



OFFICE OF THE SECRETARY

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 BUREAU OF
 LEGISLATIVE RESEARCH

SECRETARIAL DIRECTIVE

SUBJECT: Social Media

SUPERSEDES: SD 21-08

NUMBER: SD 2022-11

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. § 25-43-105, 25-43-108, and 25-43-403; SD on Divisive Concepts in Department Operations, Policies, and Training Materials, Secretarial Directive on Employee Conduct and Discipline

PAGE: 1 of 3

APPROVED: Original signature on file

EFFECTIVE DATE: 10/6/2022

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary to establish procedures to administer the various rules, orders, or directives issued by the Department. The purpose of this directive is to establish the Department's standards for the administration and management of its various social media platforms, and to provide guidance to employees regarding the personal use of social networking sites. The Department strives to use clear, consistent, and professional methods to increase the public's knowledge of the various programs, services, events, and career opportunities within the Department. Additionally, social media may be used as an investigative and supervision tool.

II. **DEFINITIONS:**

- A. **Administrator.** An employee who has the authority to assign roles, manage settings, publish, or create content on Department Social Media Pages.
- B. **Inappropriate Content.** Topics such as advertisements or endorsements for services or products not affiliated with the Department, abusive or profane language, inappropriate photographic or video content, hate speech, personal attacks, harassment, threats of violence, defamatory or slanderous statements against the Department or its employees, and statements that threaten the good order and safety of Department offices and facilities.
- C. **Personal Use.** The use of social media by an employee in an unofficial capacity.
- D. **Post.** Content an individual shares on a Social Media Site or the act of publishing content on a site or through a direct message.
- E. **Professional Use.** The use of social media to increase the public's knowledge of the various programs, services, events, and career opportunities within the Department. Professional Use also includes providing the public and news media with updates regarding institutional emergencies and other critical incidents, in addition to its use by an employee as an investigative and supervision tool.
- F. **Social Media Account.** An established profile using a social media platform for the purpose of professional or personal social media use.

- G. Social Media Page. The specific portion of a Social Media Site where content is displayed and managed by an individual or individuals with Administrator privileges.
- H. Social Media Site. Internet based services that allow individuals to create public profiles, share information and socialize with others using a range of communications technologies. This includes, but is not limited to, social networking, blogging, photo/video sharing sites, wikis, and news sites.

III. PROCEDURES:

A. Responsibilities of the Communications Director

1. The Communications Director is responsible for the administration and management of all Department Social Media Accounts and Social Media Pages.
2. The Communications Director must authorize the creation of Social Media Accounts and Social Media Pages to represent the Department, any employee designated to serve as a page Administrator, and any modification or expansion of existing Social Media Accounts.
3. The Communications Director or their designee will maintain a list of the Department's Social Media Accounts, which includes the names of all authorized Administrators and their associated user account information.
4. The Communications Director will remove an individual immediately from their Administrator role upon being placed on administrative leave, suspension, or termination of employment. Removal of an Administrator will be accompanied by the immediate change of all passwords and any other necessary account information to maintain security and control of Department Social Media Accounts.
5. The Communications Director, or designee, will monitor content including comments, posts, and photos made to the Department's Social Media Pages and remove Inappropriate Content.

B. Department Account and Page Guidelines

1. All Social Media Accounts or Social Media Pages representing the Department will bear the name "Arkansas Department of Corrections," the facilities or administrative area's name, the official Department of Corrections seal, and the location's official contact information. Arkansas Correctional Industries and Paws in Prison are exempt from this requirement.
2. The Department aims to maintain consistency of the information presented through social media to the public. Current employees, prospective employees, news media representatives, and any other stakeholders, correctional units, and administrative areas within the Department are subject to the following rules:
 - a. Images used in profiles on pages and accounts representing the Department are subject to approval of the Communications Director.
 - b. Job Postings will be made in collaboration with the Communications Director and Human Resources Administrator. Recruitment graphics must be pre-approved by the Communications Director in conjunction with the Human Resource Administrator or their designee.
 - c. The use of instant messaging through accounts and pages representing the Department should be used for recruitment purposes only. Automated responses must be pre-approved by the Communications Director in conjunction with the Human Resources Administrator or their designee.

C. Standards for Department Social Media Administration

1. The Information Technology Section will only grant computer access to Social Media Sites for employees whose duties include the Professional Use of social media. All Professional Uses of social media will be consistent with applicable policies. Request for access must be approved by a Division Director, the Chief of Staff, or their designee.
2. Social media Posts must meet the Department's ethical and professional standards.
3. Social media Posts must not include confidential or otherwise non-publicly accessible Department related information, or information that is false, inaccurate, or misleading.

4. Content generated within the Department's Social Media Accounts may be considered a public record. Social media content must be maintained in a manner consistent with all applicable laws and policies.
5. The Department's Social Media Accounts will include the following statement: "Representatives of the Arkansas Department of Corrections share information via this profile. Any communication via this page, whether by a state employee or the public, may be subject to monitoring and disclosure. Refer to the contact information section on this page to officially communicate with the Department."

D. Personal Social Media Use Guidelines

1. The Department recognizes that employees have the right to create and maintain personal Social Media Accounts and groups. It is not the purpose of this policy to discourage or unduly limit any personal expression or online activity.
2. Department employees are personally responsible for the content they publish on any social media platform. Employees may be held accountable for content appearing on their Social Media Accounts whether posted by the employee or not.
3. Employees shall recognize the potential for harm to the Department by personal social media Posts in circumstances when the individual is identified as, or known to be, a Department employee.
4. In addition to the conduct standards established in the Secretarial Directive on Employee Conduct and Discipline, employees shall comply with the following provisions:
 - a. Employees are not permitted to use Department equipment or network infrastructure for personal social media use.
 - b. Employees are not permitted to use state email accounts, phone numbers, or other identifying Department account information for personal social media use.
 - c. Employees must not post confidential or otherwise non-publicly accessible Department related information, or information about the Department that is false, inaccurate, or misleading.
 - d. Employees must not post or display comments about co-workers or supervisors that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the Department's policies against discrimination or harassment.
 - e. Employees must not represent or indicate that the Department endorses any of the employee's personal social media Posts.
 - f. Employees must not allow personal social media usage to interfere with their ability to complete their assigned job duties.
5. The Department's conduct standards are applicable to employees while on or off duty. The Secretarial Directive on Employee Conduct Standards and Discipline outlines provisions related to employee social media use. Employees who fail to meet these standards and the guidelines in this policy may be subject to disciplinary actions.
6. Employees should be mindful that, because of their chosen career field, they may be targeted by other social media users. Employees should regularly evaluate each site's security settings to ensure that personal content is only available to their intended audience.



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SECRETARIAL DIRECTIVE

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SUBJECT: Social Media ~~Policy~~ **SUPERSEDES:** SD 21-08, ~~ADC-18-41~~

NUMBER: ~~SD 2022-11~~ ACC AD 16-17 (in part)

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. § 25-43-105, 25-43-108, and 25-43-403; SD on Divisive Concepts in Department Operations, Policies, and Training Materials, Secretarial Directive on Employee Conduct and Discipline

~~REFERENCE: A.C.A. §§ 25-403-105, 325-43-108 and 25-43-403~~

~~of 3 1 of~~ **PAGE: 1**

APPROVED: Original signature on file **EFFECTIVE DATE:** _____

10/6/2022

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II. DEFINITIONS:

A. Administrator. An employee ~~with who has~~ the ~~ability~~authority to assign roles, manage settings, publish, or create content on Department Social Media Pages.

B. Inappropriate ~~Comment~~Content. Topics such as advertisements or endorsements for services or products not affiliated with the Department, abusive or profane language, inappropriate photographic or video content, hate speech, personal attacks, harassment, threats of violence, defamatory or slanderous statements against the Department or its employees, and; statements that threaten the good order and safety of Department offices and facilities.

~~C.~~ Personal Use. The use of social media by an employee in an unofficial capacity.

~~C.~~

~~D.~~ Post. Content an individual shares on a Social Media Site or the act of publishing content on a site or through a direct message.

~~D.~~

E. Professional Use. The use of social media to increase the public's knowledge of the various programs, services, events, and career opportunities within the Department. Professional Use also includes providing the public and news media with updates regarding institutional emergencies and other critical incidents, in addition to its use by an employee as an investigative and supervision tool.

~~F.~~ Social Media Account. An established profile using a social media platform for the purpose of professional or personal social media use.

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- G. Social Media Page. The specific portion of a Social Media Site where content is displayed and ~~managed~~ ~~by managed by~~ an individual or individuals with Administrator privileges.
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 - a. Images used in profiles on pages and accounts representing the Department are subject to approval ~~of of~~ the Communications ~~Office~~ Director.
 - b. Job Postings will be made in collaboration with the Communications Director and Human Resources Administrator. Recruitment graphics must be pre-approved by the Communications Director in conjunction with the Human Resource Administrator or their designee.
 - c. The use of instant messaging through accounts and pages representing the ~~DOC~~ Department should be used for recruitment purposes only. Automated responses must be pre-approved by the Communications Director in conjunction with the Human Resources Administrator or their designee.

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C. Standards for Department Social Media Administration

1. The Information Technology Section will only grant computer access to Social Media Sites for employees whose duties include the Professional Use of social media. All Professional Uses of social media will be consistent with applicable policies. Request for access must be approved by a Division Director, the Chief of Staff, or their designee.
2. Social media Posts must meet the Department's ethical and professional standards.

- ~~3.~~ Social media Posts must not include confidential or otherwise non-publicly accessible Department related information, or information that is false, inaccurate, or misleading.
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- ~~4.~~ Content generated within the Department's Social Media Accounts may be considered a public record. Social media content must be maintained in a manner consistent with all applicable laws and policies.
- ~~5.~~ The Department's Social Media Accounts will include the following statement: "Representatives of the Arkansas Department of Corrections share information via this profile. Any communication via this page, whether by a state employee or the public, may be subject to monitoring and disclosure. Refer to the contact information section on this page to officially communicate with the Department."

D. Personal Social Media Use Guidelines

- ~~1.~~ The Department recognizes that employees have the right to create and maintain personal Social Media Accounts and groups. It is not the purpose of this policy to discourage or unduly limit any personal expression or online activity.
- ~~2.~~ Department employees are personally responsible for the content they publish on any social media platform. Employees may be held accountable for content appearing on their Social Media Accounts whether posted by the employee or not.
- ~~3.~~ Employees shall recognize the potential for harm to the Department by personal social media Posts in circumstances when the individual is identified as, or known to be, a Department employee.
- ~~4.~~ In addition to the conduct standards established in the Secretarial Directive on Employee Conduct and Discipline, employees shall comply with the following provisions:
 - ~~a.~~ Employees are not permitted to use Department equipment or network infrastructure for personal social media use.
 - ~~b.~~ Employees are not permitted to use state email accounts, phone numbers, or other identifying Department account information for personal social media use.
 - ~~c.~~ Employees must not post confidential or otherwise non-publicly accessible Department related information, or information about the Department that is false, inaccurate, or misleading.
 - ~~d.~~ Employees must not post or display comments about co-workers or supervisors that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the Department's policies against discrimination or harassment.
 - ~~e.~~ Employees must not represent or indicate that the Department endorses any of the employee's personal social media Posts.
 - ~~f.~~ Employees must not allow personal social media usage to interfere with their ability to complete their assigned job duties.
- ~~5.~~ The Department's conduct standards are applicable to employees while on or off duty. The Secretarial Directive on Employee Conduct Standards and Discipline outlines provisions related to employee social media use. Employees who fail to meet these standards and the guidelines in this policy may be subject to disciplinary actions.
- ~~—~~ Employees should be mindful that, because of their chosen career field, they may be targeted by other social media users. Employees should regularly evaluate each site's security settings to ensure that personal content is only available to their intended audience.

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- ~~5. The Department's Social Media Accounts will include the following statement:
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- ~~D. Personal Use Guidelines~~
- ~~1. The Department recognizes employees have the right to create and maintain personal Social Media Accounts and groups. It is not the purpose of this policy to discourage or unduly limit any personal expression or online activity. Department employees are personally responsible for the content they publish on any social media platform. Employees will be held accountable for content appearing on their social networking sites, whether Posted by the employee or not. Each employee should recognize the potential for harm to the Department by personal social media Posts in circumstances when the individual is identified as, or known to be, a Department employee. Accordingly, employees should comply with the guidelines listed below:~~
- ~~a. Employees are not permitted to use Department equipment or network infrastructure for personal social media use.~~
- ~~b. Employees are not permitted to use state email accounts, phone numbers or passwords for personal social media use.~~
- ~~c. Employees cannot Post confidential or otherwise non-publicly accessible Department related information, or information about the Department that is false, inaccurate, or misleading.~~
- ~~d. Employees cannot Post or display comments about co-workers or supervisors that is vulgar, obscene, threatening, intimidating, harassing, or a violation of the Department's policies against discrimination or harassment.~~
- ~~e. Employees cannot represent or indicate that the Department endorses any of the employee's personal social media Posts.~~
- ~~f. Employees cannot allow personal social media usage to interfere with their ability to complete their assigned job duties.~~
- ~~2. The Department's conduct standards are applicable to employees while on or off duty. Employees are expected to follow the Department's conduct standards during their personal social media use. Employees who fail to meet these standards will be subject to disciplinary sanctions provided for in the Employee Conduct Standards and Discipline Secretarial Directive.~~
- ~~3.6. Employees should be mindful that, because of their chosen career field, they may be targeted by individuals using social media. Employees should regularly evaluate each site's security settings to ensure that personal content is only available to their intended audiences.~~



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SECRETARIAL DIRECTIVE

SUBJECT: Dress Code for Uniformed Personnel

NUMBER: 2022-12

SUPERSEDES: 2021-11

APPLICABILITY: All Department Uniformed Personnel or Non-Uniformed Personnel if directed to wear a uniform

REFERENCE: A.C.A. § 25-43-105, 25-43-108, 25-43-403; AR 201- Uniforms

PAGE: 1 of 8

APPROVED BY: Original signature on file

EFFECTIVE DATE: 10/26/2022

I. POLICY:

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. This policy establishes standard grooming and attire standards to ensure that Uniformed Personnel present a clean, neat, professional appearance while on duty commensurate with employment in a professional criminal justice organization.

II. DEFINITIONS:

- A. Offensive Tattoo. Any tattoo which may result in a negative reaction from personnel or offenders, including but not limited to, any tattoo depicting a symbol or images associated with gang affiliation, profanity, sexual content or innuendo, or any other image which would reflect negatively on the Department.
- B. Uniformed Personnel. Correctional officers, parole and probation officers, parole and probation agents, internal affairs investigators, food service personnel, and other personnel required to wear a uniform by a Division Director or the Secretary. Superintendents, wardens, deputy wardens, center supervisors, area managers, and assistant area managers are not Uniformed Personnel.

III. PROCEDURES:

A. General Uniform Standards

1. Department personnel must always present a professional appearance while in uniform.
 - a. Guidelines as to how the uniform is to be worn must be strictly adhered to.
 - b. If non-uniformed personnel are directed to wear a uniform, they are subject to uniform standards contained in this directive.
 - c. Shirttails must be tucked inside of the pants with a black belt when the uniform is worn, both on-duty and off-duty, unless the employee is pregnant.
 - d. Pant legs must be worn outside of boots.

2. Personnel wearing a Department uniform, on-duty or off-duty, must present an appearance and attitude of professionalism which promotes a positive image of the Department. The following activities are prohibited while in uniform:
 - a. Purchasing, using, selling, or distributing alcoholic beverages.
 - b. Fraternalizing or being present at a bar or nightclub.
 - c. Working a secondary job.
 - d. Gambling, purchase of lottery tickets, or visiting a casino.
 - e. Making threats of bodily harm.
 - f. Use of language or gestures that are inappropriate, insolent, violent, or profane in nature.
 - g. Fighting.
 - h. Engaging in any activity that is unbecoming of the Department image.
3. Uniforms must be kept clean and in presentable, serviceable condition.
4. Uniformed Personnel shall wear the uniform assigned to them while on duty except in the following circumstances:
 - a. While participating in training that involves physical activity or firearms qualification, personnel may wear clothing appropriate for participation as directed by the instructor or training supervisor.
 - b. While participating in "In-Service" training, personnel may follow the Dress Code for Non-Uniformed Personnel directive.
 - c. While attending court or a professional meeting, personnel may wear business attire as defined in the Secretarial Directive for Dress Code for Non-Uniformed Personnel.
 - d. While serving on a special assignment, undercover, attending training, or attending a pre-approved public or non-agency event.
5. When a job post requires additional uniform accessories, Wardens, Center Supervisors, or Administrators may authorize Uniformed Personnel to wear ammunition holders, holsters, handcuff cases, and equipment holders on their belt as necessary. These holders must be plain, black in color, and contain no lettering or designs.
6. Division of Correction (ADC) personnel cannot carry, use, or possess personal security equipment such as handcuff keys, handcuffs, or chemical agents while on duty. The Director of the Division of Community Correction (ACC) may authorize exceptions to this prohibition for parole and probation staff. Such exceptions must be reported in writing to the Office of the Secretary.

B. Uniform Specifications for Various Job Assignments

1. In addition to the requirements outlined in this policy, there may be specific uniform requirements for different job assignments throughout the Department. Personnel assigned to positions identified in this subsection must adhere to the specific requirements for their position in addition to the general requirements for Uniformed Personnel as outlined in this directive.
2. Correctional Officers assigned to both ADC and ACC, in addition to training staff assigned to ADC will wear:
 - a. A heather blue polo-style shirt affixed with an embroidered badge centered on the left breast, the Department logo positioned on the left sleeve, and rank insignia affixed at the point of each collar.
 - b. Navy blue pants.
3. Food service personnel in ADC facilities and ACC centers will wear:
 - a. A heather blue polo-style shirt affixed with an embroidered badge centered on the left breast, the Department logo positioned on the left sleeve, and rank insignia affixed at the point of each collar.
 - b. Navy blue pants.
 - c. A chef's apron or a chef's jacket if authorized.
4. Parole and Probation Officers and Agents and training personnel assigned to ACC will wear:
 - a. A gray polo-style short-sleeve shirt affixed with an embroidered badge centered on the left breast and the Department logo positioned on their left sleeve.
 - b. Desert khaki pants.

- c. Parole and Probation Agents will have rank insignia affixed on the point of each collar.
- 5. Exceptions to the Standard Uniform:
 - a. ACC Special Response Team (SRT):
 - i. SRT officers will be issued three (3) black shirts, three (3) black pants, a holster, a duty belt, a handcuff case, a pepper spray case, a magazine case, and a belt keeper.
 - ii. The SRT may be authorized to wear plain clothes by the Division Director.
 - b. ACC Intensive Supervision Program officers may be authorized to wear plain clothes or a low-visibility uniform by the Division Director.
 - c. Division of Correction Hospital Correctional Officers:
 - i. Correctional Officers assigned to Hospital Security are non-uniformed Correctional Officers who must adhere to the Secretarial Directive on Dress Code for Non-Uniformed Personnel with the exception of approved footwear. These officers must not wear sandals of any kind while on duty.
 - ii. Hospital Correctional Officers must wear an authorized badge while on duty in the community performing Department functions. This badge is intended to provide rapid validation of the officer in emergencies, and to reassure the public and hospital personnel who may notice that the officer is armed. The badge must be worn on the belt with a plain black leather or nylon holder that attaches to the waistband. It should be worn 4 to 6 inches to the right of center of the individual's trousers. In emergencies, it may be clipped to the left pocket of the jacket to be clearly visible.
 - d. Division of Correction Emergency Response Team (ERT):
 - i. ERT members are authorized to wear a special uniform while performing ERT duties. The standard correctional officer uniform will be worn while performing regular duties.
 - ii. This uniform consists of Woodland Battle Dress Uniform (BDU) pants and matching BDU long sleeve shirts. A plain black or tan t-shirt may be worn in the summer months in lieu of the long sleeve shirt.
 - iii. The BDU shirt will be adorned with two shoulder patches, an ERT rocker patch, and rank insignia (if worn), all in subdued black and green. ERT members will wear rank insignia on the right collar and the ERT insignia on the left collar.
 - iv. Black or tan combat boots and a black or olive drab (OD) green belt must complete the uniform and are to be purchased by the officer.
 - v. A Woodland camouflage cap is optional.
 - e. Division of Correction K-9 Officers:
 - i. K-9 Officers are authorized to wear a special uniform while performing K-9 Officer duties. The standard correctional officer uniform will be worn while performing regular duties.
 - ii. This uniform consists of OD green BDU pants with an OD green button-down shirt.
 - iii. K-9 Officers will also wear a subdued green Correctional Police badge embroidered on the left breast, a subdued American Flag on the left sleeve, and a subdued Department patch on the right sleeve.
 - iv. An OD green flight jacket may be worn during cold weather.
 - v. A tactical long sleeve shirt and t-shirt in OD green may also be worn. The tactical long sleeve shirt will be adorned with two shoulder patches, a badge patch, and rank insignia (if worn) in subdued black and green.
 - vi. Black or tan combat boots and an OD green or black belt must complete the uniform and are to be purchased by the correctional officer.
 - vii. A Division black or OD green ball cap is optional.

