (MSF-301)	Form used by health care staff to document results from requested lab studies from a provider.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09020 Medical Classification Report (MSF-103)	Form used to document an inmate's medical classification and restrictions.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09021 Medical Restriction (MSF-207)	Form completed by medical staff physician or mid-level provider that lists an inmate's medication medical restrictions.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.

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Record Number & Category Title	Description	Minimum Retention Period
ADC 09022 Medication Admin Error Form	Form completed by medical staff when a medication error occurs.	Retain six (6) years; destroy. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09023 Medication Administration Record (MSF-204)	Form used by medical staff to document medicine administration of prescribed medications.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09024 Notification of Prescribed TB Medication (MSF-703-A)	Form used to explain to an inmate TB medication administration and compliance requirements.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09025 Problem List (MSF-201)	Form used by medical staff to document the frequency of sick call/chronic care visits by an inmate.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09026 Radiographic Studies (MSF-302)	Form used to document request radiology findings studies.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09027 Record of Drugs Ordered and Received	Form used to document the ordering/receipt of drugs from the pharmacy.	Retain six (6) years; destroy. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09028 Release Authorization Medical Records Request (MSF-603)	Form signed by an inmate to authorize the release of medical records.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09029 Report of Physical Exam (MSF-100)	Form documenting the results of a physical examination.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09030 Request to Dental Interview/Treatment (MSF-502)	Form completed by dental staff regarding dental hygiene an inmate to obtain an interview by dental staff or to request dental treatment.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.
ADC 09031 Request for Non-Formulary Drugs	Form completed by providers when ordering a non-formulary medication.	Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.

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Record Number & Category Title	Description	Minimum Retention Period
ADC 09032 Short Stay Record (MSF-404A)	Form completed by medical staff on an inmate who stays in the ADC Hospital or an ADC Infirmery less than 48 hours.	Destroy after scanned into the electronic health record. Retain four (4) years after death, image and destroy. Image and destroy upon parole or discharge.
ADC 09033 Sick Call Request (MSF-2)	Form used by an inmate to request medical or dental services.	Destroy after scanned into the electronic health record. Retain four (4) years after death, image and destroy. Image and destroy upon parole or discharge.

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Record Number & Category Title	Description	Minimum Retention Period
<p><del>VW.</del> ADC 09034 Special Diet Request (MSF-208)</p>	<p>Form completed by a provider to request a special diet.</p>	<p><del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>XY.</del> ADC 09035 Special Housing Evaluation (MSF-104)</p>	<p>Form completed by a provider the Unit SLU Committee to request transfer of an inmate to a sheltered living barracks. Sheltered Living Unit (SLU). Special housing evaluation is for site MID to request that ORCU's MID accepts inmate for transfer.</p>	<p><del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>Z.</del> ADC-09036 Therapy Report—Tuberculosis (MSF-703B)</p>	<p>Form completed by medical staff to document a positive reaction to a TB-skin test.</p>	<p><del>Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>AA.</del> ADC-09037 Treatment Record (MSF-202A)</p>	<p>Form used by medical staff to document treatments ordered by a provider.</p>	<p><del>Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>BB.</del> ADC 09038 Tuberculin Reaction Prev. Therapy Record (MSF-703)</p>	<p>Form used by medical staff to document in eOMIS TB test findings.</p>	<p><del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>CC.</del> ADC-09039 Williams-Flexion Back Exercise</p>	<p>Form given by a provider to inmates who have back problems.</p>	<p><del>Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>DD.</del> ADC 09040 Dental Progress Note (MSF-504)</p>	<p>Form used by dental staff to document services provided all in eOMIS.</p>	<p><del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>EE.</del> ADC-09044 <del>FF.</del> Receipt for Medical Products (MSF-605)</p>	<p>Form used to document the issuing of special products/devices ordered by a provider.</p>	<p><del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge.</del></p>
<p><del>GG.</del> ADC-09044 Jail Screening Form (MSF-900)</p>	<p>Form completed by medical staff in the screening of jail detainee needs/problems.</p>	<p><del>Destroy after scanned into the electronic health record. Retain four (4) years after death; image and destroy. Image and destroy upon parole or discharge or release.</del></p>



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Record Number & Category Title	Description	Minimum Retention Period
<p><del>HH.</del> ADC 09044 Jail Assessment Form (MSF-904)</p>	<p>Form completed by medical staff to assess a jail detainee's physical status condition.</p>	<p>Destroy after scanned into the electronic health record. Retain four (4) years after death, image and destroy. Image and destroy upon parole or discharge or release.</p>
<p><del>II.</del> <b>MENTAL HEALTH</b> JJ. ADC 09101 KK. AIMS Test (MHS 1144.00B)</p>	<p>Test used annually by mental health staff to check for side effects of neuroleptic medications.</p>	<p>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</p>
<p><del>LL.</del> ADC 09102 MM. AR 834</p>	<p>Form completed by mental health staff on mentally ill inmates charged with a major rule violation for the disciplinary court.</p>	<p>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</p>
<p><del>NN.</del> ADC 09103 Group Counseling Form (MHS 1137.00)</p>	<p>Form completed by mental health staff to document group treatment activities.</p>	<p>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</p>
<p><del>OO.</del> ADC 09104 PP. Treatment Plan (MHS-1134.00)</p>	<p>Form completed by mental health staff outlining the plan of intervention for an inmate receiving mental health services.</p>	<p>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</p>
<p><del>QQ.</del> ADC 09105 Notification of MH Review Committee (MHS-1145.00)</p>	<p>Form completed by mental health staff notifying an inmate of an upcoming MH Review Committee hearing.</p>	<p>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</p>
<p><del>RR.</del> ADC 09106 Progress Note Form (MHS-1135.00)</p>	<p>Form used by mental health staff to document all MH contacts with an inmate.</p>	<p>Destroy after purged from file upon inmate release. Scanned into the electronic health record.</p>
<p><del>SS.</del> ADC 09107 Psychological Information on Releases Form (MHS-1150.00A)</p>	<p>Form used by mental health staff to document the mental health needs of an inmate for parole services at the time of parole.</p>	<p>Destroy after purged from file upon inmate release. Scanned into the electronic health record.</p>

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Record Number & Category Title	Description	Minimum Retention Period
<del>FF</del> ADC 09108 Psychological Testing Material <del>UU</del>	Psychological test data used by psychologists in evaluating an inmate.	<del>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</del>
<del>VV</del> ADC 09109 Release of Information (MHS-1132.00)	Form signed by an inmate to authorize the release of mental health records.	Destroy after purged from file upon inmate release; scanned into the electronic health record.
<del>WW</del> ADC 09110 Residential Transfer Form (MHS-1138.00B)	Form used by mental health staff when transferring an inmate to a residential program.	Destroy after purged from file upon inmate release; scanned into the electronic health record.
<del>XX</del> ADC 09111 Segregation Review Form (MHS-1139.00)	Form used by mental health staff to assess inmates housed in segregation.	Destroy after purged from file upon inmate release; scanned into the electronic health record.
<del>YY</del> ADC 09112 Service Refusal Form (MHS-1131.00)	Form used by an inmate to refuse any mental health services offered.	Destroy after purged from file upon inmate release; scanned into the electronic health record.
<del>ZZ</del> ADC 09113 Interview and Social History Short Form (MHS-1160.00)	Form used by mental health staff to review an inmate's status in a residential program.	<del>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</del>
<del>AAA</del> ADC 09114 Staffing Form (MHS-1138.00A)	Form used by mental health staff to review an inmate's status in a residential program.	Destroy after purged from file upon inmate release; scanned into the electronic health record.
<del>BBB</del> ADC 09115 <del>CCC</del> Treatment Precaution Form (MHS-1136.00)	Form used by mental health staff when placing an inmate on treatment precaution status.	<del>Retain one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</del>
<del>DDD</del> ADC 09116 Response Form (MHS-1130.00B)	Form used by mental health staff to respond to inmate request for interview.	Destroy after purged from file upon inmate release; scanned into the electronic health record.

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Record Number & Category Title	Description	Minimum Retention Period
<del>EEE</del> ADC 09117 Mental Status Evaluation (MHS-1133.00A)	Form used by mental health staff to document an inmate's mental status.	Retain <del>one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</del>
<del>FFF</del> ADC 09118 Work Release MH Assessment Sheet (MHS-1133.00B)	Form used by mental health staff to document any mental health concerns on an inmate who is referred to a work release facility.	Destroy after <del>purged from file upon inmate release. scanned into the electronic health record.</del>
<del>GGG</del> ADC 09119 File Review (Upon Admission to Unit)(MHS-1133.01B)	Form used by mental health staff to document a review of a mental health record upon receipt at a facility.	Destroy after <del>purged from file upon inmate release. scanned into the electronic health record.</del>
<del>HHH</del> ADC 09120 Treatment Precaution Record Sheet (MHS-1136.00B)	Form used by mental health staff to document staff contacts or checks when an inmate is on treatment precaution status.	Destroy after <del>purged from file upon inmate release. scanned into the electronic health record.</del>
<del>HH</del> ADC 09121 Referral Form Tucker Habilitation Program (MHS-1140.00)	Form used by mental health staff to refer an inmate to the Habilitation Program.	Destroy after <del>purged from file upon inmate release. scanned into the electronic health record.</del>
<del>JJJ</del> ADC 09122 Discharge Plan (MHS-1150.00B)	Form used by mental health staff to summarize services needed on an inmate transferred from a residential program and/or released from the Department.	Retain <del>one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</del>
<del>KKK</del> ADC 09123 <del>LLL</del> MH File Tracking Form (MHS-1160.00B)	Form used by mental health staff to document the results of a MH Review Committee.	Retain <del>one (1) year if in psychiatric clinic or until litigation completed; destroy after imaging. All others image/destroy. Destroy after scanned into the electronic health record.</del>
<del>MMM</del> <u>TREATMENT SERVICES:</u>		
<del>NNN</del> ADC 09201 Prison Inmate Inventory (PII)	Screening tool used by SATP staff to identify alcohol/drug problem, treatment needs and program placement.	Retain <del>three (3) six (6) years; destroy</del>
<del>QQQ</del> ADC 09202 Prison Inmate Inventory Refusal Form	Form signed by an inmate who refuses testing for treatment placement.	Retain <del>three (3) six (6) years; destroy</del>

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Record Number & Category Title	Description	Minimum Retention Period
<del>PPP</del> ADC 09203 Form Checklist	Form completed by SATP staff documenting all forms in the client record.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>QQQ</del> ADC 09204 Continued Service Refusal/Suspended Re-Entry Form	Form signed by an inmate to continue or refuse further treatment after a disciplinary or clinical suspension.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>RRR</del> ADC 09205 Discharge Summary	Form completed by SATP staff documenting the reason for discharge, readmission policy, progress evaluation and aftercare statement.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>SSS</del> ADC 09206 Client Discharge Report	Form documenting review by a clinical supervisor regarding an inmate discharge.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>TTT</del> ADC 09207 Weekly Progress Summary	Form used by SATP which is a weekly summary treatment activities, progress and significant clinical observations.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>UUU</del> ADC 09208 Group Sign-In	Form inmates use to sign in for a group activity documenting the type of treatment, hours presented, who presented and who was in attendance.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>VVV</del> ADC 09209 House Incident Report	Form used in the Therapeutic Community to document significant problems, behaviors and occurrences.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>WWW</del> ADC 09210 Written Pull-Up	Form used in the Therapeutic Community to document negative or inappropriate behavior.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>XXX</del> ADC 09211 Written Push-Up	Form used in the Therapeutic Community to acknowledge positive behavior.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>YYY</del> ADC 09212 Behavior Contract	Form used in the Therapeutic Community to document behavior to be changed, the method of change, the.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy

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Record Number & Category Title	Description	Minimum Retention Period
<del>ZZZ</del> ADC 09213 Treatment Extension	Form used to extend the treatment timeframe to completion.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>AAA</del> ADC 09214 <del>BBB</del> Voluntary Return to Phase II/Refusal	Form inmates use to agree to or refuse to start a treatment phase over.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>CCC</del> ADC 09215 <del>DDD</del> Report on Client Suspension	Form used by SATP staff to document events and reasons for an inmate being placed on a 2-week suspension or refocus.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>EEE</del> ADC 09216 Initial Entry	Form used by SATP staff to describe the drug/alcohol history, emotional stability and special needs of an inmate.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>FFF</del> ADC 09217 Release of Information – Criminal Justice	Form used by SATP staff to document the consent of an inmate to release confidential information to the courts, probation or parole.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>GGG</del> ADC 09218 Release of Information – General	Form used by SATP staff to document the consent of an inmate to release confidential information to a specific person or organization.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>HHH</del> ADC 09219 <del>III</del> Photo/Video Release	Form signed by an inmate giving their consent for him/her to be photographed or groups to be videotaped.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>JJJ</del> ADC 09220 Acknowledgement of Barracks Posting Release Form	Form signed by an inmate giving their consent for their picture to be posted in the barracks in conjunction with treatment.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>KKK</del> ADC 09221 CSATP/SATP Rules and Regulations	Written set of rules to be obeyed specific to short term or long-term treatment that inmates sign acknowledging these rules were reviewed with them.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy

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Record Number & Category Title	Description	Minimum Retention Period
<del>1111</del> ADC 09222 Treatment Contract Stipulation/Confidentiality Notice	Form signed by an inmate acknowledging their understanding of CFR 42 part 2 and CFR 45 160 and 164.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09223 Acceptance/Refusal of Treatment Services	Form signed by an inmate documenting their acceptance or refusal of alcohol/drug treatment services.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09224 Federal Guidelines: Alcohol/Records Audits and Evaluations	Form signed by facility accreditation officers acknowledging they understand confidentiality requirements for alcohol/drug treatment files utilized in the audit process.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09225 DSMIV Substance Related Code Form/Questionnaire/ Diagnosis	Forms completed by SATP staff to make and document the provisional diagnosis of substance abuse or dependency.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09226 Initial Client Treatment Plan	Form completed by SATP staff that identifies the immediate needs of an inmate and the plan of action to address those needs.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09227 Phase Completion Form	Form used by SATP staff in the long-term program (TC) which documents progress and the completion of levels/phases of treatment.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09228 Comprehensive Treatment Plan	Form completed by SATP staff that encompasses the overall objectives, both short and long term for an inmate in treatment as well as completion dates and staff responsible to ensure the completion.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09229 Treatment Plan Review	Form completed by SATP staff that requires mandatory 30-day reviews of current goals and an inmate's progression/regression regarding these goals.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>1111</del> ADC 09230 Client Intake Interview	Form completed by SATP staff which documents an inmate's social history and background data.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy

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Record Number & Category Title	Description	Minimum Retention Period
<del>UUU</del> ADC 09231 Chemical Abuse Profile	Form completed by SATP staff which documents an inmate's reported drug use/abuse history in detail.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>VVV</del> ADC 09232 CSATP/SATP Parole Aftercare Plan	Form completed by SATP staff regarding recommended follow-up regarding substance abuse treatment needs for inmates released from the Department.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>WWW</del> ADC 09233 CSATP/SATP Client Generated Aftercare Plan	Form inmates complete where they give written input into their aftercare plan.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>XXX</del> ADC 09234 Admission Report	Report completed by SATP staff regarding intake information that is used to generate a report to ADAP.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>YYY</del> ADC 09235 Discharge Report	Report completed by SATP staff regarding discharge information that is used to generate a report to ADAP.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>ZZZ</del> ADC 09236 A AAAA Treatment Recommendation Letter	Form used by SATP staff issued to an inmate to verify a self-referral and PII screening results including alcohol/drug treatment recommendations.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy
<del>BBB</del> ADC 09237 Certificate of Completion	Certificate issued to an inmate by SATP staff upon successful completion of a substance abuse treatment program.	Retain <del>three (3)</del> <u>six (6)</u> years; destroy

Agency Specific Schedule (ADC) 10 ~ Food Service Records

This category includes agency records specific to the operation of food service operations at the various ADC Units.

Record Number & Category Title	Description	Minimum Retention Period
ADC 10001 Kitchen Issue Invoice (replaced Cold Storage Requisition)	Meats issued to kitchen from Cold Storage.	Retain one (1) year; destroy

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Record Number & Category Title	Description	Minimum Retention Period
ADC 10002 Consignment Form	Vegetables issued to kitchens from Vegetable Processing.	Retain one (1) year;destroy
ADC 10003 Cooks Work Sheet	Meal Production Record.	Retain one (1) year;destroy
ADC 10004 Daily Withdrawal Sheet/Log	Record of goods dispensed.	Retain one (1) year;destroy
ADC 10005 Employee Meal Sign In/Out	Number of meals consumed by employees and visitors.	Retain one (1) year;destroy
ADC 10006 Menu	Instructions covering type of food and amount to serve.	Retain one (1) year;destroy
ADC 10007 Milk Bag Log	Number of bags used and destroyed.	Retain one (1) year;destroy
ADC 10008 Monthly Expenditure Report	Amount spent per kitchen.	Retain one (1) year;destroy
ADC 10009 Storeroom Inventory	Perpetual Inventory of each unit storeroom.	Retain one (1) year;destroy
ADC 10010 Utensil Count Sheet	Spoons returned after each meal.	Retain one (1) year;destroy
ADC 10011 Yeast Log	Daily Yeast Usage.	Retain one (1) year;destroy



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Record Number & Category Title	Description	Minimum Retention Period
ADC 10012 Pork Free Religious Diet Form	Pork Free Diet Request Form.	Retain three (3) year;destroy
ADC 10013 Special Diet Form	Medical Diet Request Form.	Retain three (3) year;destroy
ADC 10014 Utensil Sign Out Log	Track Serving Utensil Usage	Retain three (3) year;destroy
ADC 10015 Knife Log	Tracking of Knife usage.	Retain three (3) year;destroy

**Agency Specific Schedule (ADC) 11 ~ Chaplaincy Records**

This category includes records specific to the operation of religious programs and volunteer services within ADC.

Record Number & Category Title	Description	Minimum Retention Period
ADC 11001 Sign-In Forms for Volunteers	Unit sign-in sheet used at PBX/entrance building.	Retain three (3) years;destroy
ADC 11002 Volunteer Agreement	Agreement that a volunteer must sign agreeing to abide by ADC policies.	Retain three (3) years;destroy
ADC 11003 F-881 – Volunteer Request	Standard volunteer application.	Retain three (3) years;destroy
ADC 11004 Chaplain Certificate	Ecclesiastical/denominational affiliation endorsement.	Retain five (5) years past termination;destroy
ADC 11005 Inmate Conference Record	An inmate file kept in the Chaplain's office.	Retain one (1) years;destroy

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Record Number & Category Title	Description	Minimum Retention Period
ADC 11006 Pre-Marital Counseling Form	Form that documents pre-marital counseling by the Chaplain.	Retain one (1) years;destroy
ADC 11007 Religious Affiliation Update	Form inmates complete when they change religious affiliation.	Retain three (3) years;destroy

**Agency Specific Schedule (ADC) 12 ~ Classification & Intake Records**

This category includes those documents created by outside agents that result in the incarceration of individuals, those documents created in-house that track the location, activities and contacts of the individual during that incarceration, and those documents that reflect the preparation and contacts necessary for release of the individual from incarceration. The following retention periods reflect the retention and disposition of the hard copy documents that follow an individual from the date of commitment to a point in time after the obligation to the state has been discharged. The retention schedule does not affect the individual's electronic file that is permanent. Arkansas Code 12-27-113 provides that the Department of Correction is required to "make and preserve a full and complete record of each and every person committed to the department, along with a photograph of the person and data pertaining to his trial conviction and past history."

Record Number & Category Title	Description	Minimum Retention Period
ADC 12001 Bed Movement Form	Document used to designate bed assignment.	Destroy after entry into eOMIS.
ADC 12002 Inmate Institutional Record	Documents creating the hard copy of institutional record for inmates committed to the ADC; includes the departure report, all commitment documents, fingerprint card, correctional program plan, and most recent photograph.	Three years after discharge, death or discharge from parole. Documents imaged at that time for permanent record.
ADC 12003 Intake Records	Documents created at intake that are not a part of the institutional file to include: Governor's Slip Monthly Intake Report PV Report TPV Receipt Notice VA Monthly Report	One year; then image One year; then image One year; then destroy One year; then destroy One year; then destroy Three months; then destroy

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Record Number & Category Title	Description	Minimum Retention Period
	Transfer and Receiving log Social History Death Row Report NPS Report Statistical Survey	Retain until entered in eOMIS Five years; then destroy Five years; then destroy Five years; then destroy
<b>ADC 12004 Segregation Files</b>	Classification documents (Institutional Record) regarding inmates segregated from the general population including the Segregated Inmate Record Form and the Segregated Order Form.	Three years after discharge or parole; then destroy.
<b>ADC 12005 Victim Notification</b>	Written notification to victims of crime regarding the status of the inmate and the crime on the victim including: Boot Camp Release Death Discharge Escape Recapture Hearing Schedule Parole Results Executive Clemency Screening Executive Clemency Hearing Release on Bond Parole Release Vine Program/ACIC Furlough/Work Release/Act 309 Parole Board Victim Contact	Three years after discharge or parole; then destroy.

**Agency Specific Schedule (ADC) 13 ~ Unit Records**

This category includes agency specific records relating to security, inmate work craft, mailroom, inmate property, and other miscellaneous forms utilized in institutional operations.

Record Number & Category Title	Description	Minimum Retention Period
<b>SECURITY:</b>		
<b>ADC 13001 Incident Report (005) &amp; Use of Force (409)</b>	Records Information from an incident, e.g., officer(s) involved, inmate(s) involved, description of incident, and if force was used.	Retain seven (7) years; destroy-
<b>ADC 13002 Barracks Inspection</b>	Records Officer's daily inspection of barracks noting discrepancies and/or maintenance issues including corrective action taken.	Retain seven (7) years; destroy

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Record Number & Category Title	Description	Minimum Retention Period
ADC 13003 Barracks Officer Report (Security Check Log 400-5)	Records inmate activities called in a particular barracks, e.g., chow, pill call, gym call, etc.	Retain seven (7) years; destroy
ADC 13004 Count Sheet	Used to account for total number of inmates assigned to a particular unit by barracks or job assignment.	Retain seven (7) years; destroy
ADC 13005 Domestic Security Check (Security Check Log 400-5)	Records that Control Center Officer has called a domestic on an hourly basis verifying inmate's presence and location.	Retain seven (7) years; destroy
ADC 13006 Gate Pass (Report # IPTR106-2)	Report lists authorized inmates who are to be transported from the compound and the conditions of transport. Form includes destinations and appointment times.	Retain seven (7) years; destroy
ADC 13007 Isolation Roster	Lists inmates assigned to Isolation Barracks and their assignment, status, class, and restrictions such as special diet, precautions, etc.	Retain seven (7) years; destroy
ADC 13008 Key Log	Form completed on issuance of any institutional key.	Retain seven (7) years; destroy
ADC 13009 Lay-In Roster	Report listing names of inmates to be excused from work assignments.	Retain seven (7) years; destroy
ADC 13010 Movement and Status Change Sheet	Report lists all inmate status changes to include all barracks bed movements and job changes. Form to be completed daily.	Retain seven (7) years; destroy
ADC 13011 Post Order Review Form	Form signed by officer verifying they have read and understand operations and statements of their assigned post.	Retain seven (7) years; destroy
ADC 13012 Punitive Restriction Roster	Form listing all inmates assigned restrictions. Also indicates whether inmate is on major or minor restriction and when restriction is to expire.	Retain seven (7) years; destroy
ADC 13013 Radio Log	Records radio traffic such as time, origin recipient, and nature of specific call.	Retain seven (7) years; destroy
ADC 13014 Sally Port Roster	Report used to track movement of inmates entering and existing the Sally Port Gate, e.g., maintenance, tractor driver, transfers, etc.	Retain seven (7) years; destroy