- f. Internal Affairs Investigators:
 - i. A heather blue polo-style shirt affixed with an embroidered badge centered across the left breast, "Internal Affairs" centered across the right breast, and the Department logo left sleeve.
 - ii. Desert khaki pants.
 - iii. Black boots.
 - g. Any other exceptions to the standard uniform may be authorized by the appropriate Division Director or the Secretary.
6. The following items are required as part of Department uniform, but not issued by the Department. These items must be purchased by uniform personnel:
- a. Black socks.
 - b. Black belt.
 - c. Black gloves (only to be worn when working outside).
 - d. White t-shirts, either long or short-sleeved (for correctional officers and food service personnel).
 - e. Dark gray or black t-shirts, either long or short-sleeved (for parole and probation officers or agents).
 - f. Shoes
 - i. Food service personnel and correctional officers must wear plain, round, closed-toed black shoes, or boots with up to a two-inch heel. No taps or tennis shoes are permitted
 - ii. All other Uniformed Personnel must wear plain, round, closed-toed black shoes, or boots with up to a two-inch heel. No taps, tennis shoes, steel, or Kevlar toed boots.
 - iii. Exceptions for alternate footwear may be made through a Reasonable Accommodation Request consistent with the provisions in the Secretarial Directive on Americans with Disabilities Act.
 - g. Hats (ball caps or toboggans) may be purchased by personnel if they are of the same type, design, and plain solid color as agency issued items.
7. Division Directors may authorize the issuance of any necessary equipment not referenced in this directive.

C. Identification and Insignias

1. Identification

- a. The Correctional Officer and Food Service personnel nametag must be worn centered above the right breast.
 - i. The nametag is one inch in height, blue with white letters, and includes two initials and a last name.
 - ii. Nametags will be ordered by respective Central Issuance Officer.
 - iii. Uniformed Personnel are responsible for purchasing replacement nametags.
- b. The photo identification issued by Central Human Resources must be worn on the uniform while on duty and may not be worn while off duty.
 - i. The ID card should be clipped under the bottom button of the uniform shirt with the photo facing forward.
 - ii. The ID card is not required for officers wearing a ballistic vest.
 - iii. Uniformed Personnel must not wear the ID card with a lanyard or chain around the neck.
 - iv. Central Human Resources will issue photo identification labeled "certified law enforcement" for any certified law enforcement officer who will be out of uniform.
- c. When worn by Uniformed Personnel, the law enforcement badge (shield) must be visible.
 - i. Correctional Police Officers will be issued a gold badge for embroidery on their uniform shirt.

- ii. Probation and Parole Officers or Agents may wear the badge (shield) on a lanyard.
- iii. All certified law enforcement officers will be issued a gold shield.
- iv. Probation and Parole Agents will be issued a silver shield upon promotion.
- v. Probation and Parole Area Managers and Assistant Area Managers will be issued a silver shield upon promotion

2. Insignia

- a. Rank insignia must be state-issued and made of metal.
- b. The Unit Human Resources Manager or Area Office Purchasing Official is responsible for ordering rank insignia. “Agent” insignia will be provided by the Deputy Director of Parole and Probation Services upon a Parole/Probation Officer’s promotion to Agent.
- c. Insignia designations are as follows:

Rank	Color	ERT Insignia
Corporal Food Production Manager I	Silver	Two small chevrons
Sergeant	Silver	Three small chevrons
Lieutenant Training Instructor (ADC)	Silver	One bar, ¼ inch wide and ¾ inch long
Captain Training Supervisor (ADC) Food Production Manager	Silver	Two parallel bars, ¼ inch wide and ¾ inch long each
Major	Gold	Small oak leaf
Parole & Probation Agent	Silver	“AGENT”
Field Training Officer	Silver	“FTO” in place of left insignia pin

3. Service Bars

- a. Service bars and stars may be worn in place of service pins at the officer’s expense.
- b. Service bars and stars will be silver in color on a background of navy blue or dark gray material (depending on the shirt color they are required to wear).
- c. Service bars will be seven-sixteenths inches by one inch (7/16” by 1”) to be placed one-quarter inch (1/4”) apart on the left shirt sleeve.
- d. Service stars will be three-quarters of an inch (3/4”) from the tip of one point of the star to the opposite tip and will be placed one-half inch (1/2”) apart. The single point of the star will be pointed upwards.
- e. Service stars are authorized to be worn with long-sleeved uniforms only.
- f. The officer will wear one (1) bar for each year of service completed. When an officer is eligible to wear more than four (4) bars, they will omit the bars and use a five-point star, denoting five (5) years of service. At no point should an officer have more than four (4) bars on the sleeve.
- g. If bars are used in addition to service stars, they must be sewn above the stars.

4. Mourning Bands

- a. Upon such an occasion eliciting the use of mourning bands, notification regarding permission to wear the bands will be sent to personnel by the Secretary, Division Director, or a Division Deputy Director.
- b. Uniformed Personnel may place a black mourning band across their badge and shield.
- c. A mourning band is appropriate on the following occasions:
 - i. Following the death of a law enforcement officer, first responder, correctional officer, or other Department employee, Uniformed Personnel may wear a mourning band from the day of death until completion of the funeral.
 - ii. The mourning band may also be worn each year on National Peace Officer’s Memorial Day or for any other official memorial for fallen law enforcement officers, correctional officers, or first responders.

D. Issuance of Uniforms

1. ACC and ADC uniforms will be issued through the appropriate Division Central Issuance Officer. Any other uniform will be issued as instructed by the Secretary or designee.
2. Issuance officers are responsible for:
 - a. Issuing uniforms within their division, or as directed by the Division Director.
 - b. Maintaining an accurate record of uniforms issued to personnel.
 - c. Maintaining an accurate record of uniforms left in stock.
 - d. Removing all affixed logos and ensuring that unserviceable shirts are properly disposed of.
 - e. Collecting and maintaining Uniform Receipt Statements (Attachment #4) upon issuing uniforms.
 - f. Ensuring pre-payment has been made prior to issuing additional uniforms.
3. Uniformed Personnel will be given a Uniform Receipt Statement (Attachment #4) to sign at the time of issuance which indicates that the employee:
 - a. Has received all items as listed.
 - b. Agrees to be responsible for the safekeeping of items.
 - c. Agrees to return all Department issued uniforms and equipment if employment is terminated for any reasons.
 - d. Agrees to pay for the replacement cost of any lost or destroyed items when such loss or destruction is caused by the negligence, recklessness, purposeful conduct, or unlawful conduct of the employee.
4. Uniformed Personnel will be issued three (3) pairs of uniform pants and three (3) uniform shirts. Shirts may be issued in either short or long sleeve, except in the following circumstances:
 - a. Probation and Parole Officers and Agents will only be issued short sleeve uniform tops.
 - b. Uniformed Personnel that have an Offensive Tattoo will only be issued only long sleeve uniform tops.
 - c. Food Service personnel will be issued three (3) chef jackets or aprons affixed with the Department logo in addition to the regular correctional officer uniform.
 - d. Officers issued a stab-resistant vest will be issued a navy blue over carrier.
 - e. Parole and probation officers and agents will also be issued one holster, a duty belt, and handcuff case, a pepper spray case, a magazine case, and a belt keeper.
5. Uniformed Personnel may purchase additional uniforms at their own expense. The issuance officer must ensure that pre-payment is made to the appropriate Department financial account before issuing additional uniforms.
6. After issuance, Uniformed Personnel are accountable for their uniforms and other agency property issued to them. Personnel must keep their uniforms clean and serviceable. If a uniform or other issued equipment is damaged, lost, or stolen, the personnel must promptly notify his or her immediate supervisors and, as appropriate, submit a written incident report.

E. Replacement of Uniforms

1. An employee must have their Department-issued photo identification badge to exchange uniforms.
2. Unless otherwise authorized by this policy, Uniformed Personnel may exchange their uniform pants and shirts every other year.
 - a. Additional exchanges may be approved by the Area Manager, Warden, Center Supervisor, Administrator, Division Director, Secretary, or designee with proper documentation.
 - b. Field Security within the ADC may exchange jackets after two (2) years if the jacket is no longer serviceable. For all other personnel, jackets may be exchanged no sooner than five (5) years after issuance.
3. Routine exchanges must occur during the officer's month of hire.
4. Additional exchanges may be authorized if:
 - a. The uniform is confiscated due to an incident. A confiscation form must be submitted before a replacement is allowed.
 - b. The uniform does not fit properly.

- c. The uniform was destroyed through no fault of the officer due to a natural disaster or emergency.
- d. The uniform is not serviceable due to circumstances documented in an incident report and approved by the appropriate supervisors.

F. Return of Uniforms

1. Old uniforms are to be returned to the Central Issuance Officer upon issuance of new uniforms, exchange of uniforms, and upon termination of employment (whether voluntary or involuntary).

G. Grooming Standards

1. General Hair Standards

- a. Hair should be kept clean, neat, and styled to present a professional appearance.
- b. Length:
 - i. Hair must be trimmed and properly groomed so that it does not extend over the tops of the ears or the collar.
 - ii. Long hair must be arranged in a fashion so that the hair, including extensions, does not extend over the collar or ears.
- c. Color:
 - i. Hair colors must be in naturally occurring color tones.
 - ii. Extreme colors such as green, purple, pink, etc., are prohibited.
- d. Style:
 - i. Mohawks, ponytails, or similar styles are not allowed.
 - ii. Examples of permissible hairstyles are attached.
- e. Only full, removable wigs that are required for medical necessity, as documented by a physician, are allowed. Wigs must follow general hair standards.
- f. For ADC Uniformed Personnel and ACC Uniformed Personnel assigned to residential facilities, no hair style which prevents a seal on the self-contained breathing apparatus (SCBA) or gas mask will be allowed.

2. Facial Hair Standards

- a. Facial hair must be kept clean, neat, and maintained to present a professional appearance.
- b. Sideburns must be neatly trimmed, no wider than one inch (1”), and the same width on both sides. Sideburns must not extend beyond the bottom of the earlobe.
- c. A neatly trimmed mustache, goatee, or beard no longer than one-half inch (1/2”) may be worn. Mustaches must not extend to the mouth or below the top of the upper lip to allow for proper use of a SCBA if needed.
- d. A neatly trimmed beard is only allowed for uniformed staff in the ACC.
- e. For ACC Uniformed Personnel and ADC Uniformed Personnel assigned to residential facilities, no facial hair which prevents a seal on the SCBA or gas mask will be allowed and no neck hair is allowed. For example, no goatee extending past the chin is permissible. A diagram of where the mask is placed on the face, and examples of permissible and prohibited facial hair are attached.

3. Jewelry

- a. Due to the inherent physical risk and potential for monetary loss, Uniformed Personnel shall limit the type and amount of jewelry worn while in uniform.
- b. Jewelry permitted to be worn includes:
 - i. A wedding ring and one other ring.
 - ii. A digital wristwatch, except that a smartwatch or fitness tracker will not be worn by correctional officers.
 - iii. Religious medallions may only be worn underneath a shirt and cannot be visible in uniform.
 - iv. Medical alert bracelets or tags if worn underneath the shirt and not visible in uniform.

- v. ACC Uniformed Personnel only: Female Correctional Officers and Probation and Parole Officers or Agents may wear one (1) pair of stud earrings or hoop earrings up to one-half inch in diameter.
 - vi. Security Personnel for the Division of Correction may not wear earrings while on duty or inside a facility.
 - c. Jewelry that is not permitted to be worn includes:
 - i. Necklaces.
 - ii. Tongue piercings.
 - iii. Facial piercings including, but not limited to, lips, nose, eyebrows, and cheeks.
 - iv. Body piercings that are not covered by uniform or noticeable while in uniform.
 - v. Earrings other than those specifically allowed above.
 - d. Covering visible body piercing jewelry with band-aids is not permitted and not considered in compliance with this directive.
4. Fingernails
- a. All personnel must keep their fingernails clean and neatly trimmed.
 - b. Fingernails must not extend more than one-eighth inch (1/8") beyond the tip of the finger.
 - c. Polished fingernails for female personnel should all be one color of non-decorative fingernail polish. Male personnel are prohibited from wearing fingernail polish.
 - d. In addition to the above requirements, fingernails must not be disruptive to operations
5. Uniformed Personnel shall maintain good personal hygiene while on duty. This includes regular bathing.
6. Makeup should be subtle, conservative, and not distracting in a correctional environment.

H. Enforcement of Standards

1. Supervisors shall enforce this directive. Department Training Academy personnel will enforce this policy for cadets and Uniformed Personnel while attending a training academy or class.
2. Personnel out of compliance with this directive are subject to progressive discipline as outlined in the Secretarial Directive on Employee Conduct and Discipline. Disciplinary action may be up to and including termination of employment for repeated or egregious violations.
3. Units with SCBAs will keep an SCBA in their entrance areas. If there is a question about the ability of a correctional officer to seal the mask, the entrance area officer will suspend entrance procedures and notify a Lieutenant or above, who will give the officer a direct order to attempt to seal the SCBA in the entrance building. If the officer is unable to do so, the supervisor will issue a direct order to shave before entering the unit.

IV. **IMPLEMENTATION:**

Distribution of new uniforms throughout the Department will be a gradual process. Uniformed Personnel will continue using uniforms upon the effective date of this directive until issued the new uniform.

V. **ATTACHMENTS:**

- Attachment 1. Diagram of a Typical Full Face-Piece Respirator (SCBA)
- Attachment 2. Diagram of Facial Hair
- Attachment 3. Examples of Acceptable Hair Styles for Correctional Officers
- Attachment 4. Uniform Receipt Statement

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

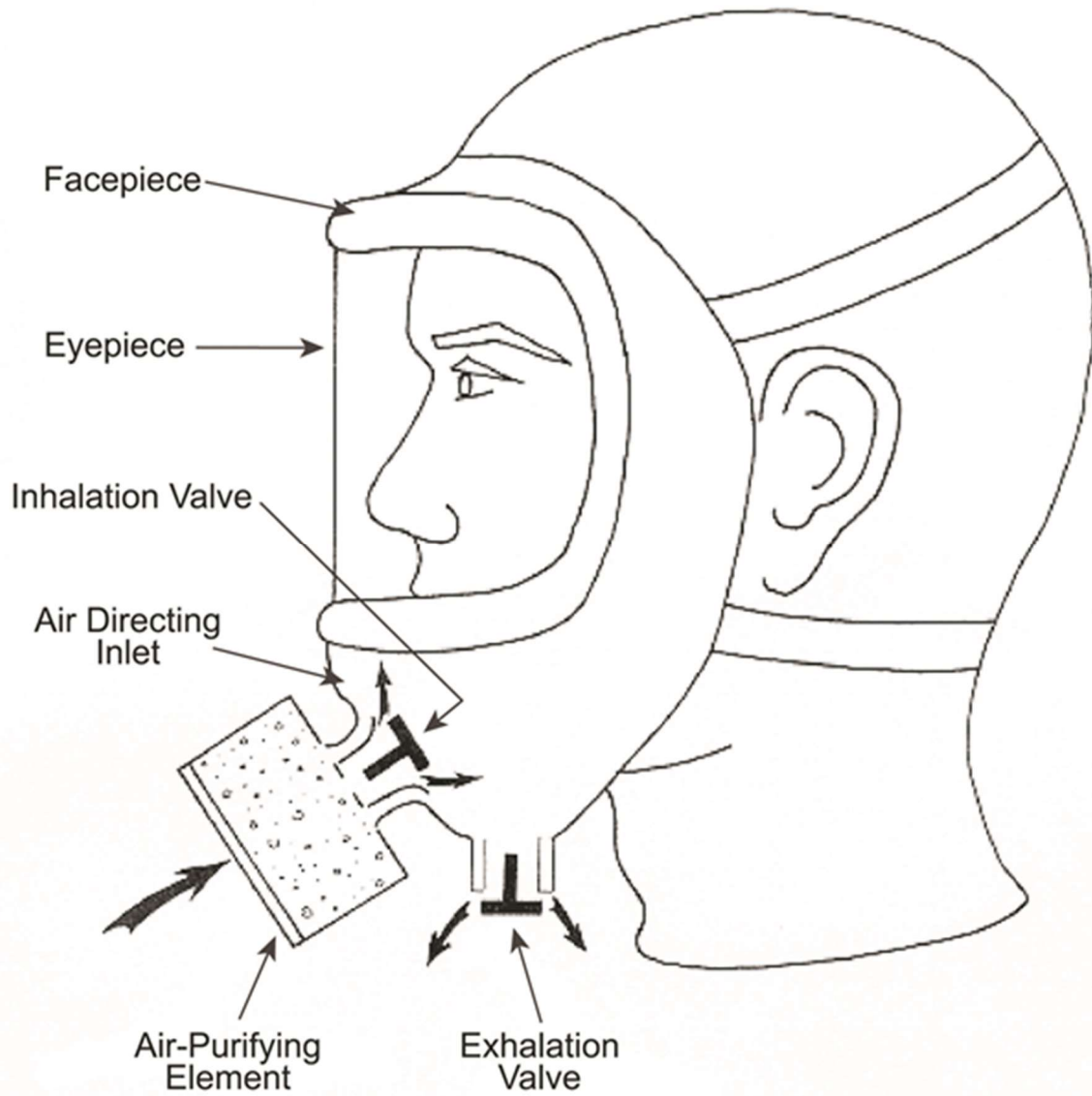


Diagram of Facial Hair

ACCEPTABLE:



UNACCEPTABLE:



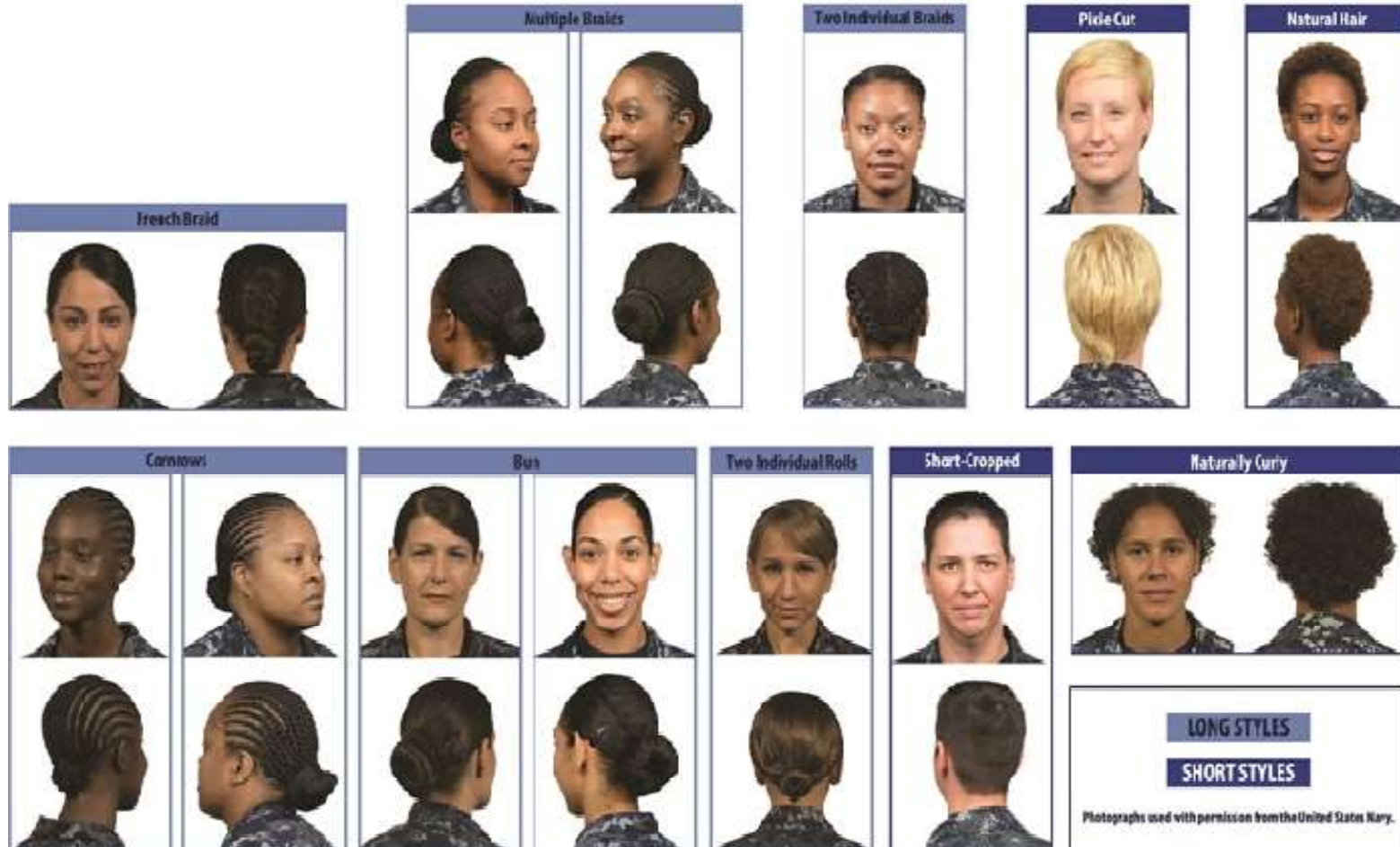
UNACCEPTABLE:



UNACCEPTABLE:



Acceptable Hairstyles for Correctional Officers





ARKANSAS DEPARTMENT OF CORRECTIONS UNIFORM RECEIPT STATEMENT

Date: _____ Ticket # _____ Division: ADC ACC IA

Last name, First name: _____ Job Title: _____

Personnel/AASIS number: _____ Anniversary Date: _____

Unit/Center/Area Assignment: _____

Item	Description	Quantity	Item Price	Net Total

By signing below, I agree that I have received and am responsible for the safekeeping of the items listed above. I agree to return all Department issued uniforms and equipment when my employment is terminated for any reason. Further, I agree to pay for the replacement costs of any lost or destroyed items when such loss or destruction is caused by my negligence, recklessness, purposeful conduct, or unlawful conduct. I understand that failure to safe keep or return uniforms may result in disciplinary action.

Employee Signature:

Total:



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
 Phone: (501) 682-3309 | Fax: (501) 534-3958
 DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Dress Code for Uniformed Personnel

NUMBER: 2022-~~12~~ _____ **SUPERSEDES:** 2021-11
 _____ **SUPERSEDES:** 2021-11

APPLICABILITY: All Department ~~OC~~ Uniformed Personnel or Non-Uniformed Personnel if directed to wear a uniform

REFERENCE: A.C.A. § ~~23-43-103, 23-43-105, 23-43-107,~~ 25-43-105, 25-43-108, 25-43-403;
 _____ AR 201- Uniforms

_____ **PAGE:** 1 of ~~840~~

APPROVED BY: Original signature on file-

EFFECTIVE DATE: 10/26/2022 - _____

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. ~~This policy establishes standard grooming and attire standards and~~ to ensure that Uniformed Personnel ~~present a clean, neat, professional appearance while on duty~~ ~~implement standardized grooming and attire standards~~ commensurate with employment in a professional criminal justice organization.

~~H.~~ **PURPOSE:**

~~This policy sets out clear grooming and attire standards for the Uniformed Personnel of the Department. These standards will ensure that Uniformed Personnel present a neat, clean, professional appearance while on duty, establish procedures for issuance and maintenance of uniforms, and promote safety for personnel and offenders.~~

~~III.~~ **DEFINITIONS:**

- A. Offensive Tattoo. Any tattoo which may result in a negative reaction from personnel or offenders, including but not limited to, any tattoo depicting a symbol or images associated with gang affiliation, profanity, sexual content or innuendo, or any other image which would reflect negatively on the Department.
- B. Uniformed Personnel. Correctional officers, parole ~~and~~ /probation officers, parole ~~and~~ /probation agents, internal affairs investigators, food service personnel, and other personnel required to wear a uniform by a Division Director or the Secretary ~~of Corrections~~. Superintendents, wardens, deputy wardens, center supervisors, area managers, and assistant area managers are not Uniformed Personnel.

~~IV.~~ **PROCEDURES:**

A. General Uniform Standards

1. Department personnel must always present a professional appearance while in uniform.
 - a. Guidelines as to how the uniform is to be worn must be strictly adhered to.
 - b. If non-uniformed personnel are directed to wear a uniform, they are subject to uniform standards contained in this directive.
 - c. ~~Shirttails~~ must be tucked inside of the pants ~~with a black belt~~ when the uniform is worn, both on-duty and off-duty, unless the employee is pregnant.
 - d. ~~When boots are worn, pants~~ Pant legs must be worn outside of ~~the~~ boots.
2. ~~When personnel are in wearing a Department uniform, whether on-duty or off-duty, they must present an appearance and attitude of professionalism which mirrors/promotes a positive image of the Department.~~ The following activities are prohibited while in uniform:
 - a. Purchasing, using, selling, or distributing alcoholic ~~beverages~~ beverages.
 - b. Fraternalizing or being present at a bar or ~~nightclub~~ nightclub.
 - c. Working a secondary ~~job~~ job.
 - d. Gambling, purchase of lottery tickets, or visiting a ~~casino~~ casino.
 - e. Making threats of bodily ~~harm~~ harm.
 - f. Use of language or gestures that are inappropriate, insolent, violent, or profane in ~~nature~~ nature.
 - g. Fighting, ~~or~~
 - h. Engaging in any activity that is unbecoming of the ~~Department~~ image.
3. ~~Uniformed Personnel must keep uniforms~~ Uniforms must be kept clean and in presentable, serviceable condition.
4. Uniformed Personnel ~~will~~ shall wear the uniform assigned to them while on duty except in the following circumstances:
 - a. While participating in training that involves physical activity or firearms qualification, personnel may wear clothing appropriate for participation as directed by the instructor or training supervisor.
 - b. While participating in "In-Service" training, personnel ~~must~~ may follow the Dress Code for Non-Uniformed Personnel directive.
 - c. While attending court or a professional meeting, personnel may wear business attire as defined in the Secretarial Directive for Dress Code for Non-Uniformed Personnel ~~directive, or~~
 - d. While serving on a special assignment, undercover, attending training, or attending a pre-approved public or non-agency event.
5. ~~When a job post requires additional uniform accessories,~~ Wardens, Center Supervisor, or Administrator may authorize Uniformed Personnel to wear ammunition holders, holsters, handcuff cases, and equipment holders on their belt as necessary. ~~These holders must be plain, black in color, and contain no lettering or designs.~~
6. Division of Correction (ADC) personnel ~~must~~ cannot ~~NOT~~ carry, use, or possess personal security equipment such as handcuff keys, handcuffs, or chemical agents while on duty. ~~The Director of the Division of Community Correction (ACC) may authorize exceptions to this prohibition for parole and probation staff.~~ Such exceptions must be reported in writing to the Office of the Secretary.

B. Uniform Specifications for Various Job Assignments

1. ~~In addition to the requirements outlined in this policy, there may be specific uniform requirements for different job assignments throughout the Department. Personnel assigned to positions identified in this subsection must adhere to the specific requirements for their position in addition to the general requirements for Uniformed Personnel as outlined in this directive.~~
2. ~~Correctional Officers assigned to both ADC and ACC, in addition to training staff assigned to ADC will wear~~ Correctional Officers (for both prisons and community correction centers) and Training personnel assigned to the Division of Correction will wear

- a. A heather blue polo-style shirt affixed with an embroidered badge (centered on the left breast), the ~~Department~~ logo positioned on the left sleeve, and rank insignia affixed at the point of each collar, ~~and~~
- b. Navy blue pants.

~~3.3.~~ Food service personnel in ADC facilities and ACC centers will wear:

- a. A heather blue polo-style shirt affixed with an embroidered badge (centered on the left breast), the ~~Department~~ logo positioned on the left sleeve, and rank insignia affixed at the point of each collar.
- b. Navy blue pants, ~~and~~
- c. A chef's apron or a chef's jacket if authorized.
- e. ~~A chef's apron or a chef's jacket.~~

~~3.4.~~ Parole and Probation Officers and Agents/Probation Officers and ~~Training~~ personnel assigned to the ~~Division of Community Correction~~ ACC will wear:

- a. A gray polo-style short-sleeve shirt affixed with an embroidered badge (centered on the left breast) and the ~~Department~~ logo positioned on their left sleeve;
- b. Desert khaki pants, ~~and~~
- c. ~~Only PP~~ Parole ~~or and PP~~ Probation ~~Agents~~ will have rank insignia affixed on the point of each collar.

~~4.5.~~ Exceptions to the Standard Uniforms:

- a. ~~Division of Community Correction~~ ACC Special Response Team (SRT):
 - i. SRT officers will be issued three (3) black shirts, three (3) black pants, a holster, a duty belt, a handcuff case, a pepper spray case, a magazine case, and a belt keeper.
 - ii. The SRT may be authorized to wear plain clothes by the Division Director.
- b. ACC Intensive Supervision Program officers may be authorized to wear plain clothes or a low-visibility uniform by the Division Director.
- c. ~~Division of Correction~~ Division of Correction Hospital Correctional Officers:
 - i. Correctional Officers assigned to Hospital Security are non-uniformed Correctional Officers who must adhere to the Secretarial Directive on Dress Code for Non-Uniformed Personnel. ~~Correctional officers assigned to hospital security are non-uniformed correctional officers who must adhere to the Dress Code for Non-Uniformed Personnel directive~~ with the exception of approved footwear. These officers must not wear sandals of any kind while on duty.
 - ii. Hospital ~~Correctional~~ Correctional officers must wear an authorized badge while on duty in the community performing ~~Department~~ ACC functions. This badge is intended to provide rapid validation of the officer in emergencies, and to reassure the public and hospital personnel who may notice that the officer is armed. The badge must be worn on the belt with a plain black leather or nylon holder that attaches to the waistband. It should be worn 4 to 6 inches to the right of center of the individual's trousers. In emergencies, it may be clipped to the left pocket of the jacket to be clearly visible.
- d. ~~Division of Correction~~ Division of Correction Emergency Response Team (ERT):
 - i. ERT members are authorized to wear a special uniform while performing ERT duties. The standard correctional officer uniform will be worn while performing regular duties.
 - ii. This uniform consists of Woodland Battle Dress Uniform (BDU) pants and matching BDU long sleeve shirts. A plain black ~~and/or~~ tan t-shirt may be worn in the summer months in lieu of the long sleeve shirt.
 - iii. The BDU shirt will be adorned with two shoulder patches, an ERT rocker patch, and rank insignia (if worn), all in subdued black and green. ERT members will wear rank insignia on the right collar and the ERT insignia on the left collar.
 - iv. Black or tan combat boots and a black or olive drab (OD) green belt must complete the uniform and are to be purchased by the officer.
 - v. A Woodland camouflage cap is optional.

- e. ~~Division of Correction~~ Division of Correction K-9 Officers:
- i. K-9 ~~Q~~ Officers are authorized to wear a special uniform while performing K-9 ~~Q~~ Officer duties. The standard correctional officer uniform will be worn while performing regular duties.
 - ii. This uniform consists of OD green BDU pants with an OD green button-down shirt.
 - ~~iii.~~ K-9 ~~Q~~ Officers will also wear a subdued green Correctional Police badge embroidered on the left breast, a subdued American Flag on the left sleeve, and a subdued ~~DOC~~ Department patch on the right sleeve.
 - ~~iii.~~
 - iv. An OD green flight jacket may be worn during cold weather.
 - v. A tactical long sleeve shirt and t-shirt in OD green may also be worn. The tactical long sleeve shirt will be adorned with two shoulder patches, a badge patch, and rank insignia (if worn) in subdued black and green.
 - vi. Black or tan combat boots and an OD green or black belt must complete the uniform and are to be purchased by the correctional officer.
 - vii. A Division black or OD green ball cap is optional.

f. Internal Affairs Investigators:

~~f.~~ Internal Affairs Investigators:

- i. A heather blue polo-style shirt affixed with an embroidered badge (~~centered across the left breast~~), "Internal Affairs" (~~centered across the right breast~~) and the ~~DOC~~ Department logo (~~left sleeve~~).
 - ii. Desert khaki pants.
 - ~~iii.~~ Black boots.
- g. Any other exceptions to the standard uniform may be authorized by the appropriate Division Director or the Secretary.

~~5.6.~~ The following items are required as part of the Department uniform, but not issued by the ~~DOC~~ Department. These items ~~should~~ must be purchased by uniform ~~(personnel)~~ personnel.

~~a.~~ Black socks.

~~a.b.~~ Black belt.

~~b.c.~~ Black gloves (only to be worn when working outside).

~~c.d.~~ White t-shirts, either long or short-sleeved (for ~~c~~orrectional ~~o~~fficers and food service personnel).

~~d.e.~~ Dark gray or black t-shirts, either long or short-sleeved (for ~~p~~arole ~~and~~ ~~p~~ro probation ~~o~~fficers or ~~a~~gents).

~~e.f.~~ Shoes

- i. ~~For~~ Food service personnel and correctional officers must wear plain, round, closed-toed black shoes, or boots with up to a two-inch heel. ~~No taps or tennis shoes are permitted.~~
- ~~ii.~~ For ~~All~~ other Uniformed Personnel must wear plain, round, closed-toed black shoes, or boots with up to a two-inch heel. No taps, ~~(tennis shoes, tennis shoes,~~ ~~or steel or Kevlar toed boots.~~

~~iii.~~ Exceptions for alternate footwear may be made through a Reasonable Accommodation Request consistent with the provisions in the Secretarial Directive on Americans with Disabilities Act.

~~f.~~ Hats (ball caps or toboggans) may be purchased by personnel if they are of the same type, design, and plain solid color as agency issued items.

~~g.~~

~~6.~~ Division Directors will may authorize the issuance of any necessary equipment not referenced in this directive.

~~7.~~

C. Identification and Insignias

1. Identification

- a. The Correctional Officer and Food Service personnel nametag must be worn centered above the right breast.
 - i. ~~(The nametag is one inch in height, blue with white letters, and includes two initials and a last name.)~~
 - ii. Nametags will be ordered by respective Central Issuance Officer.
 - iii. Uniformed Personnel are responsible for purchasing replacement nametags.
- b. The photo identification issued by Central Human Resources must be worn on the uniform while on duty and may not be worn while off duty.
 - i. The ID card should be clipped under ~~the bottom button of the uniform shirt~~ the bottom button of the uniform shirt with the photo facing forward.
 - ii. The ID card is not required for officers wearing a ballistic vest.
 - iii. Uniformed Personnel must not wear the ID card with a lanyard or chain around the neck.
 - iv. Central Human Resources will issue photo identification labeled “certified law enforcement” for any certified law enforcement officer who will be out of uniform.
- c. When worn by Uniformed Personnel, the law enforcement badge (shield) must be visible.
 - i. ~~(Correctional PPolice OOfficers)~~ will be issued a gold badge for embroidery on their uniform shirt.
 - ii. Probation ~~and~~ Parole Officers ~~and or~~ Agents may wear the badge (shield) on a lanyard.
 - iii. All certified law enforcement officers will be issued a gold shield.
 - iv. Probation ~~and~~ Parole Agents will be issued a silver shield upon promotion.
 - v. ~~Probation and Parole Area Managers and Assistant Area Managers will be issued a silver shield upon promotion~~

2. Insignia

- a. Rank insignia must be state-issued and made of metal.
- b. The Unit Human Resources Manager or Area Office Purchasing Official is responsible for ordering rank insignia. “Agent” insignia will be provided by the Deputy Director of Parole and Probation Services upon a Parole ~~and~~ Probation Officer’s promotion to Agent.
- c. Insignia designations are as follows:

Rank	Color	ERT Insignia
Corporal Food Production Manager I	Silver	Two small chevrons
Sergeant	Silver	Three small chevrons
Lieutenant Training Instructor (ADC)	Silver	One bar, ¼ inch wide and ¾ inch long
Captain Training Supervisor (ADC) Food Production Manager H	Silver	Two parallel bars, ¼ inch wide and ¾ inch long each
Major	Gold	Small oak leaf
Parole & Probation Agent	Silver	“AGENT”
Field Training Officer	Silver	“FTO” in place of left insignia pin

3. Service Bars

- a. Service bars and stars may be worn in place of service pins at the ~~officer’s~~ expense.
- b. Service bars and stars will be silver in color on a background of navy blue or dark gray material (depending on ~~the shirt color they are required to wear~~ shirt color).

- c. Service bars will be seven-sixteenths inches by one inch (7/16" by 1") to be placed one-quarter inch (1/4") apart on the left shirt sleeve.
- d. Service stars will be three-quarters of an inch (3/4") from the tip of one point of the star to the opposite tip and will be placed one-half inch (1/2") apart. The single point of the star will be pointed upwards.
- e. Service stars are authorized ~~for to be worn with~~ long-sleeved uniforms only.
- f. [The officer will wear one (1) bar for each year of service completed. When an officer is eligible to wear more than four (4) bars, ~~he or she~~ they will omit the bars and use a five-point star, denoting five (5) years of service. At no point should an officer have more than four (4) bars on the sleeve.]
- g. If bars are used ~~in addition to service stars, then bars~~ they will ~~must~~ be sewn above the stars.

4. Mourning Bands

- a. ~~Upon such an occasion eliciting the use of mourning bands, notification regarding permission to wear the bands will be sent to personnel by the Secretary, Division Director, or a Division Deputy Director.~~
- ~~a.b. On appropriate occasions, Uniformed Personnel may place a black mourning band across their badge and shield. (if issued).~~
- b. ~~Upon such an occasion, notification will be sent to personnel by the Secretary, Division Director, or a Division Deputy Director.~~
- c. A mourning band is appropriate on the following occasions:
 - i. [Following ~~a line of duty~~ the death of a law enforcement officer, first responder, ~~or~~ correctional officer, ~~or other Department employee~~, Uniformed Personnel may wear a mourning band from the day of death until completion of the funeral.
 - ii. The mourning band may also be worn each year on National Peace Officer's Memorial Day or for any other official memorial for fallen law enforcement officers, correctional officers, or first responders.]

D. Issuance of Uniforms

1. ~~Division of Community Correction ACC and ADC uniforms will be issued through that the appropriate Division's Central Issuance Officer. Division of Correction uniforms will be issued through that Division's Central Issuance Officer.~~ Any other uniform will be issued as instructed by the Secretary or designee.
2. Issuance officers are responsible for:
 - a. Issuing uniforms within their division, or as directed by the Division ~~Director~~ Director.
 - b. Maintaining an accurate record of uniforms issued to ~~personnel~~ personnel.
 - c. Maintaining an accurate record of uniforms left in ~~stock~~ stock.
 - d. Removing all affixed logos and ensuring that unserviceable shirts are properly disposed ~~of~~ of.
 - e. Collecting and maintaining Uniform Receipt Statements (Attachment #4) upon issuing uniforms, ~~and~~
 - f. Ensuring pre-payment has been made prior to issuing additional uniforms.
3. Uniformed Personnel will be given a "Uniform Receipt Statement (Attachment #4)" to sign at the time of issuance which indicates that the employee:
 - a. Has received all items as ~~listed~~ listed.
 - b. Agrees to be responsible for the safekeeping of ~~items~~ items.
 - c. Agrees to return all Department issued uniforms and equipment if employment is terminated for any reasons.
 - ~~e. Agrees to return all DOC issued uniforms and equipment if employment is terminated for any reasons; and~~
 - d. Agrees to pay for the replacement cost of any lost or destroyed items when such loss or destruction is caused by the negligence, recklessness, purposeful conduct, or unlawful conduct of the employee.

4. Uniformed Personnel will be issued ~~three-three (33)~~ pairs of uniform pants and ~~three-three (33)~~ uniform shirts. Shirts may be issued in either short or long sleeve, except in the following ~~circumstances~~ circumstances:
 - a. Probation ~~and~~ Parole Officers and Agents will only be issued short sleeve uniform tops.
 - b. ~~If~~ Uniformed Personnel ~~that have an~~ has an Offensive Tattoo, ~~only long sleeve uniform tops~~ will only be issued only long sleeve uniform tops.
 - c. ~~Division of Correction~~ Food Service personnel will be issued three (3) chef jackets or aprons affixed with the Department logo in addition to the regular ~~correctional~~ officer uniform.
 - ~~d. Division of Community Correction Food Service personnel will be issued three (3) chef jackets or aprons affixed with the DOC logo)~~
 - ~~e.~~ Officers issued a stab-resistant vest will be issued a navy blue over carrier.
 - ~~f.~~ Parole ~~and~~ Probation Officers and Agents will also be issued one holster, a duty belt, and handcuff case, a pepper spray case, a magazine case, and a belt keeper.
5. Uniformed Personnel may purchase additional uniforms at their own expense. The issuance Officer must ensure that pre-payment is made to the appropriate ~~DOC Department~~ financial account before issuing additional uniforms.
6. After issuance, Uniformed Personnel are accountable for their uniforms and other agency property issued to them. Personnel must keep their uniforms clean and serviceable. If a uniform or other issued equipment is damaged, lost, or stolen, the personnel must promptly notify his or her immediate supervisors and, as appropriate, submit a written incident report.

E. Replacement of Uniforms

1. An employee must have their ~~DOC Department~~ issued photo identification badge to exchange uniforms.
2. Unless otherwise authorized by this policy, Uniformed Personnel may exchange their uniform pants and shirts every other year.
 - a. Additional exchanges may be approved by the Area Manager, Warden, Center Supervisor, Administrator, Division Director, Secretary, or designee with proper documentation.
 - b. ~~Field Security~~ Field Security within ~~the Division of Correction~~ the ADC may exchange jackets after two (2) years if the jacket is no longer serviceable. For all other personnel, jackets may be exchanged no sooner than five (5) years after issuance.
3. Routine exchanges must occur during the officer's month of hire.
4. Additional exchanges may be authorized if:
 - a. The uniform is confiscated due to an incident. A confiscation form must be submitted before a replacement is allowed.
 - b. The ~~uniform does not fit properly.~~ uniform does not fit properly due to pregnancy.
 - c. The uniform was destroyed through no fault of the officer due to a natural disaster or emergency.
 - ~~d.~~ The uniform is not serviceable due to circumstances documented in an incident report and approved by the appropriate supervisors.

F. Return of (Uniforms)

1. Old uniforms are to be returned to the Central Issuance Officer upon issuance of new uniforms, exchange of uniforms, and upon termination of employment (whether voluntary or involuntary).
- ~~1. If old uniforms are not returned in a timely manner, the employee will be charged for the cost of uniforms and disciplinary action may be taken.~~

G. Grooming Standards

1. General Hair Standards
 - a. Hair should be kept clean, neat, and styled to present a professional appearance.
 - b. Length:

- i. Hair must be trimmed and properly groomed so that it does not extend over the tops of the ears or the collar.
 - ii. Long hair must be arranged in a fashion so that the hair, including extensions, does not extend over the collar or ears.
- c. Color:
- i. Hair colors must be in naturally occurring color tones.
 - ii. Extreme colors such as green, purple, pink, etc., are prohibited.