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Record Number & Category Title	Description	Minimum Retention Period
ADC 13015 Shake Down Logs (Contraband Search Log)	Form lists information pertaining to a staff, inmate and/or area search.	Retain seven (7) years; destroy
ADC 13016 Staff Assignment Sheet (Shift Roster)	This report shows the officers assigned to each post, where they are assigned, officers who are on sick leave, vacation, etc.	Retain seven (7) years; destroy
ADC 13017 Keys and Weapon Inventory Log	Form completed by staff assigned to a perimeter tower. Indicates equipment assigned to a particular tower, e.g., keys, weapons, ammunition, binoculars, etc.	Retain seven (7) years; destroy
ADC 13018 Transfer Form	Form lists any and all inmates being transferred to or from a particular unit.	Retain seven (7) years; destroy
ADC 13019 Visitor Sign-In Log	Form is used to record visitors as they enter and exit a particular unit.	Retain seven (7) years; destroy
ADC 13020 Weekly Inspection Report	Form is completed weekly by supervising staff and used to record sanitation, maintenance and fire and safety issues.	Retain seven (7) years; destroy
ADC 13021 Surveillance Tapes	Recordings of surveillance of specific areas in or around an institution/building that have been downloaded/recorded on VHS as a result of a serious incident/unusual occurrence, or allegation of a serious incident/unusual occurrence. All other recordings will be recycled according to equipment capability.	Retain seven (7) years; destroy; or retain three (3) years after investigation/litigation completed.
ADC 13022 Main Gate Log (PBX)	Form completed prior to the entrance or exit of any person and/or vehicle through a security perimeter checkpoint.	Retain seven (7) years; destroy
ADC 13023 Phone Log	Log is located in the Control Center and records outgoing inmate calls made from unit phones. This does not include calls made on the inmate phone system.	Retain seven (7) years; destroy
ADC 13024 Staff Sign In & Out Log	Log is located in the entrance building or adjacent tower and used to record the entrance and exit times of the Warden's staff.	Retain seven (7) years; destroy
ADC 13025 Walkie Talkie Check-Out Log	This log is used to record the issuance number of each radio, who the radio was assigned to, and the condition of the radio at the time of issuance.	Retain seven (7) years; destroy

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 13026 Sally Port Log	Records all vehicle and pedestrian traffic through sally port to include but not limited to transfers, gate passes, deliveries, etc.	Retain seven (7) years; destroy
ADC 13027 Segregation Order Form (Placement form)	Form used to order segregation of an inmate from general population. This form includes a checklist for housing, property, and enemy alert review.	Retain seven (7) years; destroy
ADC 13028 Segregated Inmate Record Sheet	Form is placed on each of the isolation cell doors and used to track the daily activities of the inmate. Those items listed may include but are not limited to, pill call, chow call, yard call, also listing any type of precautions for that particular inmate	Retain seven (7) years; destroy
INMATE WORKCRAFT ADC 13100 Work Craft Agreement	The Work Craft participant acknowledges that he understands the rules and regulations of Work Craft. This form is completed prior to the inmate receiving his work craft permit.	Retain One (1) year after leaving the program.
ADC 13101 Work Craft Inventory Form	List the tools assigned to each inmate with a Work Craft Permit.	Retain One (1) year after leaving the program.
ADC 13102 Orientation to Work Craft Procedures	Work Craft supervisor explains the rules and stipulations pertaining to the Work Craft Program.	Retain One (1) year after leaving the program.
ADC 13103 Work Craft Permit	To be issued to participants indicating which inmates have Work Craft privileges.	Retain One (1) year after leaving the program.
ADC 13104 Work Craft Sales Agreement	This contract agreement is used when an individual purchases an item from an inmate through the Work Craft Program. The form signifies that the buyer understand the agreement.	Retain three (3) years; destroy
ADC 13105 Property Form	Form used to track the inventory belonging to each inmate assigned to the Work Craft Program.	Retain One (1) year after leaving the program.
ADC 13106 Work Craft Restriction	Indicate those Work Craft participants who are suspended from the program for a limited time.	Retain three (3) years; destroy
ADC 13107 Work Craft Disposition form	Records the disposition of a work craft item, showing whether the item was mailed, picked up on visitation or received by the buyer.	Retain three (3) years; destroy

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
MAIL ROOM ADC 13201 Mail Forwarding Form	Form is used to track mail that is being forwarded.	Retain three (3) years; destroy
ADC 13202 Parcel Receipt Log	Log used to track parcel packages from receipt to delivery to the appropriate department.	Retain three (3) years; destroy
ADC 13203 Outgoing Certified Receipt Log	Log is used to track outgoing certified mail from sender to the appropriate recipient.	Retain three (3) years; destroy
ADC 13204 Incoming Certified Receipt Log	Log is used to track incoming certified mail to the appropriate recipient.	Retain three (3) years; destroy
ADC 13205 Return Mail Notice ACI-7508 & Restricted Mail Notice ACI-5806	Forms used to notify inmates of mail that cannot be delivered and instructions on what to do with mail.	Retain three (3) years; destroy
ADC 13206 Return Money Order Log	Money orders are no longer sent to units. Return Mail Notice is used if a money order is received.	Retain three (3) years; destroy
INMATE PROPERTY ADC 13300 C-841-1 - AR 401- Confiscation Form	Form used to document the disposition of any items confiscated by an officer. The information recorded includes location confiscated, confiscated by, when confiscated, and from whom confiscated.	Retain three (3) years; destroy
ADC 13301 C-F841-1 - Inmate Personal Property Record	Form used to document any and all personal property that belongs to an inmate.	Retain three (3) years; destroy
ADC 13302 F-841-2 - Deceased Inmate Personal Property Record	Form completed in the event of an inmate death. All of the deceased inmate's personal property is logged on this particular form.	Retain three (3) years; destroy

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 13303 FFFF.Y. C-F841-5- Disposition of Unauthorized Property	Form used to track the disposition of inmate personal property. The form lists the disposition options to include, mail, visitation, and destruction.	Retain three (3) years; destroy
ADC 13304 841-4-Waiver of Liability	Form used to limit the state's monetary liability to \$50.00.	Retain three (3) years; destroy
ADC 13305 200-25 -Report of Stolen Property	Form used to record any reported stolen property.	Retain three (3) years; destroy
ADC 13306 Inmate Property Form F- 841-6	Form used to identify inmate property placed in Bag and Seal for movement and Property Returned to Inmate.	Retain three (3) years; destroy
ADC 13307 Property Addition Form F-841-3	Form used to add items to inmate's personal property.	Retain three (3) years; destroy
ADC 13308 Bag and Seal Form	Form used to witness inmate's personal property placed in a bag and sealed.	Retain three (3) years;destroy
OTHER/MISC. ADC 13400 Tool Log, Inventories	Form is used to track tool issuance, stock, addition, deletion and inventory.	Retain seven (7) years; destroy
ADC 13401 Visitation File	Includes visitation applications, criminal background check of applicants; correspondence related to visitor or inmate's visitation; temporary visitation log; visitor sign-in logs.	Placed in Inmate Record upon release. Retained in accordance with Inmate Record schedule.
ADC 13402 Equipment Logs	Logs used to record maintenance of equipment, daily inspection of equipment, which include cameras, microwave systems, generators, pump station etc.	Retain for the life of the equipment.
ADC 13403 Temperature Logs	Logs used to record daily water and air temperatures in each housing area kitchen and laundry.	Retain seven (7) years; destroy



The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 13404 Tool Issuance Logs	Logs the distribution of tools, parts, chemicals, equipment, etc.	Retain seven (7) years; destroy
ADC 13405 Maint. Work Order	Form used to request maintenance work and to record completion of work.	Retain seven (7) years; destroy
ADC 13406 Safety Meetings Minutes	Minutes and signature sheets for weekly safety training.	Retain seven (7) years; destroy
ADC 13407 EPA Chemical Issuance	Issuance record for all EPA controlled chemicals i.e. refrigerant, refrigerant oils and the like.	Retain ten (10) years; destroy
Inmate Grievances	Grievances filed by inmates.	Retain five (5) years; and then destroy.

**Agency Specific Schedule (ADC) 14 ~ Farm Operations**

This category includes agency specific records relating to various farming operations of the department.

Record Number & Category Title	Description	Minimum Retention Period
ADC 14001 Cold Storage	Documents relating to the cold storage operations including inventory, production, emoluments, etc.	Retain three (3) years; destroy
ADC 14002 Vegetable Processing	Documents relating to the vegetable/hot house processing operations including inventory, production, emoluments, shipping, etc.	Retain three (3) years; destroy
ADC 14003 Creamery	Documents relating to the Creamery operations including inventory, production, emoluments, etc.	Retain three (3) years; destroy
ADC 14004 Livestock Operations	Files relating to all livestock operations including inventory (Head Count, Additions, Deletions), Rolling Herd Average, Herd Health Records, Replacement Heifers, Livestock Sales, Weight Tickets, Consignment Sheets, Death Reports, Feed Lot to Cold Storage assignments, etc.)	Retain three (3) years; destroy except that Livestock Sales and Weight Tickets must be retained as required by <b>GS 05014</b> .
ADC 14005 Livestock Origination Documentation	Documents origin of livestock in case of disease outbreak, e.g., Mad Cow Disease.	Retain ten (10)/twenty (20) years



The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 14006 Feed Mill	Documents relating to the Feed Mill operations including inventory (feed/additives supply) and production (amount produced and shipped).	Retain three (3) years; destroy
ADC 14007 Egg Production	Documents relating to the Egg operation number of eggs produced.	Retain three (3) years; destroy
ADC 14008 Garden Production/Weight Tickets	Documents amounts of vegetables produced	Retain three (3) years; destroy
ADC 14009 Field Crop	Documents relating to Field Crop operations including crop production, shipments, transfers, use of agri-chemicals, etc.	Retain five (5) years; destroy except retain Crop Weight Tickets three (3) years; and Consignment Sheets ten (10) years.
ADC 14010 CCC Crop Loans	Documents CCC Crop Loans	Retain ten (10) years; destroy.
ADC 14011 Stored Grain Measurement	Documents rice production inventory.	Retain ten (10) years; destroy.
ADC 14012 SCS Program Contract	Documents special conservation contracts	Retain ten (10) years; destroy.
ADC 14013 FSA Acreage Verification	Documents participation in the FSA program.	Retain ten (10) years; destroy.
ADC 14014 Board Report Data	Documents produced relating to land use, production, and inventory information.	Retain (3) years; destroy, except retain backup documentation for report for ten (10) years.

**Agency Specific Schedule (ADC) 15 ~ - Industry Operations**

This category includes agency specific records relating to various industry operations of the department.

Record Number & Category Title	Description	Minimum Retention Period
ADC 15001 Printing Quotations	Quotes supplied to customers.	Retain six (6) months; destroy.

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 15002 Industry Stock Transfer	Items transferred between programs.	Retain one (1) year; destroy.
ADC 15003 Monthly Inventory	Raw materials received and used to produce finished goods.	Retain three (3) years; destroy.
ADC 15004 Supply Room Log	Supplies used by a particular program.	Retain three (3) years; destroy.
ADC 15005 Warehouse Pick-Up Log	Items picked up from programs for distribution by warehouse trucks.	Retain three (3) years; destroy.
ADC 15006 Correctional Industry Work Order	Record of products created for a customer.	Retain seven (7) years; image.
ADC 15007 Duplicating Requests	Record of customer request for duplication jobs.	Retain one (1) year; destroy.
ADC 15008 Entry Logs/Inventory Cards	Record identifying inventory issues.	Retain seven (7) years; image.
ADC 15009 Machine Logs/Q Bid Sheet	Record of maintenance of machines/price quotes	Retain three (3) years; destroy.
ADC 15010 Production Status Logs	Identifies the position in the production pipeline of a particular order.	Retain one (1) year; destroy.
ADC 15011 Shipping Logs	Record items are shipped.	Retain three (3) years; destroy.
ADC 15012 Delivery Logs	Record of items delivered.	Retain three (3) years; destroy.
ADC 15013 Truck Logs	Record of truck usage with preventative maintenance checks.	Retain three (3) years; destroy.