~~d. Style:~~

~~e.d. Hairstyles that allow an offender the option to grip or pull the hair are not allowed.~~

- i. Mohawks, ponytails, or similar styles are not ~~allowed~~ allowed.
- ii. Examples of permissible hairstyles are attached.

~~f.e. Only full, removable wigs that are required for medical necessity, as documented by a physician, are allowed. Wigs must follow general hair standards.~~

~~g.f. For Division of Correction ADC Uniformed Personnel and Division of Community Correction ACC Uniformed Personnel assigned to residential facilities, no hair style which prevents a seal on the self-contained breathing apparatus (SCBA) or gas mask will be allowed.~~

2. Facial Hair Standards

- a. Facial hair must be kept clean, neat, and maintained to present a professional appearance.
- b. Sideburns must be neatly trimmed, no wider than one inch (1"), and the same width on both sides. Sideburns must not extend beyond the bottom of the earlobe.

~~c. (1) A neatly trimmed mustache, goatee, or beard no longer than one-half inch (1/2") may be worn. Mustaches must not extend to the mouth or below the top of the upper lip to allow for proper use of a SCBA if needed. However, law enforcement officers must be clean-shaven while participating in basic~~

~~e.d. training academies.~~

~~(2) A neatly trimmed beard is only allowed for uniformed staff in the Division of Community Correction ACC.~~

~~d.e. For Division of Correction ACC Uniformed Personnel and Division of Community Correction ADC Uniformed Personnel assigned to residential facilities, no facial hair which prevents a seal on the self-contained breathing apparatus (SCBA) or gas mask will be allowed and no neck hair is allowed. For example, no goatee extending past the chin is permissible. A diagram of where the mask is placed on the face, and examples of permissible and prohibited facial hair are attached.~~

3. Jewelry

- a. Due to the inherent physical risk and potential for monetary loss, Uniformed Personnel shall limit the type and amount of jewelry worn while in uniform.

b. ~~Permissible~~ jewelry ~~permitted to be worn~~ includes:

- i. A wedding ring and one other ring.
- ii. ~~(A) digital wristwatch, wristwatch, except that smartwatches may not be worn in correctional facilities except that a smartwatch or fitness tracker will not be worn by correctional officers.~~
- iii. Religious medallions ~~may~~ ~~only~~ ~~be~~ worn underneath ~~the~~ ~~a~~ shirt and ~~not~~ ~~cannot~~ ~~be~~ visible in uniform.
- iv. Medical alert bracelets or tags ~~(only~~ ~~if~~ worn underneath the shirt and not visible in uniform).

v. ~~For Arkansas Community Correction ACC Uniformed Personnel only: Female Correctional Officers and Probation and Parole Officers or Agents may wear one (1) pair of stud earrings or hoop earrings up to one-half inch in diameter.~~

vi. Security Personnel for the Division of Correction may not wear earrings while on duty or ~~(inside)~~ inside a facility.

c. ~~Jewelry that is not permitted to be worn~~ Non-permissible jewelry includes:

- i. ~~Necklaces;~~ Necklaces.
 - ii. Tongue ~~piercing;~~ piercings.
 - iii. Facial piercings ~~including,~~ but not limited to, lips, nose, eyebrows, and cheeks;
 - iv. Body piercings ~~which that~~ are not covered by uniform or noticeable while in uniform, ~~and~~
 - v. Earrings other than those specifically allowed above.
- d. ~~Note:~~ Covering visible body piercing jewelry with band-aids is not permitted and not considered in compliance with this directive this policy.
4. ~~(Fingernails)~~ Fingernails
- a. All personnel ~~will must~~ keep their fingernails clean and neatly trimmed.
 - b. Fingernails must not extend more than one-eighth inch (1/8") beyond the tip of the finger.
 - ~~b.c. Polished fingernails for female personnel should all be one color of non-decorative fingernail polish. Male personnel are prohibited from wearing fingernail polish.~~
 - ~~e. Polished fingernails for female personnel should all be one color of non-decorative fingernail polish.~~
 - d. In addition to the above requirements, fingernails must not be ~~(disruptive)~~ disruptive to ~~the correctional (environment) operations~~
5. Uniformed Personnel shall maintain good personal hygiene while on duty. This includes regular bathing.
6. Makeup should be subtle, conservative, and not distracting in a correctional environment.

H. Enforcement of Standards

1. Supervisors shall enforce this directive. ~~DOC Department~~ Training Academy personnel will enforce this policy for ~~-~~cadets and Uniformed Personnel while attending a training academy or class.
2. Personnel out of compliance with this directive are subject to progressive discipline as outlined in the Secretarial Directive on Employee Conduct and Discipline. Disciplinary action may be up to and including termination of employment for repeated or egregious violations.
3. Units with SCBAs will keep an SCBA in their entrance areas. If there is a question about the ability of a ~~Correctional~~ ~~Officer~~ to seal the mask, the entrance area officer will suspend entrance procedures and notify a Lieutenant or above, who will give the officer a direct order to attempt to seal the SCBA in the entrance building. If the officer is unable to do so, the supervisor will issue a direct order to shave before entering the unit.

VI-IV IMPLEMENTATION:

Distribution of new uniforms throughout the ~~D~~epartment will be a gradual process. Uniformed Personnel will continue using uniforms upon the effective date of this directive until issued the new uniform.

VI-V ATTACHMENTS:

- Attachment 1. Diagram of a Typical Full Face-~~P~~iece Respirator (SCBA)
- Attachment 2. Diagram of Facial Hair
- Attachment 3. Diagram of Facial Hair
- Examples of Acceptable Hair Styles for Correctional Officers
- Attachment 4. Uniform ~~Issuance-Receipt Statement Standard Form~~

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

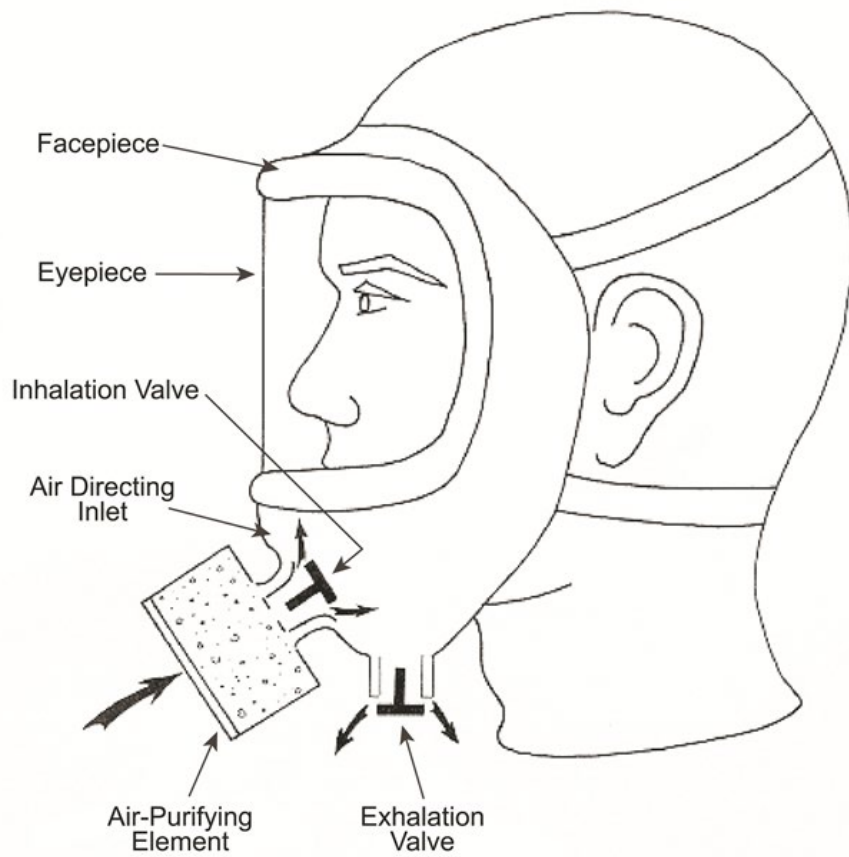


Diagram of Facial Hair

ACCEPTABLE:



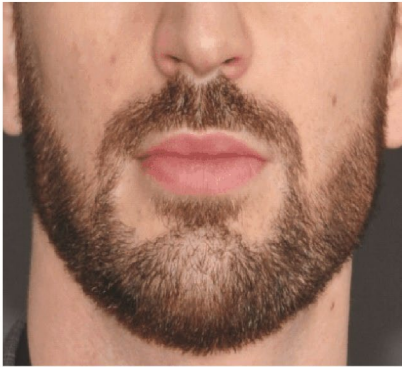
UNACCEPTABLE:



UNACCEPTABLE:



UNACCEPTABLE:



Acceptable Hairstyles for Correctional Officers





ARKANSAS DEPARTMENT OF CORRECTIONS UNIFORM RECEIPT STATEMENT

Date: _____ Ticket # _____ Division: ADC ACC IA

Last name, First name: _____ Job Title: _____

Personnel/AASIS number: _____ Anniversary Date: _____

Unit/Center/Area Assignment: _____

Item	Description	Quantity	Item Price	Net Total

By signing below, I agree that I have received and am responsible for the safekeeping of the items listed above. I agree to return all ~~Department~~ issued uniforms and equipment when my employment is terminated for any reason. Further, I agree to pay for the replacement costs of any lost or destroyed items when such loss or destruction is caused by my negligence, recklessness, purposeful conduct, or unlawful conduct. I understand that failure to safe keep or return uniforms may result in disciplinary action ~~or cost being deducted from my pay.~~

Employee Signature:

Total:



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SECRETARIAL DIRECTIVE

SUBJECT: Time Computation Review

NUMBER: 2022-13

SUPERSEDES: 2021-19

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. §§ 12-27-113, 25-43-105, 25-43-108, 25-43-403

PAGE: 1 of 2

APPROVED: Original signature on file

EFFECTIVE DATE: 10/26/2022

I. POLICY:

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to ensure that divisions within the Department comply with applicable state laws and administrative rules regarding the time computation and release eligibility of offenders sentenced to the Division of Correction (ADC) and offenders that are judicially or administratively transferred to the Division of Community Correction (ACC). The Department will maintain an independent review system for time computation and release eligibility, and review or revise relevant operational policies regularly to ensure compliance with current state law and rules.

II. PROCEDURES:

A. Policy and Procedure Review

1. The Director of the Sentencing Commission shall coordinate with the Department's policy section no less than annually to review policies and procedures related to time computation and release eligibility.
2. The Director of the Sentencing Commission shall be given access to any staff or records necessary to implement this Directive.

B. Offender Record Review

1. The Director of the Sentencing Commission shall assign Commission staff to review time computation at the point of commitment and prior to release of an offender. The results of the review shall be retained in eOMIS as a part of the full and complete record of each offender, pursuant to A.C.A. § 12-27-113.
2. Intake reviews of new sentences to the ADC will be conducted weekly as sentence components are entered into eOMIS. After entering time into eOMIS, ADC Centralized Records staff shall place a copy of the sentencing order for which time was entered into a folder in an electronic document management system for review by the Sentencing Commission staff and scan a copy of the order into the Department's Electronic Offender Management Information System (eOMIS). The Sentencing Commission staff shall review new sentences in daily batches.

3. Reviews of new judicial transfer sentences shall be conducted weekly. At the beginning of each week, the eOMIS Project Manager or their designee shall send a report to the Sentencing Commission Director of offenders with new judicial transfer sentences.
4. Reviews of offender's sentences will also be conducted prior to release from custody monthly. At the beginning of each month, the eOMIS Project Manager or their designee shall send a report of offenders who are scheduled to be released nine (9) months from the date of the report to the Director of the Sentencing Commission. This report must include information regarding any sentences to the ADC with consecutive sentences or special parole eligibility rules and all other sentences to the ADC.
5. The Director of the Sentencing Commission is required to make the following notifications when there are discrepancies in their review of sentencing records:
 - a. Any discrepancies in time computation that are discovered during intake review shall be reported to the Department Chief of Staff, appropriate Division General Counsel, and appropriate Division Records Administrator.
 - b. Any discrepancies in time computation that are discovered during release review shall be reported to the Secretary of Corrections, the appropriate Division Director, Department Chief of Staff, appropriate Division General Counsel, and the appropriate Division Records Administrator.
 - c. Any discrepancies in time computation that result in a change to an offender's parole eligibility date shall be reported to the Chair of the Arkansas Parole Board or their designee if the impacted offender is scheduled for a parole hearing or has previously appeared in front of the Parole Board.
6. The Director of the Sentencing Commission shall implement a method for randomly selecting which records will be reviewed. This methodology is subject to the review and approval of the Secretary.
7. The Director of the Sentencing Commission shall provide a quarterly report on the results of their review of time computation records to the Secretary of Corrections, the Board of Corrections, and the Arkansas Sentencing Commission.
8. Division Directors shall thoroughly investigate discrepancies or ensure appropriate corrective action if warranted.

C. Time Computation Review Committee

1. After adjournment of each regular legislative session or relevant special session, the Director of the Sentencing Commission will convene a committee to review administrative rules, operational policies, and offender management system (eOMIS) programming.
2. This committee will be chaired by the Director of the Sentencing Commission in addition to at least one (1) representative from each of the following:
 - a. The ADC, designated by the Division Director,
 - b. The ACC, designated by the Division Director, and
 - c. The Compliance Division of the Board of Corrections, designated by the Chair of the Board of Corrections.
 - d. The Director of the Sentencing Commission may designate additional staff to serve as representatives on the committee at their discretion.
3. The committee will, at a minimum:
 - a. Review and identify any necessary changes to administrative rules, operational policies, or eOMIS programming, and
 - b. Review training materials for any necessary changes.
4. The Director of the Sentencing Commission shall provide a report to the Secretary on the findings and recommendations of the Committee.



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SECRETARIAL DIRECTIVE

SUBJECT: Time Computation ~~Auditing~~Review

NUMBER: ~~2022-13~~ ~~2021-19~~
~~none~~2021-19

SUPERSEDES:

APPLICABILITY: All ~~Department of Corrections~~OC Employees

REFERENCE: A.C.A. §§ 12-27-113, 25-43-105, ~~25-43-106~~, 25-43-108, 25-43-403

PAGE: 1 of 2

APPROVED: ~~Original signature on file~~ Original Signature on File
EFFECTIVE DATE: ~~11/18/2021~~ 10/26/2022

I. POLICY:

~~I. POLICY:~~

As the executive head of the Arkansas Department of Corrections (~~DOC~~Department), it is the responsibility of the Secretary of Corrections (Secretary) to ensure that ~~d~~Divisions within the Department comply with applicable state laws and administrative rules regarding the time computation and release eligibility of offenders sentenced to the Division of Correction (ADC) and offenders that are ~~or~~ judicially or administratively transferred to the Division of Community Correction (ACC). ~~The, that the~~ Department will maintain an independent ~~audit~~review system for time computation and release eligibility, and ~~that~~ review or revise relevant operational policies regularly to ensure compliance with current state law and rules. ~~are reviewed and revised on a regular basis.~~

~~H. PROCEDURES:~~

II.

A. ~~Process~~ Policy and Procedure Review:

- ~~1.~~ 1. The Director of the Sentencing Commission shall coordinate with ~~appropriate division staff~~the Department's policy section ~~to periodically~~ no less than annually to review policies and procedures related to time computation, ~~and~~ release eligibility.
- ~~4.~~ 4. The Director of the Sentencing Commission shall be given access to any staff or records necessary to implement this Directive.
- ~~2.~~ 2.

B. Offender Record Review:

1. The Director of the Sentencing Commission shall assign Commission staff to ~~audit~~review time computation at the point of commitment and prior to release of an offender. The results of the

audit review shall be retained in eOMIS as a part of the full and complete record of each offender, pursuant to A.C.A. § 12-27-113.

2. Intake reviews of new sentences to the ADC will be conducted weekly as sentence components are entered into eOMIS. After entering time into eOMIS, ADC Centralized Records staff shall place a copy of the sentencing order for which time was entered into a folder in an electronic document management system for review by the Sentencing Commission staff and scan a copy of the order into the Department's Electronic Offender Management Information System (eOMIS). The Sentencing Commission staff shall review new sentences in daily batches.

1. Types of review:

2. Reviews of new judicial transfer sentences shall be conducted in weekly batches. At the beginning of each week, the eOMIS Project Manager or their designee will shall send a list report to the Sentencing Commission Director of inmates and residents/offenders with new judicial transfer sentences, entered within the past week. This list should be broken into three sections:

 - a. New sentences to the ADC with consecutive sentences or special parole eligibility rules.
 - b. All other new sentences to the ADC.

3.

- c. New sentences to a Community Corrections Center (CCC).

- a. Reviews of offender's sentences will also be conducted prior to release from custody monthly.

- i. At the beginning of each month, the eOMIS Project Manager or their designee will shall send a list to send the Sentencing Commission a report Director of inmates/offenders who are scheduled to be released nine (9) months from the date of the report to the Director of the Sentencing Commission nine months in the future. This list report must include information regarding any should be broken into two sections:

1. Sentences to the ADC with consecutive sentences or special parole eligibility rules and-
2. All other sentences to the ADC.

- ii. By the 15th of each month, the eOMIS Project Manager or designee will send a list to the Sentencing Commission of individuals who will be released due to flattening their sentence in the following month. This list should be broken into two sections:

1. Sentences to the ADC with consecutive sentences or special parole eligibility rules.
2. All other sentences to the ADC.

4.

- 2.5. The Director of the Sentencing Commission is required to make the following notifications when there are discrepancies in their review of sentencing records: Notification of discrepancies:

- a. Any discrepancies in time computation that are discovered during as part of intake review shall be immediately reported to the the Department Chief of Staff, appropriate Division General Counsel, and appropriate Division Records Aadministrator.

- b. Any discrepancies in time computation that are discovered during as part of release review shall be immediately reported to the Secretary of Corrections, the appropriate Division Director, Department Chief of Staff, appropriate Division General Counsel, and the appropriate Division Records Aadministrator.

- b. Any discrepancies in time computation that result in a change to an inmate's offender's parole eligibility date shall be immediately reported to the Chair of the Arkansas Parole Board; or their designee, if the impacted inmate/offender is scheduled for a parole hearing or has previously appeared in front of the been seen by the Parole Board.

c.
~~3. Selection of records for review: The~~The Director of the Sentencing Commission ~~will shall~~ implement a method for randomly selecting which records will be ~~reviewed audited~~. This ~~process~~ methodology is subject to the review and approval of the Secretary.

6.

~~7. Reports on results:~~The Director of the Sentencing Commission ~~shall will~~ provide a quarterly report on ~~the results of their~~ review ~~of time computation records results~~ to the Secretary of Corrections, the Board of Corrections, and the Arkansas Sentencing Commission.

~~3.8. Division Directors shall thoroughly investigate discrepancies or ensure appropriate corrective action if warranted.~~

C. Time Computation Review Committee:

~~B.~~After adjournment of each regular legislative session or relevant special session, the Director of the Sentencing Commission will convene a committee to review administrative rules, operational policies, and offender management system (eOMIS) programming.

1.

~~1.2.~~This committee will be chaired by the Director of the Sentencing Commission in addition to at least one (1) representative from each of the following, at a minimum, contain representatives from:

- a. ~~The Division of Correction (ADC/ADC),~~ designated by the Division Director, ~~of the ADC,~~
- b. ~~The e-Division of Community Correction (ACC),~~ designated by the Division Director ~~of the ACC,~~ and
- ~~a.~~The Compliance Division of the Board of Corrections, designated by the Chair of the Board of Corrections.

c.

d. The Director of the Sentencing Commission may designate additional staff to serve as representatives on the committee at their discretion.

~~2.3.~~The committee will, at a minimum:

- a. Review and identify any necessary changes to administrative rules, operational policies, or eOMIS programming, and
- ~~b.~~Review training materials for any necessary changes.

b.

~~3.~~The Director of the Sentencing Commission ~~shall will~~ provide a report to the Secretary on the findings and recommendations of the Committee.

4.



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SECRETARIAL DIRECTIVE

SUBJECT: Divisive Concepts in Department Operations, Policies, and Training Materials

NUMBER: SD 2022-14

SUPERSEDES: SD 2022-09

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. § 25-1-901 et seq., 25-43-105, 25-43-108, 25-43-403; OPM Rule Governing the Unlawful Propagation of Divisive Concept Training

PAGE: 1 of 2

APPROVED: Original signature on file

EFFECTIVE DATE: 11/2/2022

I. POLICY

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. Consistent with state law, divisive concepts shall not be taught, instructed, or included in training for any Department employee, contractor, staff member, or any other associates of the Department.

II. PROCEDURES

A. General Procedures

1. All administrative rules, secretarial directives, administrative directives, facility or unit level policies, operational policies, and any additional policies utilized to promote the operations of the Department shall be reviewed annually to ensure the policies established by the Department are in compliance with the requirements set forth in A.C.A. § 25-1-901 et seq.
2. Pursuant to A.C.A. § 25-1-901 and as used in this policy, the definitions of divisive concept, race or sex scapegoating, and state entity can be found in Attachment #2.
3. All training materials, developed by the Department or a third-party, and utilized by the Department for the advancement of employee performance through a Department training academy shall be screened by the Central Human Resources Administrator or their designee. Screening of training materials shall be conducted prior to their use during training courses to ensure compliance with provisions established in applicable state law and this policy. Applicable training at the unit or area office level will be reviewed by the Division Director or their designee.
 - a. Any training material that is found to be out of compliance with Department policy and state law will be immediately removed from the training course offerings.
 - b. Pursuant to A.C.A. § 25-1-901, CLEST training materials are not subject to these provisions.