The Arkansas General Records Retention Schedule

Record Number & Category Title	Description	Minimum Retention Period
ADC 15014 Fuel Logs	Record of fuel used for each vehicle.	Retain three (3) years; destroy.
ADC 15015 ACI Order Form	Orders sold by ACI.	Retain one (1) years; destroy.
ADC 15016 Razor Order Form	Orders sold by Razor Chemical.	Retain one (1) years; destroy.
ADC 15017 Employee Sales Order Form	Orders sold to State Employees	Retain one (1) years; destroy.
ADC 15018 Industry Purchasing Credit Card	Record of purchases made by Industry Employees.	Retain three (3) years; destroy.
ADC 15019 Digital Imaging	Record of sales and customer names.	Retain three (3) years; image.
ADC 15020 PIE CP CAC Quarterly Report	Record of inmates working in PIE program, rate of pay, other wage info., etc.	Retain three (3) years; image.

# **Glossary of Terms**

## **Definition of Terms Used within the Arkansas General Records Retention Schedule**

### **Automated System**

Computer configuration that, with all necessary hardware and software, performs or can be used to perform necessary business applications

### **Copy**

A reproduction of any record, including a reproduction of a previous reproduction

### **Data Element**

In electronic record keeping, a logical record component constituting one separate item of information such as name, address, or age

### **Disposition**

Any manner or method of changing the custody, location, or physical state of records including transfer, microfilming, duplication and destruction

### **Format**

The arrangement of information for use, viewing, or storage

### **Freedom of Information Act (FOIA)**

The Arkansas State Act that outlines the rights of the public to access public records  
Reference: Arkansas Code Annotated § 25-19-101 et seq.

### **General Record Schedule:**

Provides a minimum period of time that a specific type of record must be preserved

### **Governing Body**

The FOIA applies to the "governing bodies" of "all boards, bureaus, commissions, or organizations of the State of Arkansas." Ark. Code Ann. § 25-19-106(a); A group that has ultimate decision-making or policy-making authority is a governing body. Ark. Atty Gen. Op. Nos. 99-407, 98-169, 96-074, 91-288

### **Media (Medium)**

Physical material on which records information may reside including, but not limited to, paper, microfilm, microform, computer disks and diskettes, optical disks, and magnetic tapes

### **Official Version**

Record kept by the organization responsible for the authoritative copy;  
Note: A copy made of the original record may become the official version.

### **Permanent Record**

A record that has sufficient historical or other value to warrant its continued preservation by the State or Federal Government beyond the time it is needed for administrative, legal, or fiscal purposes.

### **Record**

Information or data captured in any form and media

### **Strategic Plan**

Management document containing the long-term objectives of an organization and a specific action plan for attaining these objectives

#### **State government**

Refers to state agencies, boards, and commissions, hereafter referenced simply as agencies. It does not include local, city, or county government, public institutions of higher education, judicial branch or state constitutional offices. Reference - Act 918 of 2005.



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## ADMINISTRATIVE DIRECTIVE

SUBJECT: Tool Control

NUMBER: ~~10-2417-11~~  
0210-21

SUPERSEDES: ~~01-~~

APPLICABILITY: All Employees

REFERENCE: JAR 400 - Security

PAGE: 1 of 22

APPROVED: ~~Original signed by Ray Hobbs, Director~~ Wendy Kelley EFFECTIVE DATE:  
~~07/23/2010~~ 01/31/2017

### I. POLICY:

It is the policy of the Department of Correction to maintain all tools necessary for institutional operation in a safe and organized manner and to ensure the tools are used for their intended purposes.

### II. EXPLANATION:

Recognizing that all tools have the potential to cause serious injury or death, all tools are numbered, checked out and in, inventoried and secured when not in use. Certain tools, however, are more likely than others to facilitate an escape. With this in mind the Department has classified tools accordingly.

### III. PROCEDURE:

The Tool Control Officer will be responsible for the operation of the tool control program at the correctional facility. The Tool Control Officer will be responsible for

(1) classifying tools, (2) maintaining a Master Tool Directory, (3) maintaining copies of "Daily Use" and "Storage" Inventories for each Department and (4) ensuring tools are marked according to their classification.

Each Work Supervisor/Instructor will be responsible for the daily issuing, receiving and inventory of all tools used in his/her respective areas.

A. Tool Classification and Use:

Tools are classified to enable staff to effectively supervise and control all tools. In **most** instances, machines, equipment and other items securely fastened will not be considered as tools. However, certain equipment (i.e., bench grinder), if used improperly can produce weapons or objects which can be used to facilitate an escape. For this reason, grinders and other similar equipment are classified as tools and should be controlled to prevent unauthorized access. While it is difficult to classify every specific tool used within a facility, two (2) general categories will be established, Class A Tools and Class B Tools. (Disposable tools will be continuously counted using the perpetual inventory system per OPP. 413.00).

1. CLASS A

Any tool likely to facilitate an escape or an attempted escape. When not in use, Class A Tools must be secured in a metal, concrete block or similar structure inaccessible to unauthorized persons. If a Class A Tool (e.g., a ladder) cannot be secured in such a manner, it must be padlocked to a permanent structure when not in use. An inmate's use of Class A Tools requires supervision as directed by unit/center policy. Class A Tools must be removed from any living area at the end of each day.

2. CLASS B

Any tool not likely to facilitate an escape or attempted escape. When not in use, Class B Tools must be secured in an area inaccessible to unauthorized persons. An inmate's use of Class B Tools requires supervision as designated by unit/center policy.

A Master Directory of all tools including their classes will be maintained and updated by the Unit's Tool Control Officer (Attachment A). The Master Tool Directory serves only as a guide and can be used as a basis to classify tools acquired in the future. Exception: tools identified with an asterisk must be classified as "Class A" tools throughout the Department. If a tool is classified as a Class A Tool, it shall be a Class A Tool in all areas of the facility. Example: ~~seissors are a Class A; all seissors would be a Class A in all areas (ovt)~~. A tool cannot be a Class A in one area and a Class B in another. Class A and B Tools shall be separated.



B. Excess Tools:

No personal tools will be allowed. Excess tool inventories will be stored in a secure area. A daily inventory of this storage area will not be necessary. Instead, a secure storage inventory will be conducted each time tools are transferred from the Secure Storage Area to the Daily Use Area and/or at the end of each month. An inventory of all tools located in secure storage areas will be maintained and posted with the stored tools.

C. Tool Issue:

All tools will be checked out and in on a daily basis. A logbook will be maintained in the tool area to record the issuance of tools. The person issuing tools will log the tool number, number of tools issued (if applicable), date issued, time issued, received by, issued by, the date and time the tool is returned and initial of person receiving the tool(s). Attached is an example of how the Tool Control Log shall be set up for each area (Attachment B). Disposable medical tools shall be logged and counted continually per Health Services Operational Policy and Procedure 413.00 Appendix B.

NOTE: The person who routinely issues an identical tool (example: hoe) to a large number of inmates (i.e., hoe squads, garden squads, utility squads, regional maintenance, etc.) will also record the number of tools issued.

Inmate clerks cannot issue Class A Tools to other inmates. An inmate clerk may, however, be assigned to issue Class B Tools in work areas. When an inmate is assigned to issue Class B Tools, the work supervisor/instructor shall be responsible for reviewing all log entries at the completion of employee's tour of duty. The work supervisor/instructor will initial all applicable log sheets indicating the date and time the review was completed. This should be done prior to the departure of the inmate who was assigned to handle the issuance of tools as well as prior to the departure of all workers assigned to a particular area.

Any tool not returned or unaccounted for will be reported immediately to the Tool Control Officer or the person designated by unit/center policy. Any inmate(s) who had access to the tool will be detained at that location until a thorough search has been made. A written report (005) identifying the missing tool(s), and the circumstances surrounding its loss, shall be sent immediately to the Tool Control Officer.

Tools reported missing will be listed on the Missing Tool Log (Attachment C). If the tool is not found within three (3) months, it will be removed from the appropriate Area Tool inventory. The Missing Tool Log will be maintained and updated by the Tool Control Officer and distributed to area supervisors/instructors on a monthly basis.

Broken tools that cannot be repaired will be turned over to the Unit Tool Control Officer for disposal. Anytime a broken tool is disposed of, an incident report (005) will be submitted to the Tool Control Officer.

D. Tool Inventories:

Separate inventories will be kept by each supervisor for tools in “Daily Use” (Attachment D) and “Storage” (Attachment E). These inventories must be signed by the supervisor, up-to-date and available with the tools.

On the last working day of each month, the work supervisor/instructor or designee will account for the inventory of tools assigned to his/her area. The Area Tool Inventory Forms (Attachment D and Attachment E) for that specific area will be updated and posted with the respective tools. Report of Tool Inventory (Attachment F) shall be completed by the area supervisor/instructor and submitted no later than the 5th of the following month to the Unit’s Tool Control Officer, along with up-to-date copies of completed Attachments D and E. The report of Tool Inventory (Attachment F) attests to the accountability of all tools on the Area Tool Inventories (Attachment D & Attachment E) as inventoried on the last working day of the month.

Area supervisors/instructors will immediately notify the Tool Control Officer when they receive an unclassified tool. The Tool Control Officer will classify these tools as Class A or Class B and add them to the Master Tool Directory, in consultation with the area supervisor/instructor and/or other designated staff person.

E. Tool Number:

Tools in daily use, except those areas listed in Section C, Note will be identified by an alphabetical symbol and two (2) sets of corresponding numbers. For example, garment factory tools might be identified by the letter “GF” followed by two (2) sets of numbers. The first number would identify the type of tool as a pair of scissors and the second number would identify the number of the tool itself. In this illustration, all scissors at the Garment Factory would be labeled GF1. Scissors number 1 would be labeled GF1-1. Scissors number 2 would be labeled GF1-2 and so on. All nippers in the Garment Factory would be identified by the symbol GF2. The letter GF2 identifies the tool as a pair of nippers. All nippers would then be consecutively numbered GF2-1, GF2-2 and so on.

Those tools described in Section C, Note and assigned to the hoe squad, garden squad, utility squad, regional maintenance, etc., will be identified by an alphabetical symbol and only one (1) identifying number. For example, all shovels assigned to the hoe squads may be labeled HS1. HS identifies the tool as assigned to the hoe squads. The number 1 identifies the tool as a shovel. All swing blades assigned to the hoe squads might be identified by the symbol “HS2”. The symbol HS identifies the tool as belonging to the Hoe Squad; the number two (2) identifies the tool as a swing blade. The Tool Control Officer shall assist all work supervisors/instructors in establishing the system for numbering all tools in

his/her respective areas. Tools which are secured in storage and not in daily use only need to be marked with their alphabetical symbol and number identifying the type of tool.

Any tool large enough to mark with the alphabetical symbol and number shall be marked (exception is medical tools that must be sterilized. These tools must be listed on inventory and counted.) Tools too small to be marked shall be listed on the tool inventory.

**WORKCRAFT TOOLS:**

Workcraft tools shall be marked with the inmate ADC #, the alphabetical prefix "WC" and the two series of numbers. This will eliminate each unit being required to re-mark tools when an inmate is transferred to another unit.

**IV. STANDARDS:**

American Correctional Association

**V. ATTACHMENTS:**

- A – Master Tool Directory (pp 6-17)
- B – Format for all Tool Control Logs (p. 18)
- C – Missing Tool Log (p. 19)
- D – Daily Use – Area Tool Inventory (p. 20)
- E – Storage – Area Tool Inventory (p. 21)
- F – Report of Tool Inventory (p. 22)

10-21

10July22

## MASTER TOOL DIRECTORY - CLASS 'A' TOOLS

DESCRIPTION	CLASS
BUTCHER STEEL	A
CUTTERS	A
CUTTING TIPS	A
CUTTING TORCH	A
FILES	A
<b>*GRINDERS</b>	A
<b>*HACKSAW</b>	A
<b>*HACKSAW BLADE</b>	A
<b>*HAIR SHAPER RAZOR</b>	A
HAND SCISSORS SHARPENER	A
HONES	A
<b>*ICE PICKS</b>	A
KNIFE SHARPENER	A
<b>*KNIVES</b>	A
LADDERS (ASSORTED TYPES & SIZES)	A
<b>*MACHETE</b>	A
<b>*MEAT CLEAVER</b>	A
MEAT FORK	A
MEAT THERMOMETER	A
<b>*PICK SET</b>	A
PLIERS	A
<b>*PROPANE TORCH HEAD</b>	A
PRY BAR	A
RASP	A
RAZOR BLADE	A
RIPPING TOOL	A
ROOF HATCHET	A
ROSEBUD TORCH HEAD	A
SANDERS	A
SANDING STONE	A
<b>*SAW BLADE</b>	A
<b>*SCALPEL</b>	A
SCISSORS (ASSORTED TYPES & SIZES)	A
SERVING FORK	A
<b>*STRAIGHT RAZOR</b>	A
TEST LIGHT	A
TIN SNIPS	A
VALVE SEAT CUTTER	A
WISE GRIPS	A
WET ROCK	A
WING DIVIDERS	A
<b>*WIRE CUTTERS</b>	A

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

A/C CLUTCH REMOVER TOOL	B
A/C CLUTCH TOOL	B
A/C COMB	B
AGGIE HOE HEADS	B
AGGIE HOES	B
AIR BLOW GUN KIT	B
AIR BLOWER	B
AIR DRILL (3/8")	B
AIR FILE SANDER	B
AIR GREASER	B
AIR GAUGE	B
AIR HAMMER	B
AIR IMPACT SCREWDRIVER	B
AIR IMPACT SCREWDRIVER WRENCHES	B
AIR NAILER	B
AIR NOZZLE	B
AIR RIVET GUN	B
AIR RIVETER	B
AIR SCREWDRIVER (POSITIVE CLUTCH)	B
AIR SHEARS	B
AIR/WATER SYRINGE TIP	B
AIR/WATER SYRINGES	B
ALCOHOL TORCH	B
ALIGNING TOOL	B
ALLEN BIT	B
ALLEN WRENCH ADAPTERS	B
ALLEN WRENCHES	B
AMALGAM CARRIER	B
AEROSOL INJECTOR	B
AVIATION SNIPS	B
AWL	B
AXE HANDLE	B
AXE HEAD	B
AXES	B
AXLE SHAFT PUNCH	B
BACKSAWS	B
BANDAGE SCISSORS[GW2]	B
BAR CLAMPS	B
BARD PARKER HANDLE	B
BARS	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

BASIN WRENCH	B
BATTERY POST WRENCH	B
BEARING PULLER	B
BODY SCHUTZ GUN	B
BOW DIVIDER	B
BOW SAW	B
BOX SAW	B
BRAKE PLIERS	B
BRAKE SPOON	B
BRASS DRIFT TOOL	B
BREKOVER BAR	B
BRICK SPACING RULE	B
BROOM HANDLES	B
BROOM HEADS	B
BROOMS	B
BUTTERFLIES [GW3]	B
BUTTON CUTTER (#22)	B
BUTTON MOLD SET (#22 3-PC)	B
CALIPER (5')	B
CALIPER COMPRESSOR	B
CALIPERS	B
CAN OPENER	B
CAN PUNCH	B
CARVER	B
CAULKING GUN	B
CAVITRON TIPS	B
CENTER PUNCH (1/2")	B
CHAIN SAW	B
CHAIN SETS	B
CHAINS (ASSORTED TYPES & SIZES)	B
CHANNEL LOCK PLIER	B
CHEATER PIPE	B
CHISELS	B
CLAMPS (C)	B
CLAMPS (FABRIC)	B
CLAMPS (U-3 WAY)	B
CLAMPS (WOOD)	B
CLINCH BLOCK	B
CLINCH PULLER	B
COAX STRIPPER	B
COIL COMB	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

COMBINATION SQUARE	B
COME-ALONG	B
COMPASS	B
COMPRESSION TESTER	B
CONCRETE FLOATS	B
CONCRETE TROWEL	B
COOK PADDLES	B
COPE SAW	B
COPPER TUBE FLARE SET	B
CORDLESS DRILL	B
CORE REMOVER TOOL	B
CRESCENT WRENCH	B
CRETE ALONG	B
CRIMPERS	B
CROSS CUT SAW	B
CURVED NEEDLE	B
CUT OFF SAW	B
CUTTER (BIG BUN)	B
CUTTER (BISCUIT)	B
CUTTER (CAST)	B
CUTTER (DOUGH)	B
CUTTER (HOT DOG BUN)	B
CUTTER (PIZZA)	B
CYLINDER RIDGE REAMER	B
DECAL INSTRUMENT	B
DENT PULLER	B
DENTAL LATHE	B
DENTAL MIRROR	B
DIAL SET	B
DIAMOND POINTS	B
DIGGING FORK	B
DIPPERS	B
DISP. SUTURE REM. KIT	B
DISPOSABLE CAUTERY KIT	B
DOLLY	B
DRAFTING TOOL	B
DRAIN SNAKES	B
DRILL (SMALL ELECTRIC)	B
DRILL BITS (METAL)	B
DRILL BITS (WOOD)	B
DRILL BRACE	B



## MASTER TOOL DIRECTORY - CLASS 'B' TOOLS

### DESCRIPTION CLASS

DRILL CHUCK KEYS	B
DRIVE ADAPTER (3/8" TO 1/4")	B
DRIVE EXTENSIONS (ASSORTED SIZES)	B
DRIVER BAR	B
DRUM & CABLE SET	B
EASE OUT SET	B
EATING FORKS	B
EATING KNIVES	B
EATING SPOONS	B
EDGERS	B
ELECTRIC DRILL	B
ELECTRODE HOLDER	B
END NIPPERS	B
END PLANES	B
END SNIPS	B
ENGRAVER	B
EXCALIBER SAW	B
EXTENSION (1/4")	B
EXTENSION (3/4")	B
EXTENSION (3/8")	B
EXTENSION CORDS	B
EXTRACTION FORCEPS	B
EXTRACTOR KIT	B
EXTRACTORS (ASSORTED SIZES)	B
FEELER GAUGE	B
FENCE STRETCHER	B
FIELD HOES	B
FILING CABINET RODS	B
FILING KITS	B
FIN TOOL	B
FINSTER CLIPPER	B
FIREPLUG WRENCH	B
FLARING TOOL	B
FLOAT HANDLES	B
FLOOR SCRAPER	B
FLY WHEEL PULLER	B
FOOD THERMOMETER	B

MASTER TOOL DIRECTOR - CLASS 'B' TOOLS

**DESCRIPTION CLASS**

FORCEPS (ASSORTED TYPES AND SIZES)	B
FORKS (ASSORTED TYPES AND SIZES)	B
FRAMING SQUARE	B
FUSE PULLER	B
GARDEN WEASEL	B
GAS HEDGE TRIMMER	B
GASKET SCRAPER	B
GEAR PULLERS	B
GLADE HANDLE	B
GLUE GUNS (AIR SPRAYERS)	B
GOOSENECK CLAW	B
GOUGES	B
GREASE GUN	B
GREASE GUN NOZZLE FITTING	B
GRINDING WHEEL DRESSER (LARGE)	B
GROMMET HOLE CUTTERS	B
GROMMET INSERTING DIES (2 PC)	B
GROUND CLAMPS FOR WELDER	B
HAIR CLIPPERS	B
HAIR CLIPPERS (ELECTRIC)	B
HAMMER (CLAW)	B
HAMMER DRILL	B
HAMMERS (ASSORTED TYPES & SIZES)	B
HAND CLIPPERS	B
HAND CULTIVATORS	B
HAND GRATERS	B
HAND LIMB SAW	B
HAND PRUNERS	B
HAND RIVETER	B
HAND SANDERS	B
HAND SICKLES	B
HAND WOOD SAW	B
HANDY BUTTON PRESS	B
HARMONIC BALANCER PULLER	B
HAY HOOKS	B
HEAD CLIPPERS	B
HEAL BAR	B
HEAT GUN	B
HEDGE CLIPPERS	B
HEEL DOLLY	B
HEMOSTAT (ASSORTED TYPES & SIZES)	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

HEX CRIMP TOOL	B
HEX KEY SET	B
HOG RING PLIER	B
HOLESAW SET	B
HOLLEN BACK	B
HOOF CLIPPERS	B
HOOF GAUGES	B
HOOF PICKS	B
HOOK	B
HORSE CLAMP PLIERS	B
HOSE CUTTER	B
ICE CREAM SCOOP	B
ICE SCOOP	B
ICE SCRAPER	B
IDLER PULLEY	B
IGNITION WRENCH	B
IMPACT (1/2")	B
IMPACT (3/8")	B
IMPACT (SWIVEL)	B
JACK HANDLE & LUG WRENCH	B
JAM GUN	B
JEWELERS SCREWDRIVER SET	B
JIG SAW	B
JIG SAW BLADES	B
KEY BOARD SAWS	B
KEY HOLE SAW	B
KNOCK OFF TOOL	B
KNOCKOUT SET	B
LACERATION KIT	B
LADLES	B
LAWN MOWER BLADES	B
LEAF RAKES	B
LEATHER HOLE PUNCH	B
LEATHER PUNCH	B
LEVEL (ASSORTED TYPES & SIZES)	B
LINE UP TOOL	B
LINE WRENCHES (ASSORTED TYPES & SIZES)	B
LOCKDOWN TOOL	B
LUG WRENCH (4-WAY)	B
MAGNETIC FLEXIBLE DRIVER	B
MALLETS (ASSORTED TYPES & SIZES)	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

MASONRY BIT	B
MEAT TENDERIZER	B
MELON SCOOP	B
METAL SCOOP	B
MITER SAW	B
MIXING PADDLES	B
MIXING WHIPS	B
MODELING SPOONS	B
MODELING CUTTING SET	B
MOPS	B
MULTIPLE OUTLET EXTENSION CORD	B
NAIL CLIPPERS	B
NAIL PULLER BAR	B
NAIL SET	B
NEEDLE PROBES	B
NEEDLES MEDICAL (ASSORTED SIZES)	B
NIPPER BLADES	B
NIPPERS	B
NUT DRIVER	B
NUT GAUGE	B
OIL RING REMOVER	B
PADDLE BITS	B
PAINT BRUSH	B
PAINT GUN	B
PAINT GUN WRENCH	B
PAINT HOSE (AIR)	B
PAINT ROLLERS	B
PAINT SCRAPER	B
PAPER CUTTER	B
PARALLELED RULING BARS	B
PARTS BRUSH	B
PASTRY BRUSH	B
PATCH ROLLERS	B
PENCIL SHARPENER	B
PHILLIPS BIT	B
PICK AXE	B
PICKS (DIRT)	B
PICTURE ROLLERS	B
PINCH BAR	B
PINKING SHEARS	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

PIPE CLAMPS	B
PIPE CUTTER	B
PIPE DIES (ASSORTED SIZES)	B
PIPE REAMER	B
PIPE TAP	B
PIPE THREADER	B
PIPE THREADER TOOL	B
PISTOL GRIP SWIFTACKER TOOL	B
PISTON GROOVE CLEANER	B
PISTON RING EXPANDER	B
PITCH FORKS	B
PLASTIC HANDLE MINI SCREWDRIVER SET	B
PLASTIC WEDGES	B
PLUNGE ROUTER	B
POLE CLIMBERS	B
POLE SAW	B
PORT-A-POWER ACCESSORIES	B
POST DRIVERS	B
POST HOLE DIGGERS	B
POTATO PEELERS (HAND-HELD)	B
POWER TOOL BIT	B
PRONG SOCKET	B
PRUNING SHEARS	B
PULLER PULLEY	B
PUNCH	B
PUTTY KNIFE	B
RAKES (ASSORTED TYPES)	B
RATCHET (1/2")	B
RATCHET (1/4")	B
RATCHET (3/8")	B
RATCHET (AIR)	B
REBOUND SLIDE SPRING TOOL	B
RIBBED SETTER	B
RIDGE REAMER	B
RIGID THREADER HANDLE	B
RING EXPANDER	B
ROLLER	B
ROLLING PIN	B
ROPES (ASSORTED TYPES & SIZES)	B
ROUTER (ELECTRIC)	B
ROUTER BITS	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