4. All third-party contractors shall be made aware of this policy and the prohibitions set out in state law prior to approval of training and training materials. Third-party contractors will be required to sign a Certification of Exclusion of Divisive Concepts form (Attachment #1) prior to the beginning of any contracted agreement. A Department legal representative will also sign the agreement to be retained with a copy of the original contract.
5. Department entities using or providing grant funding for programs, training, or operational activities must review this directive and certify that such state funding or assets will not be used to promote divisive concepts.

B. Reporting and Documenting Findings

1. An internal review of policies, procedures, and training materials shall be conducted annually to determine compliance with this directive. This review shall be conducted in conjunction with annual policy reviews.
2. Annual written reports must be submitted to the Office of the Secretary no later than November 30th of each calendar year, unless an extension has been granted in writing by the Secretary.
3. The Office of the Secretary shall review and assess the findings of the review and submit a report to the Department of Transformation and Shared Services (TSS) no later than December 31 of each calendar year. Reporting by the Secretary will follow the format developed by TSS and shall detail the Department's findings regarding compliance with this directive and state law.
4. The Secretary or designee must retain all documentation related to the internal review and report submitted to TSS and any documentation certifying that the Department is in compliance with this policy and state law.

III. ATTACHMENTS

Attachment 1. Certification of Exclusion of Divisive Concepts

Attachment 2. A.C.A. § 25-1-901 Definitions



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Exclusion of Divisive Concepts Agreement

I certify that I have received and read the Secretarial Directive on Divisive Concepts in Department Operations, Policies, and Training Materials and Act 1100 of 2021 *An Act to Prohibit the Propagation of Divisive Concepts; To Review State Entity Training Materials; And For Other Purposes*, codified as A.C.A. § 25-1-901 et seq. I agree to comply with the terms and conditions outlined in the Department policy and state law regarding the propagation of divisive concepts. I understand that my signature on this certification is a binding agreement with the Department of Corrections to be in compliance with Department policy and state law, and any violation of such may result in penalties being imposed upon me.

Name	Organization	Date
Department Chief Legal Counsel or Designee		Date

A.C.A. § 25-1-901. Definitions. [Effective January 1, 2022.]

- (1) (A) “Divisive concept” means the concept that:
- (i) One race or sex is inherently superior to another race or sex;
 - (ii) The State of Arkansas or the United States is fundamentally racist or sexist;
 - (iii) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
 - (iv) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex;
 - (v) An individual's moral character is necessarily determined by his or her race or sex;
 - (vi) An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
 - (vii) Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or
 - (viii) Meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race.
- (B) The term “divisive concept” includes any other form of race or sex stereotyping or any other form of race or sex scapegoating;
- (2) (A) “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex.
- (B) “Race or sex scapegoating” encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others;
- (3) “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex;
- (4) (A) “State entity” means an instrumentality of state government, including:
- (i) The Department of Agriculture;
 - (ii) The Department of Commerce;
 - (iii) The Department of Corrections;
 - (iv) The Department of Education;
 - (v) The Department of Energy and Environment;
 - (vi) The Department of Finance and Administration;
 - (vii) The Department of Health;
 - (viii) The Department of Human Services;
 - (ix) The Department of Inspector General;
 - (x) The Department of Labor and Licensing;
 - (xi) The Department of the Military;
 - (xii) The Department of Parks, Heritage, and Tourism;
 - (xiii) The Department of Public Safety;
 - (xiv) The Department of Transformation and Shared Services; and
 - (xv) The Department of Veterans Affairs.
- (B) “State entity” does not include:
- (i) Political subdivisions of the state;
 - (ii) Public schools;
 - (iii) Charter schools;
 - (iv) Institutions of higher education;
 - (v) The offices of constitutional officers; or
 - (vi) Law enforcement training certified by the Arkansas Commission on Law Enforcement Standards and Training.



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SECRETARIAL DIRECTIVE

SUBJECT: Divisive Concepts in Department Operations, Policies, and Training Materials

NUMBER: SD 2022-[1409](#)

SUPERSEDES: [NEWSD 2022-09](#)

APPLICABILITY: All Department of Corrections [E](#)mployees

REFERENCE: A.C.A. §-25-1-901 et seq., 25-43-105, 25-43-108, 25-43-403; [OPM Rule Governing the Unlawful Propagation of Divisive Concept Training](#)

PAGE: 1 of 2

APPROVED: _____ [Original signature on file](#) _____ **EFFECTIVE**
DATE: [8/16/2022](#)

I. ~~I~~-POLICY

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. Consistent with state law, divisive concepts shall not be taught, instructed, or included in training for any Department employee, contractor, staff member, or any other associates of the Department.

II. ~~H~~-PROCEDURES

A. General Procedures

1. All administrative rules, secretarial directives, administrative directives, facility or unit level policies, operational policies, ~~and~~ and any additional policies utilized to promote the operations of the Department shall be reviewed annually to ensure the policies established by the Department are in compliance with the requirements set forth in A.C.A. §-25-1-901 et seq.
2. Pursuant to A.C.A. §-25-1-901 and as used in this policy, the definitions of divisive concept, race or sex scapegoating, and state entity can be found in Attachment #2.
3. All training materials, developed by the Department or a third-party, and utilized by the Department for the advancement of employee performance through a Department training academy shall be screened by the Central Human Resources Administrator or their designee. Screening of training materials shall be conducted prior to their use during training courses to ensure compliance with provisions established in applicable state law and this policy. Applicable training at the unit or area office level will be reviewed by the Division Director or their designee.
 - a. Any training material that is found to be out of compliance with Department policy and state law will be immediately removed from the training course offerings.
 - b. Pursuant to A.C.A. ~~§~~-§-25-1-901, CLEST training materials are not subject to these provisions.

4. All third-party contractors shall be made aware of this policy and the prohibitions set out in state law prior to approval of training and training materials. Third-party contractors will be required to sign a Certification of Exclusion of Divisive Concepts form (Attachment #1) prior to the beginning of any contracted agreement. A Department legal representative will also sign the agreement to be retained with a copy of the original contract.
 5. Department entities using or providing grant funding for programs, training, or operational activities must review this directive and certify that such state funding or assets will not be used to promote divisive concepts.
- ~~The Secretary shall designate at least one (1) employee to be responsible for ensuring the Department's compliance with this policy.~~

B. Reporting and Documenting of Findings

1. ~~Annual~~ An internal review of policies, and procedures, and training materials shall be conducted annually to determine compliance with this directive. This review shall be conducted in conjunction with annual policy reviews. ~~and a report on the findings.~~
- 1.
2. ~~Annual written reports must~~ Annual written reports must be submitted to the Office of the Secretary no later than ~~December 31st~~ November 30th of each calendar year, unless an extension has been granted in writing by the Secretary.
3. The Office of the Secretary shall review and assess the findings of the review and submit a report to the Department of Transformation and Shared Services (TSS) no later than December 31 of each calendar year. The report must Reporting by the Secretary will follow the format developed by TSS and shall detail the Department's findings regarding its compliance with this directive and state law.
4. The Secretary or their designee must retain all documentation related to the internal review and report submitted to TSS and any documentation certifying that the Department is in compliance with this policy and state law.

2.

III. III. ATTACHMENTS

Attachment 1. Certification of Exclusion of Divisive Concepts

Attachment 2. A.C.A. §-25-1-901 Definitions



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
 Phone: (501) 682-3309 | Fax: (501) 534-3958
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Exclusion of Divisive Concepts Agreement

I certify that I have received and read the Secretarial Directive on Divisive Concepts in Department Operations, Policies, and Training Materials and Act 1100 of 2021 *An Act to Prohibit the Propagation of Divisive Concepts; To Review State Entity Training Materials; And For Other Purposes*, codified as A.C.A. § 25-1-901 et seq. I agree to comply with the terms and conditions outlined in the Department policy and state law regarding the propagation of divisive concepts. I understand that my signature on this certification is a binding agreement with the Department of Corrections to be in compliance with Department policy and state law, and any violation of such may result in penalties being imposed upon me.

Name	Organization	Date
Department Chief Legal Counsel or Designee		Date

A.C.A. §

A.C.A. §25-1-901. Definitions. [Effective January 1, 2022.]

- (1) (A) “Divisive concept” means the concept that:
- (i) One race or sex is inherently superior to another race or sex;
 - (ii) The State of Arkansas or the United States is fundamentally racist or sexist;
 - (iii) An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
 - (iv) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex;
 - (v) An individual's moral character is necessarily determined by his or her race or sex;
 - (vi) An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
 - (vii) Any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or
 - (viii) Meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race.
- (B) The term “divisive concept” includes any other form of race or sex stereotyping or any other form of race or sex scapegoating;
- (2) (A) “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex.
- (B) “Race or sex scapegoating” encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others;
- (3) “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex;
- (4) (A) “State entity” means an instrumentality of state government, including:
- (i) The Department of Agriculture;
 - (ii) The Department of Commerce;
 - (iii) The Department of Corrections;
 - (iv) The Department of Education;
 - (v) The Department of Energy and Environment;
 - (vi) The Department of Finance and Administration;
 - (vii) The Department of Health;
 - (viii) The Department of Human Services;
 - (ix) The Department of Inspector General;
 - (x) The Department of Labor and Licensing;
 - (xi) The Department of the Military;
 - (xii) The Department of Parks, Heritage, and Tourism;
 - (xiii) The Department of Public Safety;
 - (xiv) The Department of Transformation and Shared Services; and
 - (xv) The Department of Veterans Affairs.
- (B) “State entity” does not include:
- (i) Political subdivisions of the state;
 - (ii) Public schools;
 - (iii) Charter schools;
 - (iv) Institutions of higher education;
 - (v) The offices of constitutional officers; or
 - (vi) Law enforcement training certified by the Arkansas Commission on Law Enforcement Standards and Training.



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SECRETARIAL DIRECTIVE

SUBJECT: Access to Facilities by Attorneys

NUMBER: 2022-15

SUPERSEDES: NEW

APPLICABILITY: Attorneys and their Agents, Department staff, and residents of Department facilities

REFERENCE: A.C.A. §§ 12-29-104, 25-43-103, 25-43-105, 25-43-108, 25-43-403; ACC AR 7.24 Resident Visitation; ADC AD 18-31 Inmate Visitation

PAGE: 1 of 4

APPROVED: Original signature on file

EFFECTIVE DATE: 12/12/2022

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. The purpose of this directive is to establish consistent procedures governing access to Department facilities by attorneys and their agents for the purposes of conducting interviews, hearings, and meetings with individuals they are documented as representing, consistent with Department policies.

Attorneys of Record and their Agents are subject to all other Departmental policies and regulations governing the visitation of offenders that are not in direct conflict with the provisions outlined in this policy. In a situation of conflict, this directive shall take precedent.

II. **DEFINITIONS:**

- A. **Attorneys of Record.** For the purpose of this policy, Attorneys of Record are defined as members in good standing with the Arkansas Bar or members in good standing with any other state or federal jurisdiction who represent or are determining whether they are going to represent offenders incarcerated in the Arkansas Department of Corrections.
- B. **Agents.** Individuals who work on legal matters under the supervision of Attorneys of Record who represent offenders incarcerated in the Arkansas Department of Corrections, including but not limited to, law students, paralegals, legal assistants, investigators, social workers, and interpreters.
- C. **Facility.** For the purposes of this policy, Facility includes all secure correctional units and centers owned or contracted for the purpose of housing offenders and residents in the custody of the Department.
- D. **Intake Period.** The time following an offender's initial reception or arrival to a facility or center through their orientation phase.

III. PROCEDURES:

A. Attorney of Record Visitation General Procedures

1. Attorneys of Record must submit a letter on their firm or agency's stationary indicating that they are a licensed attorney representing the offender they are visiting or are in the process of determining whether to represent the offender they are visiting. Attorneys of Record and their Agents must appear on an offender's visitation list pursuant to Department policy governing visitation.
2. In addition to the certification letter, Attorneys of Record must submit a list of offenders whom they represent annually following the anniversary of their first visit or whenever their client list changes, whichever is sooner.
3. Attorneys of Record will be required to undergo one (1) criminal history background check per year. The date and Facility the background check was conducted at must be noted in their visitation file in eOMIS and initialed by the employee who facilitated the check. Background checks may be conducted at the first Facility visited, and each year subsequently after the first check.
 - a. Attorneys of Record will only be required to undergo a background check once a year for access to all Facilities unless department staff determines an additional background check is necessary if there is a reasonable suspicion, such as pending criminal charges, professional conduct investigations, or other infractions warranting the need for an additional check within the same year.
 - b. Background checks must be conducted if the most recent existing background check in the Attorney of Record's visitation file is older than one (1) year.
4. Visits between a licensed Attorney of Record representing the offender or the designated Agent of an Attorney of Record will be permitted Monday through Friday between 8:00am and 4:30pm.
5. Arrangements for attorney and offender visitation must be made with the Warden, Center Supervisor, or their designee at least twenty-four (24) hours prior to the anticipated visitation.
6. Offenders are not allowed any visitors during the Intake Period including Attorneys of Record and Agents, unless authorized by the Division Director.
7. Agents Access to Facilities: Agents are permitted access to a Facility without the Attorney of Record present, provided the following conditions are met:
 - a. The Agent works under the supervision and authorization of an Attorney of Record.
 - b. The Attorney of Record provides the Warden, Center Supervisor, or their designee with a letter verifying the Agents identity and work status under their supervision at least three (3) business days prior to the Agent's initial visit. Letters requesting approval for Agent visitation must be on the firm or agency's stationary and include the Agents name, title, and date of birth.
 - i. Attorneys of Record are responsible for submitting a current written list of Agents to the Warden or Center Supervisor every ninety (90) days or as soon as possible should there be any changes to their Agent personnel.
 - c. Agents must be on the visitation list for offenders they are tasked with providing professional services to.
 - i. Agents are not permitted to provide professional services if they are on the visitation list of an offender for a personal relationship (either as a family member or friend) and must follow general visitation policy guidelines for such offenders.
 - d. Agents will be required to undergo one (1) criminal history background check per year. The date and Facility the background check was conducted at must be noted in their visitation file in eOMIS and initialed by the employee who facilitated the check. Background checks may be conducted at the first Facility they visit, and each year subsequently after their first check.
 - i. Agents who have been convicted of or pleaded nolo contendere to felonies or misdemeanors in federal or state courts, or who have pending criminal charges may be denied access to Facilities by the Warden or Center Supervisor.

8. Attorneys of Record and Agents visiting offenders must provide proper identification. Identification requirements include:
 - a. For Attorneys of Record: Valid photo identification.
 - b. For Agents: Valid photo identification and name appearing on an Attorney of Records list of approved agents.
 9. All Facility personnel shall provide an Attorney of Record or Agent with their name, rank, and personnel number upon request.
 10. Attorneys of Record or Agents who are denied access to a Facility will be notified in writing by the Warden or Center Supervisor of the reason(s) they are denied visitation. The Warden or Center Supervisor must also notify their Division General Counsel of the denial as soon as possible. If an Attorney of Record or Agent is determined to be ineligible for future visitation by Department personnel, notification of the decision citing the reason(s) for ineligibility will be sent via mail or email from the Warden or Center Supervisor to the Attorney of Record, and a copy will be sent to the Department's Legal Counsel, the appropriate Division Director, and Division Legal Counsel.
- B. Day of Visitation Procedures for Attorneys and their Agents
1. Attorneys of Record and Agents must adhere to the all Department visitation and dress code policies to visit offenders inside a Facility.
 2. Attorneys of Record and Agents are prohibited from wearing metal, including underwire in undergarments, that may prevent clearing security devices such as metal detectors. Any metal required for a visit with an offender must be placed in a basket to clear the x-ray machine in the entry building.
 3. Correctional staff may maintain visual observation and will provide as much privacy as possible to ensure confidentiality during the offender's visitation with their attorney.
 4. Attorneys of Record and their Agent's information will be entered into eOMIS to document visit information on each visit, including identification information and any other relevant information related to the visitation.
 5. A private visitation area will be provided upon request to ensure privileged communication between Attorneys of Record or Agents and their client. However, this area is subject to general supervision to ensure the security and safety of the Facility and its operations.
 6. Attorneys of Record and Agents are only permitted to bring physical documentation related to their client's case. If the visit necessitates additional material beyond what is permitted in Department visitation policies, a request must be made in writing to the Division Director. Any appeals to a denied request may be sent in writing to the Secretary via the Chief Legal Counsel.
 7. Legal papers and documents provided to offenders by their Attorney of Record or Agents may be retained by the offender only if permitted pursuant to Department policy.
 - a. Legal papers and documents are subject to inspection for contraband following the visit. Sealed envelopes will be opened for inspection in the presence of facility staff. However, their contents will not be read or copied by Facility staff.
 - b. Personal letters must be delivered through the normal offender mail process and shall not be delivered through Attorneys of Record or their Agents during a visit. Violations of this provision may result in termination of visitation rights to any Facility for a one (1) year period and notification to the relevant authorities.
 8. Electronic devices such as cell phones, tablets, or laptops are not permitted inside any Department facility unless authorized in writing by Division Director or their designee. The Department may provide equipment to play videos, or otherwise display material, upon request. The Department bears no responsibility for lost or stolen items.

C. Video Visitation.

1. Video visitation may be utilized by Attorneys of Record and Agents for visits with offenders when in person visitation is not possible.
2. Attorneys of Record and Agents must adhere to the applicable provisions in this directive for video visitation including the scheduling and registration requirements.
3. Video visitation may be subject to monitoring or recording for Facility security purposes.

D. Complaints and Exceptions

1. Attorneys of Record who have complaints about access to Facilities can contact the appropriate Division Director. If the matter is not resolved to their satisfaction, Attorneys of Record can make an appeal to the Secretary.
2. Attorneys of Record that are not on an offender's visitation list at the time of their visit may be granted an exception by the Warden or Center Supervisor to visit with their client so long as they provide an engagement letter on their firm or agency's letterhead explaining that they are the offenders designated representative.
3. Exceptions to these provisions may only be granted by the Secretary or the Division Director and will be documented in writing.

E. Emergency Cancellation

1. If an emergency exists within the Facility, the Warden or Center Supervisor may suspend visitation by Attorneys of Record and their Agents at their discretion until the Facility is determined to be safe and secure.
2. Visitation to Facilities may be suspended across a division at the discretion of the appropriate Division Director or across all Department Facilities by the Secretary if emergency circumstances arise that may warrant the need for such a suspension of visitation.

F. Contact Information

1. General issues or inquiries may be directed to the Department's Chief Legal Counsel at Office of the Secretary at the following:

Phone: (501) 682-3309

Address: 1302 Pike Avenue, North Little Rock, AR, 72114



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
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SECRETARIAL DIRECTIVE

SUBJECT: Code of Ethics

SUPERSEDES: SD 19-06, ADC AD 19-17, ACC AD 18-23, APB AD 19-02

NUMBER: 2022-16

APPLICABILITY: All Employees of the Arkansas Department of Corrections

REFERENCE: A.C.A. §§ 12-27-105, 12-27-123, 21-1-601 et seq., 25-1-123, 25-1-124, 25-43-103, 25-43-105, 25-43-108, 25-43-403; Governor's Executive Order 04-04; OPM Policy #14 Anti-Fraud and Code of Ethics; AR 107 Conflicts of Interest, AR 225 Employee Conduct Standards, AR 210 Relationships and Transactions with Inmates; SD on Employment, SD on Employee Conduct Standards; Department of Corrections Employee Handbook; Arkansas Financial Management Guide R1-19-4-505

PAGE: 1 of 3

APPROVED: Original signature on file

EFFECTIVE DATE: 12/16/2022

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary to administer the various rules, orders, or directives issued by the Department. It is also the responsibility of the Secretary to exercise direct supervision and control over the various employees of the Department. This policy is consistent with Department policies governing employee conduct and discipline in addition to various Arkansas state laws and guidelines. This policy does not create a contract of employment or any legally enforceable interest, nor does it limit the Secretary's authority to establish or revise Department policies or affect their right to terminate employment pursuant to the at-will employment doctrine. The purpose of this policy is to implement mandated systems and procedures that promote the Department's Code of Ethics and pledge to provide honesty, ethical behavior, and integrity in public service.

II. **DEFINITIONS:**

- A. **Fraud.** For the purpose of this policy and as used within its supporting documents, Fraud refers to the deliberate misuse or misapplication of state resources or assets for personal gain.
- B. **Supervisory Fiduciary Responsibility.** For the purposes of this policy, employees with supervisory fiduciary responsibility include the Secretary, Chief of Staff, Division Directors, Deputy Directors, Chief Fiscal Officer.

III. **PROCEDURES:**

- A. **Code of Ethics**
 1. The Code of Ethics and Rules of Conduct represent the Department's commitment to the culture of ethical and efficient service to the citizens of the State of Arkansas and the expected behavior of employees.

2. The Code of Ethics will be used as a guiding document when considering conduct violations as outlined in the Secretarial Directive on Employee Conduct. A copy of the Code of Ethics will be distributed to employees upon the issuance of this policy. All employees must read, sign, and familiarize themselves with the Code of Ethics (Attachment #1).
3. All employees must sign the Code of Ethics Policy Affirmation form (Attachment #2) to acknowledge they understand the standards and policies set forth by the Department and to ensure that they adhere to Arkansas state law in their role as public employees. The original signed form will be maintained in each employee's personnel file by Human Resources.
4. During an annual performance review, or at the time of promotion, employees must reaffirm that they have been made aware of the Code of Ethics by re-signing a Code of Ethics Policy Affirmation form (Attachment #2). This statement shall be included with the performance evaluation or hire packet that is sent to Human Resources upon completion of the review or promotion. Employees that do not receive annual performance evaluations will reaffirm they have been made aware of the Code of Ethics on or about January 3rd each year by signing the Code of Ethics Policy Affirmation form (Attachment #2) and forwarding it to Human Resources.