RUBBER SANDER	B
RUBBING BRICK	B
RULERS	B
SANDER (PALM GRIP 4")	B
SCREWDRIVER (4-WAY)	B
SCREWDRIVER BITS (FLAT LONG)	B
SCREWDRIVER BITS (FLAT SHORT)	B
SCREWDRIVER (IMPACT)	B
SCREWDRIVER (MAGNETIC)	B
SCREWDRIVER (PHILLIPS)	B
SCRIBE TOOLS	B
SEAM RIPPERS	B
SELF-CENTERING DOWEL JIG	B
SERVING DIPPER	B
SEWING MACHINE	B
SEWING MACHINE NEEDLES	B
SHEARS (ASSORTED TYPES & SIZES)	B
SHOE PULLERS	B
SHOE PUNCH	B
SHOE SPREADER	B
SHOP RING PLIERS	B
SHOVELS (ASSORTED TYPES & SIZES)	B
SICKLE BLADE	B
SKILL SAW	B
SLEDGE HAMMERS (ASSORTED TYPES & SIZES)	B
SLOTTED SPOON	B
SNAP RING PLIER	B
SNOW SHOVEL	B
SOCKET (1/2" DRIVE DEEPWELL)	B
SOCKET (1/2" DRIVE STD)	B
SOCKET (1/4" DRIVE STD)	B
SOCKET (3/8" DRIVE DEEPWELL)	
SOCKET (3/8" DRIVE PHILLIPS SCREWDRIVER)	B
SOCKETS (3/4")	B
SOCKETS (3/8" DRIVE STD)	B
SOCKETS (3/8" DRIVE TORX)	B
SOCKETS (ALLEN WRENCH)	B
SOCKETS (SPARK PLUG)	B
SOLDERING GUN	B
SPATULAS (ASSORTED TYPES & SIZES)	B
SPEED SQUARE	B

**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

SPIRAL REAMER	B	
SPLITTING MALL	B	
SPOT NAIL GUN	B	
SPOT NAIL STAPLER	B	
SPRING BENDER	B	
SPRING CLIPPERS	B	
SPRING INSTALLATION HOOK TOOL	B	
SPRING PULLER	B	
SQUARE	B	
SQUARE (90 DEGRESS)	B	
SQUEEGEES	B	
STAPLE AND TACK LIFTER	B	
STAPLE GUN (AIR)	B	
STAPLE GUN (MANUAL)	B	
STAPLE PULLER	B	
STENCIL ROLLER	B	
STIRRING WHIPS	B	
STRAP RING PLIERS	B	
SUGAR SCOOP	B	
SUTURE	REMOVAL	KITS
		B
[GW4]		
SYRINGES (ASSORTED TYPES & SIZES)	B	
TAP HANDLE	B	
TAPE MEASURE	B	
TAPS	B	
T-BEVEL	B	
TIRE BEAD BUSTER	B	
TIRE HAMMER	B	
TIRE PLUG TOOL SET	B	
TIRE SLIDE HAMMER	B	
T-NAIL GUN	B	
TONGS (ASSORTED TYPES & SIZES)	B	
TORCH STRIKER	B	
TORQUE WRENCH	B	
TORX BITS	B	
TRI-POD TRANSIT	B	
T-SQUARE	B	
TUBULAR BANDAGE APPLICATOR	B	
TUFTING NEEDLE	B	
TUNING FORKS	B	
TWEEZERS	B	

VALVE CORE REMOVER	B
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**MASTER TOOL DIRECTORY - CLASS 'B' TOOLS**

**DESCRIPTION CLASS**

VALVE LAPPING TOOL	B
VALVE SPRING CLAMP	B
VALVE SPRING COMPRESSOR	B
VALVE SPRING REMOVER TOOL	B
VEINERS	B
VINYL TILE ROLLER	B
WATER HOSE	B
WATER HOSE NOZZLE	B
WEBBING STRETCHER	B
WEED CUTTERS	B
WEED EATERS	B
WELDER'S TIP CLEANER	B
WELDING HOSES	B
WELDING TORCH SEATER	B
WINDSHIELD BONE	B
WIRE BRUSH	B
WIRE DISPENSER	B
WIRE GAUGE	B
WIRE MARKER	B
WIRE STRIPPER PLIERS	B
WIRE THREADER GUIDE	B
WIRE TWISTER	B
WIRE WHEEL	B
WOOD CHISEL	B
WORM DRIVE SAW	B
WORMING GUN	B
WRENCH (BOX)	B
WRENCH (BRAKE ADJUSTER)	B
WRENCH (COMBINATION)	B
WRENCH (CROW FOOT)	B
WRENCH (DIE)	B
WRENCH (DISTRIBUTOR)	B
WRENCH (LINE)	B
WRENCH (OIL FILTER)	B
WRENCH (OPEN)	B
WRENCH (OPEN/BOX)	B
WRENCH (PIPE)	B
WRENCH (RATCHET)	B
WRENCH (SOCKET)	B
YOKE CRANE REAMER	B



ARKANSAS DEPARTMENT OF CORRECTION

FORMAT FOR ALL TOOL CONTROL LOGS

UNIT: \_\_\_\_\_ DEPT: \_\_\_\_\_

- Note: 1) Must be kept in the tool daily use area.  
2) When an inmate is assigned to issue tools (Class 'B' only), the supervisor will be responsible for reviewing and initialing all log entries at the completion of the employee's tour of duty.

TOOL #	Tool Description	# of Tools Issued (If applicable)	Date Issued	Time Issued	Rec'vd By	Issued By	Date Returned	Time Returned	Returned To

REVIEWED BY: \_\_\_\_\_ A.M. \_\_\_\_\_ P.M.  
DATE: \_\_\_\_\_  
TIME: \_\_\_\_\_









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Arkansas Department of Correction

PO Box 8707  
Pine Bluff, AR 71611-8707  
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Fax: 870-267-6258  
www.state.ar.us/doc

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Think Legacy Re-Entry Program

**NUMBER:** 17-13

**SUPERSEDES:** NEW

**APPLICABILITY:** All Staff and Inmates

**REFERENCE:** AR-803 Release Process and  
AR-881 Volunteer Services

**PAGE:** 1 of 6

**APPROVED:**

**EFFECTIVE DATE:**

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**I. POLICY:**

This policy describes the Think Legacy Re-Entry Program developed to assist inmates to ~~reintegrate-reintegrate~~ into the community.

**II. EXPLANATION:**

The Arkansas Department of Correction (ADC) recognizes that the majority of inmates incarcerated will be released into the community. These inmates will be released either on parole or by discharging their sentence. In order to increase the potential for successful reintegration into the community, it is necessary that these inmates be provided certain programming and information. To do this, the Department shall develop and operate the Think Legacy Re-Entry Programming for inmates who meet certain criteria ~~and are to be released into the community.~~

The Department shall establish an evidence-based curriculum for the Think Legacy Re-Entry Programming. The Department shall monitor the curriculum and modify it as necessary to ensure that it meets the needs of the inmate population. This programming will be structured to make use of staff, inmate and community resources.

5. Materials and resources for Think Legacy programming may be acquired through donation or bought by the facility or Agency. Department standardized curriculum will be provided through the Think Legacy Coordinator.

**B. Think Legacy Re-Entry Program Coordinator**

1. The Think Legacy Program Coordinator shall evaluate and monitor the operation of the Think Legacy barracks, recommend changes to accommodate the special needs and functions of individual facilities, and bring uniformity to the statewide Think Legacy program.
2. The Think Legacy Program Coordinator shall establish and update a list of resources that each Think Legacy barracks is to make available to the inmates housed therein.
3. The Think Legacy Program Coordinator shall maintain a set of standard operating procedures for the Think Legacy barracks that will provide a core curriculum that must be taught. Additional customized practices ~~in-keeping-with~~ compliant with the makeup and resources of each separate facility are allowed, if approved by the Think Legacy Program Coordinator. The Think Legacy Re-Entry Program Coordinator will review the standard operating procedures annually. Revisions may be made ~~in-keeping-within~~ in accordance with recommendations of the facility Superintendents/Wardens subject to approval of the Director.

**C. Think Legacy Accountability Coach**

1. Volunteers must be approved through the Superintendent/Warden and the Think Legacy Coordinator to work as a Think Legacy Accountability Coach. They may have access to the Department's electronic Offender Management Information System (eOMIS), if approved by the Deputy Director for Health & Correctional Programs.
2. A Think Legacy Accountability Coach conducts in-person interviews with inmates in order to complete their Re-Entry Report Cards.
3. Think Legacy Accountability Coaches may also serve in other volunteer capacities.

**D. Re-Entry Report Card**

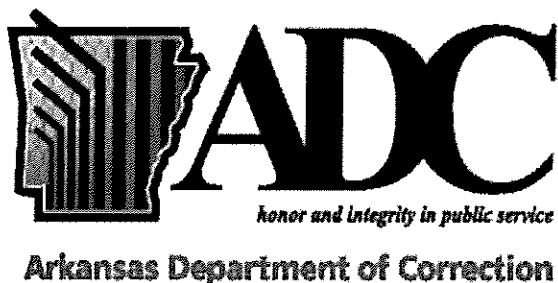
At least one hundred twenty (120) days before an inmate's anticipated release date, the Department of Correction, in collaboration with the inmate, Arkansas Community Correction and the Parole Board, shall complete a prerelease assessment and Re-Entry plan, ~~known as a Re-Entry Report Card~~

1. The initial interview and Re-Entry Report Card and/or ARORA assessment process must be completed for all inmates, as early as possible, but no less than one hundred twenty (120)



serve in direct service roles, including but not limited to ~~service as a~~ Think Legacy Accountability Coach, Think Legacy Instructor, or a Think Legacy Mentor.

- a. Any individual wishing to become a Think Legacy Accountability Coach must have prior experience as an ADC Volunteer or be a former or current ADC employee. The individual will be provided a copy of this Administrative Directive, must complete an application, receive approval from the Think Legacy Program eCoordinator and Superintendent/Warden, sign a volunteer agreement, and receive eOMIS clearance and training.
  - b. Any individual wishing to become a Think Legacy Instructor shall be provided ~~a copy~~access to a copy of this Administrative Directive, ~~a copy of~~ the Administrative Directive on Volunteer Services, and an Inmate Handbook. They must be cleared through background checks in ACIC/NCIC. The individual will be required to complete a Volunteer Application Form and sign a Volunteer Agreement.
  - c. Any individual wishing to be a Re-Entry Mentor will apply directly to the ~~Department employee~~ Think Legacy Facility Coordinator supervising the Re-Entry Mentors for the facility in which the volunteer wishes to serve. These individuals shall be guided through site specific training appropriate to the mentor practices at their facility of service. They may function under the guidelines for Occasional Service Volunteers or for Regular Service Volunteers. Current ADC employees may not be Mentors despite the important role they play in setting examples of professionalism to the entire inmate population.
3. Think Legacy Accountability Coaches who have met the qualifications of this Administrative Directive and completed the required training shall be granted an eOMIS profile and given access to make updates and changes to the eOMIS Re-Entry Report Card and/or ARORA assessment upon approval of the Deputy Director for Health & Correctional Programs. Their primary task is to conduct face-to-face interviews with inmates, complete the Re-Entry Report Card and/or ARORA assessment for each inmate, and see that the inmate receives a copy of their Re-Entry Plan at the appropriate time. If a facility does not have a designated Think Legacy Accountability Coach, their duties will be assigned to the Think Legacy Facility Coordinator.
  4. Think Legacy Instructors are approved and tasked to provide classroom leadership and instruction in unit Think Legacy classes and/or the Think Legacy barracks.
  5. Think Legacy Re-Entry Mentors meet with inmates who are within 6 months of their anticipated release date to engage in focused conversation with the inmates about specific Re-Entry concerns and plans. They provide counsel



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## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Americans with Disabilities Amendments Act

**NUMBER:** ~~15-2416-XX~~ 17-14  
24

~~————SUPERSEDES: 12-1915-~~

**APPLICABILITY:** Employees

**REFERENCE:** ~~AR-204~~ –Employment and  
Act 98 of 2011

~~————PAGE: \_1 of 6~~

**APPROVED:** ~~Original Signed by Wendy Kelley~~ **EFFECTIVE DATE:** 07/31/2015

### I. POLICY:

It shall be the policy of the Arkansas Department of Correction to provide procedures for prompt and equitable resolution of concerns or complaints alleging any acts of discrimination against persons with a disability.