B. Background Checks

1. All applicants will undergo an Arkansas Crime Information Center and National Crime Information Center criminal background check prior to any offer of employment. Any individual hired into a security or CLEST-certified position must be free of any felony convictions. Additionally, applicants must have a record free of any misdemeanor convictions that revoke their ability to possess a firearm. Individuals with a felony record may be hired in non-security and non-CLEST positions only with approval from the Secretary or the appropriate Division Director.
2. Applicants and employees who appear on certain criminal database lists (such as child maltreatment) will be denied any offer of employment or terminated effective immediately due to their inability to work for a law enforcement agency.

C. Reporting and Investigations of Fraud

1. The Department is committed to a thorough investigation of occurrences of alleged ethical violations, Fraud, waste, and abuse. In accordance with Governor's Executive Order 04-04, the Office of Internal Audit (OIA) through the Department of Inspector General will be available to assist agency management by coordinating an objective investigation and recommending controls to prevent or detect future occurrences of Fraud.
2. The OIA is authorized to request assistance from Department employees that have the experience required to assist or perform such investigations. Investigations will be conducted in a confidential manner.
3. If an investigation indicates that a loss of state funds has occurred, then the amount of loss shall be reported to Arkansas Legislative Audit in accordance with R1-19-4-2004 of the Arkansas Financial Management Guide. In addition, any loss of state funds involving criminal activity shall be reported to the Arkansas State Police for a criminal investigation.
4. In accordance with A.C.A. § 25-1-124, an employee of the Department with Supervisory Fiduciary Responsibility over all fiscal matters shall report a loss of public funds to Arkansas Legislative Audit, including without limitation, any apparent unauthorized disbursement of public funds, or any apparent theft or misappropriation of public funds or public property within five (5) business days of the date that the employee learns of the loss of public funds. As stated in A.C.A. § 25-1-124, an employee with Supervisory Fiduciary Responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days to Arkansas Legislative Audit may be found guilty of a Class A misdemeanor.

5. Department employees shall be protected against any form of retaliation, including discharge, for reporting in good faith occurrences of ethical violations, Fraud, waste, and abuse of government resources as stated in the Arkansas Whistleblower Act (A.C.A. § 21-1-601 et seq.)
6. Department employees have a responsibility to report any occurrences of ethical violations, Fraud, waste, or abuse. Allegations of ethical violations or fraud may be reported to the Arkansas State Employees' Fraud, Waste, and Abuse Report Center (1-800-952-8248), the Office of Internal Audit by telephone (501-682-0370), or to a supervisor in their chain of command. Employees can also report ethical violations, Fraud, waste, or abuse by completing a Complaint Form (Attachment #3). Complaint Forms can be emailed or mailed directly to the Internal Audit Section at the following addresses:

Email: fraud@dfa.arkansas.gov

Mailing Address:

Department of Inspector General
Internal Audit Section
323 Center Street, Suite 1200
Little Rock, AR 72201

7. All reports made to the OIA should also be made to the Board of Corrections Compliance Division by calling 870-267-6752 or by mailing copies of the Complaint Form (Attachment #3) to:

Mailing Address:

Arkansas Board of Corrections
Compliance Division
P.O. Box 20550
White Hall, AR 71612

D. Evaluation of Anti-Fraud Processes and Controls

1. In accordance with state regulations outlined in section R1-19-4-505 of the Arkansas Financial Management Guide, the Department will facilitate the reduction of Fraud by identifying Fraud risks, mitigating Fraud risks, and implementing preventive and detective internal controls.
2. The identification of Fraud risks will be conducted through a department-wide Fraud risk assessment conducted every two (2) years as required by state policy. The Secretary and Division Directors will implement appropriate internal controls to reduce Fraud risks.
3. Each governing board or commission within the Department shall review portions of the controlled self-assessment pertaining to their operations prior to submission.

IV. ATTACHMENTS:

Attachment 1. Code of Ethics

Attachment 2. Code of Ethics Policy Affirmation

Attachment 3. Complaint Form



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Arkansas Department of Corrections

Code of Ethics

The Arkansas Department of Corrections (Department) Code of Ethics is the written document that outlines the expectations for employees' behavior and conduct designed to promote a culture of honor, integrity, ethical, and efficiency in the public service provided by the Department to the citizens of Arkansas. The Code of Ethics will be used in conjunction with other Department policies as a guiding document when considering employee behavior, employee conduct, conduct violations, and other actions or behaviors.

1) Code of Ethics

Department employees must comply with all applicable state and federal laws, policies, and procedures including Administrative Rules, Memorandums, and Directives. The Department will not condone employee conduct that violates state or federal law, policies, or procedures including activities or involvement in unethical, illegal, and fraudulent business relationships. This includes receiving payments for illegal acts, indirect contributions, kickbacks, rebates, or bribery. Employees also must refrain from any activity that may compromise their ability to work as a law enforcement agency. Questions should be directed to an employee's immediate supervisor for guidance if they are uncertain about the application or interpretation of any legal or procedural requirement.

2) General Employee Conduct

The Department expects employees to conduct themselves in a professional manner and in accordance with established Department policies. All employees are expected to read, be knowledgeable of, and abide by these policies. Disciplinary procedures for non-adherence to these requirements are outlined in Administrative Rule 225, the Secretarial Directive on Employee Conduct Standards and Discipline, and the Department Employee Handbook.

3) Conduct Toward All Persons

The Department subscribes to a policy of professionalism and fairness in the provision of services and the discharge of authorized duties. The Department will not condone any employee conduct that violates or has the appearance of violating state and federal law, including any applicable ethical rules.

4) Possession and Use of Drugs

A. Employees must not possess or use any controlled substance in violation of state or federal law or Department policy. Employees taking prescription drugs must notify their immediate supervisor of any physical or pharmacological condition that causes physical or cognitive impairment that

could affect their ability to perform the essential functions of their duties safely. Impairment is considered to be a condition that can affect judgment, reaction time, or motor skills, as it may affect the ability to perform certain duties safely and proficiently or to operate a motor vehicle safely.

- B. In instances where an employee or medical professional indicates that a prescribed medication may affect judgment or reaction time, authorization to perform certain essential duties or operate a motor vehicle will be suspended. Authorization will be reinstated upon the cessation of the effects of the medication. An employee may be required to take sick leave if a medication they are taking prevents them from performing their job duties.

5) **Use of Alcohol While on the Job**

Employees must not perform their duties while under the influence of alcohol, nor may employees consume alcohol during work hours on or off state owned, operated, or leased property, including while at lunch and during break periods.

6) **Insubordination**

Employees must obey all applicable laws, Department rules, policies, and court orders, and follow all reasonable instructions issued by a supervisor or superior to ensure they are performing their duties.

7) **Truthfulness**

Employees responding to various persons involved in Department investigations or other internal and external administrative processes must cooperate fully and truthfully. Any testimony or reports submitted by an employee must be truthful, complete, timely, and in accordance with established Department procedures. Employees shall not knowingly enter or cause to be information to be entered inaccurately, falsely, or improperly, nor shall they improperly alter or intentionally omit pertinent information on any document prepared or statements provided in the performance of their job duties.

8) **Abuse of Process and Retaliation**

Employees shall not knowingly make false accusations of misconduct or initiate any action against other employees, agents, or offenders in retaliation for their filing of a lawsuit, grievance, report (to include a report filed on alleged infractions), cooperation with an investigation, or for any other purpose.

9) **Gathering and Processing Property and Evidence**

Employees must not convert evidence or property to their own use or manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence. Property or evidence that has been discovered, gathered, or received in connection with an employee's job responsibilities will be processed in accordance with established Department procedures.

10) **Discriminatory Behavior Prohibited**

The Department does not condone, permit, or tolerate the discrimination on any basis of persons including, but not limited to, other employees, applicants, victims, offenders, or members of the public. An employee of the Department who knowingly permits, engages in, or incites such discrimination, interferes with an investigation of discrimination, or retaliates against anyone who has filed a complaint will be subject to disciplinary action including, but not limited to, termination of employment.

11) **Abusive or Intimidating Behavior and Harassment**

Abusive behavior towards other persons is prohibited. Abusive behavior may include fighting, assault, battery, threats, abusive language, intimidation, sexual misconduct, sexual abuse, sexual harassment, non-sexual harassment, reckless or disorderly conduct, or any other conduct that places employees, offenders, or others in fear of harm. Employees cannot bargain with offenders or other employees for sexual favors, nor make or infer job benefits or any other type of advantages contingent upon acceptance of such an offer. Employees must not act in a way that creates or contributes to an

intimidating, hostile, or offensive work environment. Employees must refrain from behaviors or speech that a reasonable person would consider to be unwelcome or offensive.

12) Firearms and Other Weapons

The unauthorized possession of firearms, explosives, or other weapons during work hours is prohibited. This applies to employees and agents.

13) Contraband

Employees must not introduce or attempt to introduce any illegal or unauthorized item (for example, cell phones or other communication devices or their components, tobacco products, drugs, weapons, etc.) into correctional facilities or other restricted areas owned, operated, or contracted by the Department.

14) Cooperation with Public Officials and Agencies

Employees shall cooperate fully with other public officials and agencies in the discharge of their authorized duties.

15) Relationships with Clients, Suppliers, and Co-Workers

- A. Employees must adhere to A.C.A. § 19-11-705 in their relationships with Department clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the Secretary or Division Director and the Secretary of the Department of Transformation and Shared Services in accordance with A.C.A. § 19-11-706 and guidance for applicable Governor's Executive Order 98-04.
- B. Employees shall not engage in sexual or intimate contact during assigned work hours or while on state premises or in state vehicles.
- C. Intimate personal relationships and business relationships between supervisors and subordinates are prohibited. Personal relationships may include dating, cohabitation, touching, requiring sexual performance for sexual gratification (even if it does not involve touching), and sexual relationship. Business relationships may include loaning or borrowing money and business partnerships.
- D. For the purposes of this policy, an employee's supervisor is another Department employee with the authority to hire, fire, promote, demote, suspend, or otherwise change the employee's status or whose related suggestions are given particular weight.

16) Relationships with Offenders

- A. Employees shall not enter into or continue relationships or dealings with person(s) whom the employee knows or should know are in the custody or supervision of the Department, apart from the associations or dealings necessary to perform their official duties or when family relationships make such associations or dealings unavoidable. Prohibited relationships include, but are not limited to, business relationships, partnerships, loaning money, romantic relationships, and legal or financial transactions of any sort.
- B. If prior to beginning their role as a department employee a person has a relationship or association with a person who is under or comes into the custody or supervision of the Department, the employee must disclose this information to their supervisor immediately to ensure the integrity of Department operations. Employees will not face disciplinary action should they make this disclosure.
- C. Employees shall not contact or correspond with any family member or associate of an offender, or with any person on an offender's approved visitation or correspondence list(s) on behalf of or regarding the offender, unless the employee is assigned duties require such contact or correspondence, or permission has been granted by the appropriate employee's supervisor.

- D. Association between employees and offenders or any member of their family in normal community activities involving groups such as churches, PTA groups, charitable groups, etc., is authorized so long as this association is limited to such activities.
- E. Unless their assigned duties require it or permission has been granted by their supervisor, employees shall not deliberately contact or correspond with ex-offenders (inmates, residents, parolees, or probationers) regarding that offender's incarceration or supervision
- F. If an employee is contacted in any form by an ex-offender or any member of their family, they shall immediately report this contact to their supervisor.

17) Conflicts of Interest

- A. Public employment is a public trust. The Department expects employees to perform their duties in an ethical manner and in accordance with state law to promote the best interests of the Department and the state of Arkansas. Employees must not use their position as a state employee or knowledge gained from their position for private or personal gain or advantage. A.C.A. § 21-8-304 lists activities that are ethically prohibited activities for public officials and state employees. If an employee becomes involved in a situation that could be considered a prohibited activity, they should immediately communicate all the facts to their immediate supervisor. Department employees are prohibited from using their role and state employment status to solicit financial or material support for the benefit of any individual, group, association, or organization. Employees are also prohibited from facilitating the solicitation of financial or material support from a contractor involved in business with the Department for the benefit of any individual, group, association, or organization
- B. Employees have a professional responsibility for the Department's good public relations and therefore shall avoid acquiring any business interest, engaging in secondary employment, or participating in any activity outside of their role with Department that would conflict with their official duties. Pursuant to state law, Department employees are prohibited from holding secondary employment unless it has been approved following the procedures outlined in the Secretarial Directive on Secondary Employment.

18) Partisan Political Activity

Employees are encouraged to participate in election processes on their own time. Annual, Compensatory, or Holiday Leave may be taken for this purpose. However, an employee shall not endorse candidates in his or her official capacity as a state employee or engage in partisan political activity during the hours they are performing work for the State of Arkansas. Political banners, posters, literature, or any other political materials shall not be displayed on state owned, operated, or leased property. Employees must not use Department identification, stationery, supplies, and equipment for political matters.

19) Professionalism

- A. While on the job, employees shall demonstrate professionalism as follows:
 - 1. Courteous, Patient, and Respectful Attitudes. Employees shall be courteous, patient, and respectful when dealing with other employees, offenders, victims, and the public. An employee shall be tactful in the performance of their duties, control their temper, exercise patience and discretion, and not become involved in arguments even in the face of provocation.
 - 2. State Property. Employees must use state property for state business only. Employees must accept responsibility for the proper care, accountability, and maintenance of state property. Employees must not misuse, abuse, or allow misuse or abuse of state property.
 - 3. Inappropriate Language and Gestures. Employees shall not use violent, profane, or insolent language or gestures while performing job duties.
 - 4. Inappropriate Actions. Employees shall not engage in horseplay, fighting, practical jokes, or any other conduct that endangers the safety or affects the good order of the Department.

20) Private Conduct

- A. Employees may be disciplined for detrimental private conduct. Since the conduct of a Department employee, on or off duty, may reflect upon the Department as a criminal justice agency, employees shall conduct themselves in a manner that does not impair the operation or integrity of the Department or cause the public to lose confidence in it. Private conduct unbecoming of an employee includes, but is not limited to, conduct which damages the image of the Department, reflects discredit upon the character of the employee as a member of the Department, and conduct that may impair the Department's operations.
- B. Employees shall obey all federal, state, and local laws and regulations. Accordingly, if an employee is arrested, cited, or detained for a violation of law, they shall immediately report the occurrence to their immediate supervisor. A conviction or admission of any violation that interferes with or impairs an employee's duties, public trust, or the operations of the Department shall be considered evidence of a violation of this policy. Lack of a criminal complaint, charge, disposition, or acquittal of a violation of law does not preclude internal administrative investigation and disciplinary action.
- C. Employees shall not commit acts which they know or should know constitutes a violation of any written or verbal Department rule, regulation, policy, procedure, directive, or memorandum. The Department will not condone employee conduct that violates or has the appearance of violating any law or ethical provisions including, but not limited to, improper solicitation, receiving payments for illegal acts, indirect contributions, rebates, or bribery, etc.

21) Gifts, Entertainment, Favors, and Gratuities

Employees are prohibited from accepting entertainment, gifts, personal favors, or preferential treatment that could be reasonably assumed to be an attempt to influence their business decisions and performance of their job functions as defined by state law and regulations. Specific state procurement law addressing gratuities for state employees can be found in A.C.A. § 19-11-707.

22) Kickbacks and Prohibited Commissions

Employees shall not receive kickbacks, prohibited commissions, or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law and by the Secretarial Directive governing Employee Conduct Standards and Discipline. Specific procurement law addressing kickbacks and commissions can be found in A.C.A. § 19-11-707 and 19-11-708.

23) Department Funds, Records, Communications, and Other Assets

- A. Employees who have access to Department funds in any form must follow the procedures for recording, handling, and protecting money as detailed in agency procedures, administrative regulations, directives, and the Arkansas Financial Management Guide. Personal use of Department funds or assets is strictly prohibited and may result in disciplinary action and criminal prosecution. If an employee has knowledge of fraud or waste of public assets, they must notify their immediate supervisor.
- B. Record keeping must adhere to state law and any applicable Department policy. All the Department's books and records must reflect accurate and timely recording of all business transactions, including assets, liabilities, receipts, and disbursements. Employees responsible for the Department's financial reporting must provide full disclosure of assets, liabilities, receipts and disbursements and exercise diligence in enforcing and achieving these requirements.
 1. Employees shall not make or engage in any false record or communication whether internal or external, including, but is not limited to:
 - a. False expense, attendance, production, financial, or similar reports and statements.
 - b. False advertising, deceptive marketing practices, or other misleading representations.
 2. Full disclosure of the Department's assets, liabilities, receipts, and disbursements shall be made available upon request.

24) Communicating With Outside People and Organizations

- A. Employees must separate their personal roles from their official positions when communicating on matters not involving the business of the Department. Employees are prohibited from using their position or affiliation with the Department when communicating regarding matters not involving official Department business.
- B. When communicating publicly on matters that involve Department business, employees shall not speak for the Department on any topic, unless the Secretary, Division Director, or their designees have authorized the views and the public expression of those views.
- C. When engaging with any other individual outside the Department, including public officials, employees must take care not to compromise the integrity or damage the reputation of the Department or any other State government entity.

25) Prompt Communications

In all matters relevant to an employee's official job duties such as dealings with offenders, customers, suppliers, government authorities, or the public, employees must make every effort to achieve complete, accurate, and timely communications by responding promptly and courteously to all proper requests for information as well as to complaints.

26) Privacy and Confidentiality

- A. Department employees are responsible for safeguarding personal information to ensure the confidentiality of the information. An employee shall not intentionally or unintentionally disclose to any unauthorized person any information declared by law, policy, rule, or regulation to be confidential or privileged, or use such information for personal gain or benefit. When handling sensitive information such as financial or personal information about offenders, individuals, or groups with whom the Department has encounters, employees shall observe the following principles:
 - 1. Collect, use, and retain only the personal information necessary for conducting Department business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
 - 2. Retain information only for as long as necessary as required by law or Department policy. Protect the physical security of the information.
 - 3. Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which obtained. The release of any information to persons not involved with the stated business purpose should only be made when authorized by management, Department policy or in response to other requests consistent with state or federal law.
 - 4. Access to offender information and other data through the Electronic Offender Management Information System (eOMIS) is permitted for criminal justice purposes only. All information is to be treated as confidential unless disclosure is specifically authorized by state law or Department policy. eOMIS usage is subject to monitoring, recording, and auditing. Unauthorized access, misuse, or disclosure of data is a violation of state law and Department policy and may result in disciplinary action and prosecution. Sharing of passwords or leaving a login session unattended may allow access to confidential data and is a violation of an employee's agreement to maintain the confidentiality of eOMIS data.

27) Citizen Complaints and Requests for Information

Employees shall courteously and promptly accept and record in writing any request for information about or citizen complaint against the Department or a Department employee. An employee may attempt to resolve a complaint but shall never attempt to dissuade any citizen from lodging a complaint and shall immediately inform their supervisor of any complaint. All requests for information shall be handled pursuant to Department policies and procedures outlining such issues.

28) Reporting Suspected Fraud

- A. Employees have a responsibility to report occurrences of ethical violations, fraud, waste, or abuse of Department resources. Employees shall be protected against any form of retaliation, including discharge, for good faith reporting of occurrences of ethical violations, fraud, waste, or abuse of Department resources as stated in the Arkansas Whistleblower Act, codified as A.C.A. § 21-1-601 et seq. Investigations to substantiate reported allegations will be conducted in a confidential manner by the Office of Internal Audit.
- B. Allegations of ethical violations or fraud may be reported to the Arkansas State Fraud, Waste, and Abuse Report Center (1-800-952-8248) or to the Office of Internal Audit by telephone (501-682-0370). An employee may also choose to report fraud, waste, or abuse by completing an online complaint form found at www.ig.arkansas.gov/internal-audit/what-is-fraud-waste-and-abuse/. Complaint forms completed online will be submitted directly to the Office of Internal Audit fraud email at OIA.fraud@arkansas.gov. A printable complaint form can also be found at www.ig.arkansas.gov/internal-audit/anti-fraud-program-elements/model-anti-fraud-code/ or attached to this directive (Attachment #3) and emailed to OIA.fraud@arkansas.gov or mailed to the mailing address found at www.ig.arkansas.gov/internal-audit.
- C. Employees with supervisory fiduciary responsibility over all fiscal matters shall report any loss of public funds that amounts to one thousand dollars (\$1,000) or more in one (1) calendar year to Arkansas Legislative Audit within five (5) business days of the date that the employee learns of the loss of funds in accordance with A.C.A. § 25-1-124. This includes any apparent unauthorized disbursement of public funds or an apparent theft or misappropriation of public funds. In accordance with A.C.A. § 25-1-124, any employee with supervisory fiduciary responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days to Arkansas Legislative Audit may be guilty of a Class A misdemeanor. Department employees with supervisory fiduciary responsibility include the Secretary, Chief of Staff, Division Directors, Deputy Directors, and Chief Fiscal Officer, or other positions equivalent to those officers.