### II. EXPLANATION:

An otherwise qualified person with a disability will not, on the basis of disability, be excluded from participating in, be denied benefits of, or otherwise be subjected to discrimination under any program, service, activity or employment opportunity in violation of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Amendments Act.

### III. DEFINITIONS:

**Act—The Americans with Disabilities Amendments Act.**

- A. Complaint – Statement by the complainant or the complainant’s representative containing the complainant’s name, address, telephone or TDD number, describing the alleged discriminatory act or violation in

detail including the date, location, parties involved, the remedy sought and documentation of disability or documentation that the person is regarded as having a disability by the parties involved.

- B. ADC – The Arkansas Department of Correction, its divisions, offices and programs.
- C. Agency ADA Employment Coordinator – Human Resource Administrator or designee.
- D. Individuals with Disabilities – Persons who have a physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment; or is regarded as having such impairment. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. If the impairment is episodic or in remission, it is a disability if it would substantially limit a major life activity when active.
- E. Major Life Activities – An average person can perform these activities with little or no difficulty. Examples are: –caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.
- F. Being regarded as having such an impairment – An individual meets the requirement of “being regarded as having such an impairment” if the individual establishes that he or she has been subjected to an action prohibited under this policy because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
  - 1. Transitory Impairment – Impairment with an actual or expected duration of six months or less is not considered a disability for purposes of this policy.
  - 2. The definition of disability shall be construed in favor of broad definition, making for broad coverage under terms of this policy.
  - 3. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.

4. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.
  5. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the beneficial (improving) effects of reasonable measures such as:
    - a. medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetic including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices or oxygen therapy equipment and supplies:
      - (1) the term “ordinary eyeglasses or contact lenses” means lenses that are intended to fully correct visual acuity or eliminate refractive error; and
      - (2) the term “low vision devices” means devices that magnify, enhance or otherwise augment a visual image.
    - b. use of assistive technology;
    - c. reasonable accommodations or auxiliary aids or services; or
    - d. learned behavioral or adaptive neurological modifications.
- G. Qualification Standards and Tests Related to Uncorrected Vision— Notwithstanding the above, the Agency shall not use qualification standards, employment tests, or other selection criteria based on an individual’s uncorrected vision unless the standard, test, or other selection criteria, as used by the Department, is shown to be job-related for the position in question for the protection of the security and good order of its institutions.
- H. Reasonable Accommodation – A modification or adjustment to a job, the work environment or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Examples for non-security positions include acquiring or modifying equipment or devices, job restructuring, part-time or modified work schedules, providing readers or interpreters, or making the workplace accessible to and usable by individuals with disabilities. An employer is not required to accommodate an employee or applicant’s disability if doing so would impose an undue hardship on the operation of the business. However, an employer is not required to reallocate essential

functions of a job as a reasonable accommodation. Essential functions, by definition, are those that a qualified individual must perform, with or without accommodation.

- I. Undue Hardship – An action that requires significant difficulty or expense in relation to the size of the business, the resources available and the nature of the program. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, and disruptive or that would fundamentally alter the nature or operation of the business adversely affect the security and good order of the operation of the department.
- J. Employment Discrimination – Unlawful discrimination based on a disability in the terms and conditions of the Department's employment.

#### IV. PROCEDURES:

ADA related complaints from employees shall be addressed by the Human Resource Administrator. The complaint should follow the procedures listed below:

1. A concern or complaint must be filed in writing.
2. The complaint must be filed within five days after the alleged violation has occurred. A representative may file a complaint on behalf of the injured party.
3. Within fifteen business days of receipt of the complaint, the Human Resources Administrator will initiate an investigation, which shall include a meeting with the complainant. This process contemplates an informal, but thorough investigation, affording all interested persons and their representatives an opportunity to submit evidence relevant to the complaint.
4. The results of the investigation will be reviewed by the Warden, Administrator, etc., of the unit or area where the complaint occurred, the Human Resources Administrator and an interested similarly disabled person, if possible.
5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Human Resources Administrator and a copy forwarded to the complainant. The response should be issued within 30 business days from the filing of the complaint, unless the Human Resources Administrator determines that the complexity of the issues gives rise to good cause for the delay.

6. The complainant may request a reconsideration of the case in instances where the complainant can provide specific information contrary to the final ruling. The request for reconsideration must be made in writing within five (5) working days to the Human Resources Administrator. The Administrator will reconsider the case if merited.
7. This procedure shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the Department complies with the Act and it is implementing regulations.
8. The Human Resources Administrator shall maintain the files and records of the Department relating to the complainants and the resolutions sent to the complainants. Files will be maintained pursuant to the ADC Records Retention Policy.

A. Requests for Reasonable Accommodation

1. All requests for reasonable accommodation shall be sent to the Unit Human Resources Manager, who will then contact the Human Resources Administrator.
2. The employee shall be provided an Essential Job Function Questionnaire to be completed by his/her physician. This form must be completed and returned to the Unit Human Resources Manager within five (5) business days who will immediately forward this information to the Human Resources Administrator. No accommodation will be made unless and until this information is provided to the Human Resources Administrator.
3. The completed Essential Job Function Questionnaire will be returned to the Unit Human Resources Manager. If the physician has indicated that any one of the essential functions cannot be performed for a temporary period, the employee will be provided FMLA paperwork and temporarily relieved of his/her duties until it can be ascertained when they will regain their ability to perform all essential job functions. The Department does not waive essential job functions for security employees. Non-security employees will be reviewed on a case-by-case basis.
4. If a physician determines that an employee is unable to perform one of the essential job functions of his/her current job due to a permanent disability, the Human Resources Administrator should be notified by the employee.

5. The Human Resources Administrator will ensure that the employee is notified of all current advertised vacant positions within the Department. The employee must be able to satisfy the minimum qualifications and the essential job functions for positions of the same or lower grade. Promotions will not be awarded as ADA accommodations.
6. The employee will have two (2) working days to determine whether he or she will accept the applicable position.
7. The Human Resources Administrator will issue a final response in writing to the employee and the Warden/Administrator regarding the provision of the reasonable accommodation and the placement of the employee based on the employee's ability to qualify for a vacant position within the Department.

B. Need for accommodation is determined on a case-by-case basis, taking into consideration:

1. the specific disabling condition;
2. the limitations on performing the affected job functions;
3. the essential functions of the particular job;
4. the work environment;
5. whether the proposed accommodation would create an undue hardship on the Department.

#### IV. **EMPLOYMENT:**

The Department does not discriminate based on disability against qualified individuals with disabilities in any aspect of employment, including recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid leave, fringe benefits, training and employer sponsored activities, including recreational or social programs. Any employee with an ADA concern or complaint should contact the Human Resources Administrator to coordinate the ADA compliance effort.

The Agency will make reasonable accommodations for the known disabilities of otherwise qualified job applicants or employees with permanent disabilities, unless by so doing it caused undue hardship to the Department or the operation of its programs. However, an employer is not required to reallocate essential functions of a job as a reasonable accommodation. Essential functions, by

definition, are those that a qualified individual must perform, with or without accommodation.

V. PROCEDURES:

~~ADA-related complaints from employees shall be addressed by the Human Resource Administrator. The complaint should follow the procedures listed below:~~

- ~~1. A concern or complaint must be filed in writing.~~
- ~~2. The complaint must be filed within five days after the alleged violation has occurred. A representative may file a complaint on behalf of the injured party.~~
- ~~3. Within fifteen business days of receipt of the complaint, the Human Resources Administrator will initiate an investigation, which shall include a meeting with the complainant. This process contemplates an informal, but thorough investigation, affording all interested persons and their representatives an opportunity to submit evidence relevant to the complaint.~~
- ~~4. The results of the investigation will be reviewed by the Warden, Administrator, etc., of the unit or area where the complaint occurred, the Human Resources Administrator and an interested similarly disabled person, if possible.~~
- ~~5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Human Resources Administrator and a copy forwarded to the complainant. The response should be issued within 30 business days from the filing of the complaint, unless the Human Resources Administrator determines that the complexity of the issues gives rise to good cause for the delay.~~
- ~~6. The complainant may request a reconsideration of the case in instances where the complainant can provide specific information contrary to the final ruling. The request for reconsideration must be made in writing within five (5) working days to the Human Resources Administrator. The Administrator will reconsider the case if merited.~~
- ~~7. This procedure shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the Department complies with the Act and it is implementing regulations.~~



~~8. The Human Resources Administrator shall maintain the files and records of the Department relating to the complainants and the resolutions sent to the complainants. Files will be maintained pursuant to the ADC Records Retention Policy.~~

~~A. Requests for Reasonable Accommodation~~

~~1. All requests for reasonable accommodation shall be sent to the Unit Human Resources Manager, who will then contact the Human Resources Administrator.~~

~~2. The employee shall be provided an Essential Job Function Questionnaire to be completed by his/her physician. This form must be completed and returned to the Unit Human Resources Manager within five (5) business days who will immediately forward this information to the Human Resources Administrator. No accommodation will be made unless and until this information is provided to the Human Resources Administrator.~~

~~3. The completed Essential Job Function Questionnaire will be returned to the Unit Human Resources Manager. If the physician has indicated that any one of the essential functions cannot be performed for a temporary period, the employee will be provided FMLA paperwork and temporarily relieved of his/her duties until it can be ascertained when they will regain their ability to perform all essential job functions. The Department does not waive essential job functions for security employees. Non-security employees will be reviewed on a case by case basis.~~

~~4. If a physician determines that an employee is unable to perform one of the essential job functions of his/her current job due to a permanent disability, the Human Resources Administrator should be notified by the employee.~~

~~5. The Human Resources Administrator will ensure that the employee is notified of all current advertised vacant positions within the Department. The employee must be able to satisfy the minimum qualifications and the essential job functions for positions of the same or lower grade. Promotions will not be awarded as ADA accommodations.~~

~~6. The employee will have two (2) working days to determine whether he or she will accept the applicable position.~~

~~7. The Human Resources Administrator will issue a final response in writing to the employee and the Warden/Administrator regarding the provision of the reasonable accommodation and the placement~~

~~of the employee based on the employee's ability to qualify for a vacant position within the Department.~~

~~B. Need for accommodation is determined on a case-by-case basis, taking into consideration:~~

~~1. the specific disabling condition;~~

~~2. the limitations on performing the affected job functions;~~

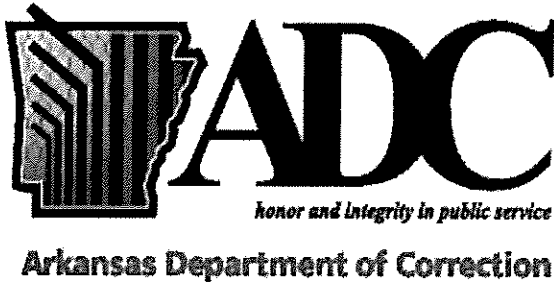
~~3. the essential functions of the particular job;~~

~~4. the work environment;~~

~~5. whether the proposed accommodation would create an undue hardship on the Department.~~

**V. REFERENCES:**

Americans with Disabilities Amendments Act



PO Box 8707  
Pine Bluff, AR 71611-8707  
Phone: 870-267-6200  
Fax: 870-267-6244  
www.adc.arkansas.gov

## ADMINISTRATIVE DIRECTIVE

**SUBJECT:** Internal Investigations and Computerized Voice Stress  
Analysis Examinations

**NUMBER:** ~~44-3517-16~~

**SUPERSEDES:** ~~40-4511-35~~

**APPLICABILITY:** All Employees, Contract Employees, Volunteers and Inmates

**REFERENCE:** AR 014 – Internal Affairs and  
Investigations

**PAGE 1 of 12**

**APPROVED:** Original signed by ~~Ray Hobbs, Director~~ Wendy Kelley **EFFECTIVE DATE:**  
~~05/06/2011~~

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**I. POLICY OF DEPARTMENT:**

To ensure that incidents are investigated in a timely, efficient and procedurally correct manner and computerized voice stress analysis examinations are used only under limited circumstances when thorough investigation reveals their usefulness to an inquiry.