OFFICE OF THE SECRETARY

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 North Little Rock, Arkansas 72114
 Phone: (501) 682-3309 | Fax: (501) 534-3958
 DOC.ARKANSAS.GOV

**ARKANSAS DEPARTMENT OF CORRECTIONS
 CODE OF ETHICS POLICY AFFIRMATION**

I understand it is my responsibility to read this policy thoroughly and ask questions of my supervisor if I do not understand it.

I understand that my signature on this document indicates that I have read and fully understand the prohibited activities and my professional ethical conduct responsibilities as an employee of the Arkansas Department of Corrections as described herein.

I understand that this acknowledgement will be placed in my personnel file.

Print Name

Assigned Work Location

Signature

Date



Department of Inspector General
Office of Internal Audit

Complaint Form

Fraud, Waste, and Abuse Reporting Form

Report improper use and mismanagement of state resources within the Executive Branch of Arkansas State Government.

Anonymous Reporting

This office accepts anonymous complaints when requested; however, additional informational may be needed for clarification. Although it is not a requirement when submitting a complaint, we ask that you provide a way to contact you.

Are you reporting anonymously? *(Required)* Yes No

Whistle-Blower Act

The Arkansas Whistle-Blower Act prohibits a public employer from taking adverse action against a public employee who communicates in good faith to an appropriate authority the existence of waste of public funds, property, or manpower or a violation of law; participates, or gives information, in an investigation, hearing, court proceeding, legislative inquiry, or administrative review; or objects to carrying out a directive the public employee reasonably believes violates the law. For more information consult Ark. Code Ann. §§ 21-1-601 to 21-1-610.

Complainant Information (Optional) Your Personal Data

Your Name

First

Last

Your Phone

Your Email

Your Address

Street Address

Address Line 2

City

State / Province / Region

ZIP / Postal Code

Country



Department of Inspector General
Office of Internal Audit

Complaint Form

Employment Information

Are you an employee of a state agency, department, board, or commission? *(Required)* Yes No

If yes, list the name of the state agency, department, board, or commission of which you are employed.

Complaint Details

PLEASE DO NOT PROVIDE ANY DATES OF BIRTH, SOCIAL SECURITY NUMBERS, DRIVER'S LICENSES, MEDICAL RECORDS, CREDIT CARD INFORMATION, OR PASSPORT INFORMATION

Name of the state agency, department, board, or commission involved.

State Employee(s) or Individual(s) involved.

First

Last

Position Title of Employee or Individual involved.

Details of Complaint

Details of facts relevant to the allegation. Please provide as much detail as possible including who, what, when, where, why, and how.



Department of Inspector General
Office of Internal Audit

Complaint Form

Please provide any relevant documents regarding this allegation with this complaint form.

If there are relevant documents that you do not have access to, please describe those documents and how they can be obtained by Internal Audit.

Has this complaint been filed with any other agency? *(Required)* Yes No Unknown

If yes, what agency?

Is there any civil, criminal, or administrative proceeding pending in this matter? *(Required)*

Yes No Unknown

If yes, please explain.

In case of referral to another agency, should your name and contact information be removed? *(Required)*

Yes No Other

If other, please explain.

Important

By submitting this form, you are confirming that the information provided is true and accurate to the best of your knowledge.

Email to: OIA.fraud@arkansas.gov -OR-
Mail to: 323 Center Street, Suite 1200 • Little Rock, AR • 72120



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North Little Rock, Arkansas 72114
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SECRETARIAL DIRECTIVE

SUBJECT: Anti-Fraud/Code of Ethics Policy

NUMBER: 2021-

SUPERSEDES: ADC AD 19-17

SUBJECT: Anti-Fraud/Code of Ethics Policy

SUPERSEDES: SD 19-06, ADC AD 19-17, ACC AD -18-23, APB AD 19-02

NUMBER: 2022-16

APPLICABILITY: All Employees of the Arkansas Department of Corrections

REFERENCE: A.C.A. §§ 12-27-105, 12-27-123, 21-1-601 et seq., 25-1-123, 25-1-124, 25-43-103, 25-43-105, 25-43-108, 25-43-403; Governor's Executive Order 04-04; OPM Policy #14 Anti-Fraud and Code of Ethics; AR 107 Conflicts of Interest, AR 225 Employee Conduct Standards, AR 210 Relationships and Transactions with Inmates; SD on Employment, SD on Employee Conduct Standards; Department of Corrections Employee Handbook; Arkansas Financial Management Guide R1-19-4-505

PAGE: 1 of 3

ACC AD 18-23

APB

AD 19-02

APPLICABILITY: All Employees of the Arkansas Department of Corrections

REFERENCE: A.C.A. §§ 19-11-705, 19-11-706, 19-11-707, 19-11-708, 21-8-304, 25-1-124, 25-43-103, 25-43-105, 25-43-107, 25-43-403; SD Employment; AR 225, SD Employee Conduct Standards; and SD on Hiring Applicants with a Felony Record; DOC Employee Handbook Governor's Executive Order 98-04

25-43-107, 25-43-403

SD Employment; AR 225 Employee Conduct Standards;

and SD on Hiring Applicants with a Felony Record; DOC Employee Handbook

PAGE: 1 of 26

APPROVED: Original signature on file

EFFECTIVE DATE: 12/16/2022

I. POLICY:

As the executive head of the Arkansas Department of Corrections (Department~~OC~~²), it is the responsibility of ~~the Secretary of Corrections (Secretary)~~ to administer the various rules, orders, or directives issued by the ~~Department~~DepartmentOC. ~~The purpose of this directive is to promote a culture of honesty and ethical behavior within the Arkansas Department of Corrections. It is also the responsibility of the Secretary to exercise direct supervision and control over the various employees of the Department.~~ This policy is consistent with ~~DepartmentOC~~ policies governing employee conduct and discipline ~~and in addition to all various Arkansas state laws and guidelines~~guidelines. ~~This policy does not create a contract of employment or any legally enforceablelegally enforceable interest, nor does it or limit the Secretary's authority to establish or revise DepartmentOC policies or affect theirhis/her right to terminate employment pursuant to the at-will employment doctrine. The purpose of this policy is to implement mandated systems and procedures that promote the Department's Code of Ethics and pledge to provide honesty, ethical behavior, and integrity in public service.~~

~~H. PURPOSE:~~

~~The purpose of this policy is to implement systems and procedures that aid in the prevention of fraud and support the Arkansas Department of Corrections' (DOC's) pledge to provide honesty and integrity in public service. This policy is consistent with DOC policies governing employee conduct and discipline and all Arkansas laws and guidelines.~~

~~IV.II. H. DEFINITIONS:~~

- ~~A. Fraud. For the purpose of this policy and as used within in this policy itas supporting documents, Fraud refers to the deliberate misuse or misapplication of state resources or assets for personal gain.~~
- ~~B. Supervisory Fiduciary Responsibility. For the purposes of this policy, employees with supervisory fiduciary responsibility include the Secretary, Chief of Staff, Division Directors, Deputy Directors, Chief Fiscal Officer.~~

~~I. IV. PROCEDURES:~~

~~III.~~

~~A. Code of EthicsA. Code of Ethics:~~

~~1. —The DOC Code of Ethics and Rules of Conduct represent the DOC'sDepartment's commitment to the culture of ethical and efficient provision of services. The Code of Ethics describes the expected behavior of DOC employees, providing service and supports the culture of ethical and efficient service provided to to the citizens of the State of Arkansas and the expected behavior of employees.~~

~~2. —1. Existing Employees. All existing DOC employees will receive a copy of the DOC Code of Ethics policy. To signify that employees have received a copy of the Code of Ethics, Employees must sign, date, and return the last page to their supervisor. The original signed page from the Code of Ethics shall be maintained in each employee's personnel file at the DOC's Central Human Resources. Employees shall be provided a copy for their records. Supervisors will explicitly discuss the DOC's requirement that employees report conduct or transactions that are fraudulent or violate ethical provisions of state law, and the options of how to communicate these matters. To signify that employees have received a copy of the Code of Ethics, employees must sign, date, and return the last page to their supervisor. The original signed page from the Code of Ethics shall be maintained in each employee's personnel file at the DOC's Central Human Resources. Employees shall be provided a copy for their records. The Code of Ethics will be used~~

as a guiding document when considering conduct violations as outlined in the Secretarial Directive on Employee Conduct. A copy of the Code of Ethics will be distributed to employees upon the issuance of this policy. All employees must read, sign, and familiarize themselves with the Code of Ethics (Attachment #1).

~~4. All employees must sign the Code of Ethics Policy Affirmation form (Attachment #2) to acknowledge they understand the standards and policies set forth by the Department and to ensure that they adhere to Arkansas state law in their role as public employees. The original signed form will be maintained in each employee's personnel file by Human Resources.~~

~~2. All employees must reaffirm that they have read and understand the Code of Ethics by completing mandatory annually training.~~

~~3.~~

~~During an annual performance review, or at the time of promotion, employees must reaffirm that they have been made aware of the Code of Ethics by re-signing a Code of Ethics Policy Affirmation form (Attachment #2) Code of Ethics Annual Acknowledgement Statement. This statement shall be included with the performance evaluation or hire packet that is sent to Human Resources upon completion of the review or promotion. Employees that do not receive annual performance evaluations will reaffirm they have been made aware of the Code of Ethics on or about January 3rd each year by signing the Code of Ethics Policy Affirmation form (Attachment #2) and forwarding it to Human Resources. ~~2. New Employees. During initial orientation and training, Human Resources staff shall give an Human Resources training for new employees shall include the explicit discussion of the DOC Code of Ethics to include employee's requirement to report conduct or transactions that are fraudulent or violate ethical provisions, and the options of how to communicate these matters. To signify that the employee has received a copy of the Code of Ethics, the employee must sign, date, and return the last page to the authority providing orientation. As required, the original signed page from the Code of Ethics shall be maintained in the employee's personnel file in DOC Central Human Resources Office. If the an employee did not attend an initial training process, it shall be the supervisor's responsibility to discuss the Code of Ethics with the employee, obtain employee's signature on the last page and submit it to Human Resources to be maintained in employee's personnel file. Employees shall be provided a copy for their records.~~~~

~~4.~~

~~3. Annual Acknowledgement Statement. All employees must reaffirm annually that they have been made aware of the DOC Code of Ethics by Re-completing receiving mandatory annual training.~~

~~The DOC's Code of Ethics is included as part of this policy as *Attachment A*.~~

~~B. Background Checks~~

~~1. Prior to extending job offers to applicants, a criminal history background check shall be obtained. All applicants will undergo an Arkansas Crime Information Center and National Crime Information Center criminal background check prior to any offer of employment. Any individual~~

hired into a security or CLEST-certified position must be free of any felony convictions. ~~General security requirements coupled with the inability of with a felony conviction, which prohibits an individual the right to those convicted of a felony to possess a firearm, therefore requires the DOC to prevent deny those individuals having a felony record from being employed in security positions within the DOC. Therefore, it is the policy of the DOC that all individuals hired in security positions be free of a felony record. Additionally, applicants must have a record free of any misdemeanor convictions that revoke their ability to possess a firearm. Individuals with a felony record may be hired in non-security and non-CLEST positions only at the discretion with approval of from the Secretary, or Secretary or the appropriate Division — Division or Agency Director.~~

1. ~~Applicants and employees who appear on certain criminal database lists (such as child maltreatment) will be denied any offer of employment or terminated effective immediately due to their inability to work for a law enforcement agency.~~

2.

C. Reporting and Investigations of Fraud

1. ~~Department OC employees have a responsibility to report occurrence of ethical violations, fraud, waste, or abuse. Allegations may be reported to the employee's supervisor, the DOD Department C Internal Affairs Division at 870-267-6218/23, the DOC Department Internal Auditor at 870-850-8536/267-6259 or to any member of the Department's OC leadership Management Team. Reports may also be made to the Arkansas State Employees' Fraud, Waste, and Abuse Report Center at (1-800-952-8248) or to the Office of Accounting Internal Audit Section by telephone at (501-682-0370).~~ The Department is committed to a thorough investigation of occurrences of alleged ethical violations, fraud, waste, and abuse. In accordance with Governor's Executive Order 04-04, the Office of Internal Audit (OIA) through the Department of Inspector General will be available to assist agency management by coordinating an objective investigation and recommending controls to prevent or detect future occurrences of fraud.
2. The OIA is authorized to request assistance from Department employees that have the experience required to assist or perform such investigations. Investigations will be conducted in a confidential manner.
3. If an investigation indicates that a loss of state funds has occurred, then the amount of loss shall be reported to Arkansas Legislative Audit in accordance with R1-19-4-2004 of the Arkansas Financial Management Guide. In addition, any loss of state funds involving criminal activity shall be reported to the Arkansas State Police for a criminal investigation.
4. In accordance with A.C.A. § 25-1-124, an employee of the Department with Supervisory Fiduciary Responsibility over all fiscal matters shall report a loss of public funds to Arkansas Legislative Audit, including without limitation, any apparent unauthorized disbursement of public funds, or any apparent theft or misappropriation of public funds or public property within five (5) business days of the date that the employee learns of the loss of public funds. As stated in A.C.A. § 25-1-124, an employee with Supervisory Fiduciary Responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days to Arkansas Legislative Audit may be found guilty of a Class A misdemeanor.
5. Department employees shall be protected against any form of retaliation, including discharge, for reporting in good faith occurrences of ethical violations, fraud, waste, and abuse of government resources as stated in the Arkansas Whistleblower Act (A.C.A. § 21-1-601 et seq.).
4. ~~Department employees have a responsibility to report any occurrences of ethical violations, fraud, waste, or abuse. Allegations of ethical violations or fraud may be reported to the Arkansas State~~

Employees' Fraud, Waste, and Abuse Report Center (1-800-952-8248), the ~~DFA~~ Office of Internal Audit by telephone (501-682-0370), or to a supervisor in their chain of command. Employees can also ~~An employee may also choose to~~ report ethical violations, ~~F~~fraud, waste, or abuse by completing a Complaint Form, ~~included as (Attachment #3B) to this policy.~~ Complaint ~~F~~forms can be emailed or mailed directly to the Internal Audit Section at the following addresses:

6.

Email: fraud@dfa.arkansas.gov

Mailing Address:

~~Department of Finance and Administration of Inspector General~~

~~Office of Accounting/Internal Audit Section~~

~~323 Center 4515 West 7th Street, Suite Room 1200215~~

~~Little Rock, AR 72201~~

2. All reports made to the OIA should also be made to the Board of Corrections Compliance Division by calling 870-267-6752 or by mailing copies of the Complaint Form (Attachment #3) to:

7.

Mailing Address:

Arkansas Board of Corrections

Compliance Division

P.O. Box 20550

White Hall, AR 71612

~~2. The Department OC is committed to a thorough investigation of occurrences of alleged ethical violations, fraud, waste, and abuse. The Department's OC Internal Affairs Division, in accordance with internal Administrative Rules regulations and Guidelines, will conduct investigations of alleged violations. If investigations indicate that a loss of state funds has occurred, the amount of loss shall be reported to the Chief Fiscal Officer of the State of Arkansas and Division of Legislative Audit, in accordance with State law and regulation. In addition, because the Department of Finance and Administration (DFA) Office of Accounting's Internal Audit Section is responsible for coordinating all investigations in accordance with the Arkansas Financial Management Guide and Governor's Executive Order state law and policies, all investigations of alleged fraud, waste and abuse conducted by the Department's OC Internal Affairs Division shall be reported to the DFA Office of Accounting's Internal Audit Section at the onset of the ~~once the investigation is opened.~~~~

3. ~~All Department OC employees shall be protected against any form of retaliation, including discharge or punishment, for reporting in good faith occurrences of ethical violations, fraud, waste, and abuse of government resources as stated in the DOC Secretarial Directive regarding the Arkansas Whistleblower Act.~~

D.

~~D.~~ Evaluation of Anti-Fraud Processes and Controls

1. ~~4.~~ In accordance with state regulations outlined in section R1-19-4-505 of the Arkansas Financial Management Guide on Internal Control and Ethics Requirements, the Department OC will facilitate the reduction of ~~reduce~~ ~~F~~fraud opportunities by ~~(1)~~ identifying ~~F~~fraud risks, ~~(2)~~ mitigating ~~F~~fraud risks, and ~~(3)~~ implementing preventive and detective internal controls.

2. The identification of ~~F~~fraud risks will be conducted through a department-wide ~~F~~fraud risk assessment conducted every two ~~(2)~~ years as required by state policy. ~~DOC-The Secretary and Division Directors Administration~~ will implement appropriate internal controls ~~and change business processes when feasible~~ to reduce ~~F~~fraud risks.

~~4. Each governing board or commission within the Department shall review portions of the controlled self-assessment pertaining to their operations prior to submission.~~

~~3.~~

~~2. The DF&A Office of Accounting's Internal Audit Section shall review DOC's the Department's internal controls and changes made to business processes to determine if the control activities identified in the risk assessment are properly designed to mitigate the risk of fraud, waste, and abuse of resources. This shall specifically include the internal control activities that are designed to prevent or detect fraud.~~

~~F. Performance of Risk Assessment~~

~~The Department of Finance and Administration, Office of Accounting's Internal Audit Section will provide details on the risk assessment process and the Risk Assessment and Control Activities Worksheet that the Department OC will use to document DOC's risk assessment process. In coordination with the DFA Office of Accounting's Internal Audit Section, the Department's OC's Office of Accounting Control shall coordinate the process with all DOC units, offices, programs, and areas to units and program areas and establish deadlines as needed to ascertain ensure that the risk assessment is completed properly. DOC's The Department's Risk Assessment Process shall be in accordance with state requirements and procedures as provided from DFA and will be included in the Administrative Services Division Business Manual.~~

~~V. REFERENCES:~~

~~SD on Employee Conduct Standards SD~~

~~SD on Employment SD~~

~~SD on Hiring Applicants with a Felony Record SD~~

~~DOC Employee Handbook~~

~~ATTACHMENTS: VI. ATTACHMENTS:~~

~~IV.~~

~~Attachment 1. DOC Code of Ethics~~

~~Attachment 2. Code of Ethics Policy Affirmation~~

~~Attachment 3. Complaint Form~~



OFFICE OF THE SECRETARY

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DOC.ARKANSAS.GOV



Attachment I

Arkansas Department of Corrections

Code of Ethics

The Arkansas Department of Corrections (Department) Code of Ethics (Code) is the written document that ~~supports~~ outlines the ~~expectations~~ ~~held~~ for employees' behavior and conduct designed to promote a culture of honor, ~~and~~ integrity, ethical, and efficiency in the public service provided by the Department to the citizens of Arkansas. The Code of Ethics describes the behavior expected of all employees. ~~The Code of Ethics will be used in conjunction with other Department policies as a guiding document when considering employee behavior, employee conduct, conduct violations, and other actions or behaviors that perform these services.~~

1) ~~DOC~~ Code of Ethics

Department employees must comply with all applicable state and federal laws, ~~and~~ policies, and procedures including Administrative ~~Regulations~~ Rules, Memorandums, ~~and~~ Directives. The Department will not condone employee conduct that either violates or has the appearance of violating the law or policy ~~that~~ violates state or federal law, policies, or ~~including~~ procedures including activities ~~or involvement in~~ of employees who achieve results through unethical, illegal, and fraudulent business relationships. ~~This includes receiving payments for illegal acts, indirect contributions, kickbacks, rebates, or bribery. An employee~~ Employees also must refrain from any activity that may compromise their ability to work as a law enforcement agency. Questions should be directed to an employee's ~~ask their~~ immediate supervisor for guidance if they are uncertain about the application or interpretation of any legal or procedural requirement.

2) General Employee Conduct

The Department ~~DOC~~ expects employees to conduct themselves in a professional manner and in accordance with established ~~Administrative Rule~~ regulations and Directives Department policies. All employees are expected to read, be knowledgeable of, and abide by these policies. Disciplinary procedures for non-adherence to these requirements are ~~explained~~ outlined in Administrative ~~Rule~~ regulation 225, ~~and the applicable~~ Secretarial Directive on Employee Conduct Standards and Discipline, ~~and as well as~~ the Department ~~OC~~ Employee Handbook.

3) Conduct Toward All Persons

The Department subscribes to a policy of professionalism and fairness in the provision of services and the discharge of authorized duties. ~~An employee shall respect and protect the civil and legal rights of all persons. Employees must comply with all applicable laws and regulations. The Department will not condone any employee conduct that violates or has the appearance of violating state and federal law, including any applicable ethical rules. This includes receiving payments for illegal acts, indirect contributions, rebates, or bribery. If an employee is uncertain about the application of any legal or procedural requirement, they should direct any questions to their supervisor.~~

4) Possession and Use of Drugs

A. Employees must not possess or use any controlled substance in violation of state or federal law or Department policy. Employees taking prescription drugs must notify their immediate supervisor

of any physical or pharmacological condition that causes physical or cognitive impairment that could affect their ability to perform the essential functions of their duties safely. Impairment is considered to be a condition that can affect judgment, reaction time, or motor skills, as it may affect the ability to perform certain duties safely and proficiently or to operate a motor vehicle safely.

B. In instances where an employee or medical professional indicates that a prescribed medication may affect judgment or reaction time, authorization to perform certain essential duties or operate a motor vehicle will be suspended. Authorization will be reinstated upon the cessation of the effects of the medication. An employee may be required to take sick leave if a medication they are taking prevents them from performing their job duties.