**II. EXPLANATION:**

Evidence gathering, labeling and protection of evidence, questioning and taking statements from witnesses, use of photographs, computerized voice stress analysis examinations, and report writing must be professionally accomplished to be useful to the requesting authority.

- A. All incidents as defined in Administrative Regulation 005 should be investigated by ~~Institutional~~-Internal Affairs. Suspicion of criminal acts (trafficking, staff sexual misconduct, theft, etc.), serious violation of an inmate's personal rights, or of rules, regulations or procedures, and complaints or information supplied which may have a serious bearing on facility or institutional operations should also be matters for investigation.
1. All suspicions of criminal acts or institutional rule violations will be reported to the Warden and the Chief Deputy Director, Deputy Director, Assistant Director or Internal Affairs Administrator who will advise the Director. In cases where warranted, the Internal Affairs Administrator, after consulting with the Director or Chief Deputy Director, will advise the Prosecuting Attorney and local law enforcement including State Police or Sheriffs of the jurisdiction where the incident occurs.
  2. Requests for departmental staff participation in an investigation must be initially processed through the chain of command before a request for this service is made to the Chief Deputy Director, Deputy Director, Assistant Director or Internal Affairs Administrator by the Warden.
- B. The guidelines below will provide the salient procedures and techniques used in forming investigations. Attention to detail and thoroughness in approach are required in any investigation. If these guidelines are followed, it will provide for a complete, thorough and timely investigation.

C. Investigatory Procedures and Techniques:

1. Evidence gathering: Evidence uncovered relating to a matter under investigation must be properly handled, protected and labeled. After an incident occurs, it may be wise to "seal off" an area to protect the integrity of the investigation and the evidence.
  - a. Evidence which may reveal information through Crime Lab analysis (fingerprints, substance, etc.) should be handled with extreme care. In no case should a person's position or simple curiosity be a reason to unnecessarily handle evidence. Destroying latent fingerprints which might provide ownership/responsibility/involvement can seriously jeopardize the investigator's fact-gathering process.
  - b. Evidence which will be sent to a Crime Lab, such as rape kits, should, immediately after discovery, if size or type permits, be placed in a sealed container, labeled and taken to the Arkansas Crime Lab. Whether evidence is or is not sent to a Crime Lab does not change the necessity for its protection in a sealed container.
  - c. Evidence labeling must include:
    - (1) Exact location where found.
    - (2) Date and time found.
    - (3) The name(s) of person(s) discovering the evidence (name must be printed and evidence label signed).

- (4) Location where evidence will be stored (until taken to Crime Lab, as needed).
  - (5) Date taken and returned from analysis (as needed).
  - (6) Where evidence is transferred and date. Receipt for evidence transferred away from institution control must be obtained including: complete description of evidence, printed and signed name of recipient, job title, agency and date transferred.
  - (7) Chain of custody form to include signatures, time and date of any persons handling the evidence.
2. Use of photographs: Photographic evidence is useful and can be invaluable in subsequent investigation and/or prosecution. Each facility should have a digital camera. Photographs shall be taken immediately at the scene and of the victim as soon as possible - in cases of physical assault. Photographs of property damage or the scene of a theft are likewise important. Photographs should be handled with the same care as other evidence and labeled.
3. Statements: Statements are a most important part of any investigation but it is absolutely imperative that the rights of individuals who may be charged with an offense in court are not violated. If a reasonable belief exists that a felony has occurred, the information should be forwarded to the Arkansas State Police or proper jurisdictional law enforcement officials, at which time

the law enforcement officials will conduct the hearing interview and advise the suspects of their appropriate rights.

It is advisable that a witness be present when possible. All statements will be recorded, and recorded statements will be transcribed when necessary.

4. Reports: Reports prepared during an investigation are to be totally comprehensive. All employees who participate or observe significant events or situations shall prepare incident reports pursuant to Administrative Regulation 005. Investigation reports shall be prepared to evaluate the relevant facts.
5. Computerized Voice Stress Analysis Examinations: These investigative tools shall be employed only with prior written or verbal approval of the Director, Chief Deputy Director, Deputy Director, Assistant Director or Internal Affairs Administrator on the basis that there is no reasonable alternative to the determination or resolution of disputed issues of fact.
  - a. An employee who refuses to take a computerized voice stress analysis examination can be disciplined solely for refusing to do so, as outlined in the Administrative Directive on Employee Conduct. If an employee consents to take a computerized voice stress analysis examination, he/she shall sign the Computerized Voice Stress Analysis Authorization and Consent form - Attachment A.
  - b. The Director may order that an employee to submit to a computerized voice stress analysis examination for

violations of policy that would warrant discharge, suspension or criminal sanctions. The following procedural safeguards will be utilized if this policy is invoked.

- (1) Where an employee is accused and the investigating officer believes it to be important, the accuser will be tested on the computerized voice stress analysis first and must substantially tell the truth prior to any order given for an employee to take a computerized voice stress analysis test.

Absent an accusation against a particular employee; where a preliminary investigation reveals that there is credible evidence that the employee was involved or has direct knowledge of the incident, a computerized voice stress analysis test may be ordered.

- (2) The investigating officer must present reasons to the Director as to why a particular employee should complete a computerized voice stress analysis. If the Director agrees, ~~the~~ the employee will then be ordered ~~the employee~~ to take the test.
- (3) If after taking the test, the employee objects to the results of the test, that employee may make a written request to the Director to have a second reading of the original computerized voice stress analysis charts made by another independent examiner. A copy of the letter of analysis



completed by the second examiner will be given to the employee.

- (4) The requesting authority will not sustain a complaint against an employee solely on the basis of computerized voice stress analysis results. There must be at least one additional item of corroborating evidence in the written report completed by the investigating officer in order for the requesting authority to sustain the complaint. (A witness statement is corroboration.)

- c. An inmate who refuses to take a computerized voice stress analysis examination after appropriate safeguards of his/her constitutional rights may receive disciplinary action for such refusal.

- d. Preliminary Procedural Limitations: Widespread or indiscriminate use of the computerized voice stress analysis is unnecessary and costly but, when required, accurate and reliable computerized voice stress analysis results can be obtained by observing high standards of professionalism in administration and confidentiality with respect to the results. Therefore, the following preliminary procedural safeguards must be observed:

- (1) Thorough preliminary investigation of the incident reveals that there are believable allegations that a serious incident has taken place in which the Administrative Regulations of the agency, the rules

or conduct guidelines of the Department, or the law have been violated. A "serious" incident is one which could be grounds for suspension or discharge of an employee or for discipline of an inmate.

- (2) Thorough preliminary investigation of the incident undertaken reveals that there is a credible allegation that the prospective subject of the computerized voice stress analysis examination was involved in or had direct knowledge of the incident.
  - (3) The computerized voice stress analysis examiner must be apprised of the relevant findings and results of the preliminary investigation and use such as a basis for the formulation of examination questions.
  - (4) An employee or inmate requested or directed to take a computerized voice stress analysis examination must be advised of the constitutional privilege against self-incrimination and not be required to waive it.
- e. Requirements which apply during the computerized voice stress analysis examination and following its administration are:
- (1) The employee or inmate shall be advised that the test is being administered as part of an official investigation, shall be informed of the nature of the incident and his/her alleged involvement in or

Deputy Director, Assistant Director, or the Internal Affairs Administrator.

- D. Unit or Departmental Investigations: After the initial reporting of an incident in accordance with AR 005, an investigation shall be conducted into the matter. All incident reports, statements, and disciplinary and medical reports shall be compiled within ~~ten (10)~~ seven (7) days of the date of the discovery of the incident. The Warden or Administrator shall prepare a memorandum in which he/she summarizes this information and makes his/her recommendation for the continuation or termination of the investigation. This memorandum shall be referred in the Electronic Offender Management System or forwarded by paper copy under certain instances, with copies of all attached reports, within ~~fifteen (15)~~ ten (10) days of the date of the discovery of the incident to the Chief Deputy Director, Deputy Director, Assistant Director, and the Internal Affairs Administrator - unless requested prior to the (ten) 105-day timeframe.
- E. Internal Affairs Investigations: The Director, Chief Deputy Director, Deputy Director, or Assistant Director may order an Internal Affairs investigation by the Internal Affairs Division of an incident at any time. All unit or division investigation material shall be forwarded to the Internal Affairs Administrator. The investigation shall be directed by the Internal Affairs Division, and the Warden will cooperate with requests and provide assistance required to complete the investigation. The Internal Affairs Division will have unlimited access to all areas and files relevant to any ongoing investigations. The Internal Affairs Division will complete its investigation within ~~30~~ 20 days of the date ~~of the discovery of the incident~~ the incident was referred and forward its reports and recommendations to the requesting authority. Any extension of the ~~30~~ 20-day limit must be requested, in writing, from the Internal Affairs

investigator to the Internal Affairs Administrator for prior approval before the completion of the ~~30~~20-day deadline. The requesting authority must be advised by the Internal Affairs Administrator of an extension of the ~~30~~20-day deadline.

- F. Confidentiality: All notes, reports, tape recordings, and any other materials which are part of an investigation are considered confidential. No one shall have free access to these records other than the investigative personnel, the Warden/Administrator, Chief Deputy Director, Deputy Director, Assistant Director or the Director, unless specific permission is granted by the Director or the Internal Affairs Administrator.

Dissemination of investigative information under the provision of the Freedom of Information Act shall be handled by the office of the Director.

### III. ATTACHMENTS:

Attachment A – Computerized Voice Stress Analysis Examination

11-35  
11May4

Attachment A

**AUTHORIZATION AND CONSENT FORM FOR COMPUTER VOICE STRESS ANALYSIS (CVSA)**

The undersigned CVSA Examiner on \_\_\_\_\_ (Date) and \_\_\_\_\_ (Time) obtained

Written or  Oral authorization from \_\_\_\_\_ to conduct a

CVSA on: \_\_\_\_\_ (ADC Number \_\_\_\_\_)

\_\_\_\_\_ (Employee Number \_\_\_\_\_)

Purpose of Investigation:

**FOR ADC EMPLOYEE:** I understand I have the right to a Second Reading of the CVSA Examiner's original charts by another licensed independent CVSA examiner should I disagree with the results. To exercise my right to a Second Reading, I must make a written request to the Director of the Department of Correction within five (5) business days. I fully understand all expenses associated with a requested Second Reading will be paid by me. I will receive a copy of the Analysis of the Second Reading.

I accept and agree to take the CVSA.

I decline and refuse the CVSA.

\_\_\_\_\_  
Name/Title

\_\_\_\_\_  
Date/Time

The above signature was witnessed by:

\_\_\_\_\_  
Name/Title

\_\_\_\_\_  
Date

Authorization Verified by:

\_\_\_\_\_  
Name/Title

\_\_\_\_\_  
Date