5) Use of Alcohol While on the Job

Employees must not perform their duties while under the influence of alcohol, nor may employees consume alcohol during work hours on or off state owned, operated, or leased property, including while at lunch and during break periods.

6) Insubordination

Employees must obey all applicable laws, Department rules, policies, and court orders, and follow all reasonable instructions issued by a supervisor or superior to ensure they are performing their duties.

7) Truthfulness

Employees responding to various persons involved in Department investigations or other internal and external administrative processes must cooperate fully and truthfully. Any testimony or reports submitted by an employee must be truthful, complete, timely, and in accordance with established Department procedures. Employees shall not knowingly enter or cause to be information to be entered inaccurately, falsely, or improperly, nor shall they improperly alter or intentionally omit pertinent information on any document prepared or statements provided in the performance of their job duties.

8) Abuse of Process and Retaliation

Employees shall not knowingly make false accusations of misconduct or initiate any action against other employees, agents, or offenders in retaliation for their filing of a lawsuit, grievance, report (to include a report filed on alleged infractions), cooperation with an investigation, or for any other purpose.

9) Gathering and Processing Property and Evidence

~~An Employee must not convert evidence or property to their own use or manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence. Property or evidence that has been discovered, gathered, or received in connection with an employee's job responsibilities will be processed in accordance with established Department procedures. An employee must not convert evidence or property to their own use or manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence.~~

10) Discriminatory Behavior Prohibited

The Department does not condone, permit, or tolerate the discrimination on any basis of persons including, but not limited to, other employees, applicants, victims, offenders, or members of the public. An employee of the Department who knowingly permits, engages in, or incites such discrimination, interferes with an investigation of discrimination, or retaliates against anyone who has filed a complaint will be subject to disciplinary action including, but not limited to, termination of employment.

11) Abusive or Intimidating Behavior and Harassment

Abusive behavior towards other persons is prohibited. Abusive behavior may include fighting, assault, battery, threats, abusive language, intimidation, sexual misconduct, sexual abuse, sexual harassment, non-sexual harassment, reckless or disorderly conduct, or any other conduct that places employees, offenders, or others in fear of harm. Employees cannot bargain with offenders or other employees

for sexual favors, nor make or infer job benefits or any other type of advantages contingent upon acceptance of such an offer. Employees must not act in a way that creates or contributes to an intimidating, hostile, or offensive work environment. Employees must refrain from behaviors or speech that a reasonable person would consider to be unwelcome or offensive.

12) Firearms and Other Weapons

The unauthorized possession of firearms, explosives, or other weapons during work hours is prohibited. This applies to employees and agents.

13) Contraband

Employees must not introduce or attempt to introduce any illegal or unauthorized item (for example, cell phones or other communication devices or their components, tobacco products, drugs, weapons, etc.) into correctional facilities or other restricted areas owned, operated, or contracted by the Department.

14) Cooperation with Public Officials and Agencies

Employees shall cooperate fully with other public officials and agencies in the discharge of their authorized duties.

Conflicts of Interest

Public employment is a public trust. The DepartmentOC expects employees to perform their duties in an ethical manner defined as the accepted principles of right and wrong and in These principles that govern the conduct of a professional organization and are in accordance state law to promote with the best interests of the agency DepartmentOC and the state of Arkansas. Employees must not use their position as a state employee position or knowledge gained from their position for private or personal gain or advantage. Arkansas Code Annotated (A.C.A.) § 21-8-304 lists activities that are ethically prohibited activities for public officials and state employees. If an employee becomes involved in a situation that could be considered a prohibited activity, the employee should immediately communicate all the facts to their immediate supervisor. Department employees are prohibited from using their role and state employment status to solicit financial or material support for the benefit of any group, association, or organization. Employees are also prohibited from facilitating the solicitation of financial or material support from a vendor involved in business with the Department for the benefit of any group, association, or organization

Outside Activities, Employment, and Directorships

DepartmentOC employees have a professional responsibility for the DepartmentOC's good public relations and therefore shall avoid acquiring any business interest, engaging in outside employment, or participating in any activity outside of the DepartmentDOC that would conflict with their official duties. EDOC employees should refer to the applicable Secretarial Directive on on Secondary Employment for rules and procedures governing part-time employment.

15) Relationships with Clients, Suppliers, and Co-Workers

With Professional Clients and Suppliers: Employees must adhere to A.C.A. § 19-11-705 in their relationships with DepartmentOC clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the Secretary or Division Director and the Director-Secretary of the Department of Finance and Administration (Department of FA)

Transformation and Shared Services in accordance with A.C.A. § 19-11-706 and guidance the Rules and Regulations for applicable Governor's Executive Order 98-04.

A.

~~With Co-Workers:~~

~~A. AEn employees shall not engage in sexual or intimate contact during assigned work hours or while on stateDOC premises or in DOC state vehicles.~~

B.

~~1. An employee shall not enter into or continue associations or dealings with persons whom the employee knows or should know are current inmates, current offenders under parole supervision, or anyone engaged in criminal behavior, with the exception of associations or dealings necessary to perform official duties or when family relationships make such associations or dealings unavoidable.~~

C. Intimate personal relationships and business relationships between supervisors and subordinates are prohibited. Personal relationships including may include dating, cohabitation, touching, requiring sexual performance for sexual gratification (even if it does not involve touching), and sexual relationship. Business relationships may include loaning ~~and or~~ borrowing money and business partnerships.

D. For the purposes of this policy, an employee's supervisor is another Department employee with the authority to hire, fire, promote, demote, suspend, or otherwise change the employee's status or whose related suggestions are given particular weight.

~~With Offenders:~~

16) Relationships with Offenders

~~A. AEn employees shall not enter into into or continue associations, relationships or dealings with person(s) whom the employee knows or should know are in the custody or supervision of the Department, apart from the associations or dealings necessary to perform their official duties or when family relationships make such associations or dealings unavoidable. Prohibited relationships include, but are not limited to, business relationships, partnerships, loaning money, romantic relationships, and legal or financial transactions of any sort. current inmates, current offenders under parole supervision, or anyone engaged in criminal behavior, with the exception of associations or dealings necessary to perform official duties or when family relationships make such associations or dealings unavoidable.~~

B. If prior to beginning their role as a department employee a person ~~employee~~ has a relationship or association with a person who is under or comes into the custody or supervision of the Department, the employee must disclose this information to their supervisor immediately to ensure the integrity of Department operations. Employees will not face disciplinary action should they make this disclosure.

C. Employees shall not contact or correspond with any family member or associate of an offender, or with any person on an offender's approved visitation or correspondence list(s) on behalf of or regarding the offender, unless the employee is assigned duties require such contact or correspondence, or permission has been granted by the appropriate employee's supervisor.

D. Association between employees and offenders or any member of their family in normal community activities involving groups such as churches, PTA groups, charitable groups, etc., is authorized so long as this associated is limited to such activities.

E. Unless their assigned duties require it or permission has been granted by their supervisor, employees shall not deliberately contact or ~~corresponde~~ correspond with ex-offenders (inmates, residents, parolees, or probationers) regarding that offender's incarceration or supervision

F. If an employee is contacted in any form by an ex-offender or any member of their family, they shall immediately report this contact to their supervisor.

17) Conflicts of Interest

- A. Public employment is a public trust. The Department expects employees to perform their duties in an ethical manner and in accordance with state law to promote the best interests of the Department and the state of Arkansas. Employees must not use their position as a state employee or knowledge gained from their position for private or personal gain or advantage. A.C.A. § 21-8-304 lists activities that are ethically prohibited activities for public officials and state employees. If an employee becomes involved in a situation that could be considered a prohibited activity, they should immediately communicate all the facts to their immediate supervisor. Department employees are prohibited from using their role and state employment status to solicit financial or material support for the benefit of any individual, group, association, or organization. Employees are also prohibited from facilitating the solicitation of financial or material support from a contractor involved in business with the Department for the benefit of any individual, group, association, or organization.
- B. Employees have a professional responsibility for the Department's good public relations and therefore shall avoid acquiring any business interest, engaging in secondary employment, or participating in any activity outside of their role with Department that would conflict with their official duties. Pursuant to state law, Department employees are prohibited from holding secondary employment unless it has been approved following the procedures outlined in the Secretarial Directive on Secondary Employment.

18) Partisan Political Activity

Employees are encouraged to participate in election processes on their own time. Annual, Compensatory, or Holiday Leave may be taken for this purpose. However, an employee shall not endorse candidates in his or her official capacity as a state employee or engage in partisan political activity during the hours they are performing work for the State of Arkansas. Political banners, posters, literature, or any other political materials shall not be displayed on state owned, operated, or leased property. Employees must not use Department identification, stationery, supplies, and equipment for political matters.

19) Professionalism

- A. While on the job, employees shall demonstrate professionalism as follows:
1. Courteous, Patient, and Respectful Attitudes. Employees shall be courteous, patient, and respectful when dealing with other employees, offenders, victims, and the public. An employee shall be tactful in the performance of their duties, control their temper, exercise patience and discretion, and not become involved in arguments even in the face of provocation.
 2. State Property. Employees must use state property for state business only. Employees must accept responsibility for the proper care, accountability, and maintenance of state property. Employees must not misuse, abuse, or allow misuse or abuse of state property.
 3. Inappropriate Language and Gestures. Employees shall not use violent, profane, or insolent language or gestures while performing job duties.
 4. Inappropriate Actions. Employees shall not engage in horseplay, fighting, practical jokes, or any other conduct that endangers the safety or affects the good order of the Department.

20) Private Conduct

- A. Employees may be disciplined for detrimental private conduct. Since the conduct of a Department employee, on or off duty, may reflect upon the Department as a criminal justice agency, employees shall conduct themselves in a manner that does not impair the operation or integrity of the Department or cause the public to lose confidence in it. Private conduct unbecoming of an employee includes, but is not limited to, conduct which damages the image of the Department, reflects discredit upon the character of the employee as a member of the Department, and conduct that may impair the Department's operations.
- B. Employees shall obey all federal, state, and local laws and regulations. Accordingly, if an employee is arrested, cited, or detained for a violation of law, they shall immediately report the occurrence

~~to their immediate supervisor. A conviction or admission of any violation that interferes with or impairs an employee's duties, public trust, or the operations of the Department shall be considered evidence of a violation of this policy. Lack of a criminal complaint, charge, disposition, or acquittal of a violation of law does not preclude internal administrative investigation and disciplinary action.~~

- C. ~~Employees shall not commit acts which they know or should know constitutes a violation of any written or verbal Department rule, regulation, policy, procedure, directive, or memorandum. The Department will not condone employee conduct that violates or has the appearance of violating any law or ethical provisions including, but not limited to, improper solicitation, receiving payments for illegal acts, indirect contributions, rebates, or bribery, etc.~~

~~2.~~

21) Gifts, Entertainment, Favors, and Gratuities

Employees ~~must not~~ are prohibited from accepting entertainment, gifts, personal favors, or preferential treatment that could be reasonably assumed to be an attempt to influence their business decisions and performing performance of their job functions as defined by state law and regulations. Specific state procurement law addressing gratuities for state employees can be found ~~is codified~~ in A.C.A. § 19-11-707, and included in Part 4 of the Procurement Law and Regulations promulgated by the DFA Office of State Procurement. Refer to Rules and Gifts issued by the Arkansas Ethics Commission for detailed rules on gifts at:

A. _____

22) Kickbacks and Prohibited Commissions

~~DOC~~ Employees shall not receive kickbacks, prohibited commissions, or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law and by ~~DOC regulation Rule and the Secretarial Directive governing eEmployee eConduct Sstandards and Discipline.~~ Specific procurement law addressing kickbacks and commissions can be found ~~is codified~~ in A.C.A. § 19-11-707 and 19-11-708, and included in Part 4 of the Professional Law and Regulations promulgated by the DFA Office of State Procurement.

23) ~~Organization Department Funds, Records, Communications, and Other Assets~~

A. ~~Employees who have access to Department~~ OC funds in any form must follow the ~~prescribed~~ procedures for recording, handling, and protecting money as detailed in agency procedures, administrative regulations, ~~directives,~~ and the ~~Department of Finance and Administration~~ DFA's Arkansas Financial Management Guide. Personal use of Department funds or assets is strictly prohibited and may result in disciplinary action and criminal prosecution, and/or other explanatory materials. If an employee has knowledge of fraud or waste of public assets, they must ~~employee should advise~~ notify their immediate supervisor. ~~Personal use of DOC funds or assets is strictly forbidden.~~

Organization Records and Communications

B. ~~Accurate and reliable records of various types are necessary to meet DOC's legal and financial obligations. Record keeping must adhere to state law and any applicable Department policy.~~ DOC's ~~All the Department's~~ books and records must reflect accurate and timely recording of all business transactions, including assets, liabilities, receipts, and disbursements. Employees responsible for ~~DOC's~~ the Departments financial reporting must provide full disclosure of assets,

liabilities, receipts and disbursements and exercise diligence in enforcing and achieving these requirements.

1. Employees shall not make or engage in any false record or communication whether internal or external, ~~including, but is not limited to;~~ ~~including but not limited to;~~

a. ~~False expense, attendance, production, financial, or similar reports and statements.~~

~~a.~~

~~0. False advertising, deceptive marketing practices, or other misleading representations.~~

~~b.~~

~~Agency Financial Records and Communications~~

2. ~~Employees shall not make or engage in any false internal or external record or communication (including but not limited to false expense, attendance, production, and/or financial or similar reports and statements) or false advertising (including but not limited to deceptive marketing practices and/or other misleading representations). The DOC's books and records shall reflect accurate and timely recording of all business transactions. Full disclosure of the Department's e-DOC's assets, liabilities, receipts, and disbursements shall be made available upon request.~~

24) Dealing Communicating With Outside People and Organizations

A. Employees must separate their personal roles from their ~~DOC official~~ positions when communicating on matters not involving ~~DOC the business of the Department~~. Employees ~~must not use~~ ~~are prohibited from using~~ their position or affiliation with the ~~DOC Department~~ when communicating regarding matters not involving ~~DOC official Department~~ business.

B. ~~Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters.~~ When communicating publicly on matters that involve ~~DOC Department~~ business, ~~an employee~~ shall not speak for ~~DOC the Department~~ on any topic, ~~unless the employee is certain that the views expressed are those of DOC management, and that it is DOC's management's desire that such views be expressed unless the Secretary, Division Director, or their designees have authorized the views and the public expression of those views.~~

C. ~~When dealing with engaging with~~ any other individual outside the Department, including public officials, employees must take care not to compromise the integrity or damage the reputation of ~~DOC the Department or any other State government entity.~~

25) Prompt Communications

In all matters relevant to an employee's official job duties such as dealings with offenders, customers, suppliers, government authorities, or the public, employees must make every effort to achieve complete, accurate, and timely communications by responding promptly and courteously to all proper requests for information as well as to complaints.

26) Privacy and Confidentiality

A. Department employees are responsible for safeguarding personal information to ensure the confidentiality of the information. An employee shall not intentionally or unintentionally disclose to any unauthorized person any information declared by law, policy, rule, or regulation to be confidential or privileged, or use such information for personal gain or benefit. When handling sensitive information such as financial or personal information about offenders, individuals, or groups with whom the Department has encounters, employees shall observe the following principles:

1. Collect, use, and retain only the personal information necessary for conducting Department business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
2. Retain information only for as long as necessary as required by law or Department policy. Protect the physical security of the information.
3. Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which obtained. The release of any information to persons not involved with the stated business purpose should only be made when authorized by management, Department policy or in response to other requests consistent with state or federal law.
4. Access to offender information and other data through the Electronic Offender Management Information System (eOMIS) is permitted for criminal justice purposes only. All information is to be treated as confidential unless disclosure is specifically authorized by state law or Department policy. eOMIS usage is subject to monitoring, recording, and auditing. Unauthorized access, misuse, or disclosure of data is a violation of state law and Department policy and may result in disciplinary action and prosecution. Sharing of passwords or leaving a login session unattended may allow access to confidential data and is a violation of an employee's agreement to maintain the confidentiality of eOMIS data.

27) Citizen Complaints and Requests for Information

Employees shall courteously and promptly accept and record in writing any request for information about or citizen complaint against the Department or a Department employee. An employee may attempt to resolve a complaint but shall never attempt to dissuade any citizen from lodging a complaint and shall immediately inform their supervisor of any complaint. All requests for information shall be handled pursuant to Department policies and procedures outlining such issues.

Partisan Political Activity

Employees are encouraged to participate in election processes on their own time. Annual, Compensatory, or Holiday Leave may be taken for this purpose. However, an employee shall not endorse candidates in his or her official capacity as a State employee or engage in partisan political activity during the hours he/she is they are performing work for the State of Arkansas. Political banners, posters, literature, or any other political materials shall not be displayed on State owned or State leased property. ~~Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters.~~

Prompt Communications

In all matters relevant to customers, suppliers, government authorities, the public and others in the DOC, all employees must make every effort to achieve complete, accurate, and timely communications, responding promptly and courteously to all proper requests for information as well as to complaints.

Professionalism

While on the job, an employee shall demonstrate professionalism as follows:

~~**Courteous, Patient, and Respectful Attitudes.** An employee shall be courteous, patient, and respectful when dealing with other employees, offenders, victims, and the public. An employee shall be tactful in the performance of his/ or her/their duties, control his/ or her/their temper, exercise patience and discretion, and not become involved in arguments even in the face of provocation.~~

~~1. **State Property.** Employees must use State property for State business only. Employees must accept responsibility for the proper care, accountability, and maintenance of State property. Employees must not misuse, abuse, or allow misuse or abuse of State property.~~

~~2. **Inappropriate Language and Gestures.** An employee shall not use violent, profane, or insolent language or gestures while performing his/ or her/job duties.~~

~~3. **Inappropriate Actions.** An employee shall not engage in horseplay, fighting, practical jokes, or any other conduct that endangers the safety of any individual while performing his/ or her/job duties.~~

~~**Private Conduct**~~

~~An employee shall always conduct him/helf/herself/hemself, both on and off the job, in such a manner as to reflect favorably on the DOC. Conduct unbecoming of an employee shall include conduct which damages the image of the DOC, reflects discredit upon the character of the employee as a member of the DOC, and/or which impairs the DOC's operations. Accordingly, an employee arrested for a violation of law shall immediately report the arrest to his/hert/their immediate supervisor. A conviction or admission of any violation that interferes with or impairs an employee's duties, public trust, or the operations of the DOC shall be considered evidence of a violation of this policy. However, lack of a criminal complaint, charge, disposition, or acquittal of a violation of law shall not preclude internal administrative investigation and disciplinary action. An employee may be disciplined for detrimental private conduct.~~

~~**Privacy and Confidentiality**~~

~~An employee shall not intentionally or unintentionally disclose to any unauthorized person any information declared by law, policy, rule, or regulation to be confidential or privileged, or use such information for his/ or her personal gain or benefit. When handling financial and personal information about customers or others with whom Department/OC has dealings, employees shall observe the following principles:~~

~~1. Collect, use, and retain only the personal information necessary for Department/OC business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information;~~

~~2. Retain information only for as long as necessary or as required by law or DOC policy. Protect the physical security of the information;~~

~~3. Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which obtained. The release of any information to persons not involved with the stated business purpose should only be made by management in response to a Freedom of Information Act (FOIA) request. Any tax information that is confidential shall not be disclosed, except as allowed by law.~~

28) Reporting Suspected Fraud

~~A. Employees have a responsibility to report occurrences of ethical violations, fraud, waste, or abuse of Department resources. Employees shall be protected against any form of retaliation, including discharge, for good faith reporting of occurrences of ethical violations, fraud, waste, or abuse of Department resources as stated in the Arkansas Whistleblower Act, codified as A.C.A. § 21-1-601 et seq. Investigations to substantiate reported allegations will be conducted in a confidential manner by the Office of Internal Audit.~~

~~B. Allegations of ethical violations or fraud may be reported to the Arkansas State Fraud, Waste, and Abuse Report Center (1-800-952-8248) or to the Office of Internal Audit by telephone (501-682-~~

0370). An employee may also choose to report fraud, waste, or abuse by completing an online complaint form found at www.ig.arkansas.gov/internal-audit/what-is-fraud-waste-and-abuse/. Complaint forms completed online will be submitted directly to the Office of Internal Audit fraud email at OIA.fraud@arkansas.gov. A printable complaint form can also be found at www.ig.arkansas.gov/internal-audit/anti-fraud-program-elements/model-anti-fraud-code/ or attached to this directive (Attachment #3) and emailed to OIA.fraud@arkansas.gov or mailed to the mailing address found at www.ig.arkansas.gov/internal-audit.

C. Employees with supervisory fiduciary responsibility over all fiscal matters shall report any loss of public funds that amounts to one thousand dollars (\$1,000) or more in one (1) calendar year to Arkansas Legislative Audit within five (5) business days of the date that the employee learns of the loss of funds in accordance with A.C.A. § 25-1-124. This includes any apparent unauthorized disbursement of public funds or an apparent theft or misappropriation of public funds. In accordance with A.C.A. § 25-1-124, any employee with supervisory fiduciary responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days to Arkansas Legislative Audit may be guilty of a Class A misdemeanor. Department employees with supervisory fiduciary responsibility include the Secretary, Chief of Staff, Division Directors, Deputy Directors, and Chief Fiscal Officer, or other positions equivalent to those officers.

~~Department OC employees are responsible for being familiar and complying with the Code of Ethics and annually acknowledging their awareness and understanding of the policies by signature. Department OC employees have a responsibility to report occurrences of ethical violations, fraud, waste or abuse of Department OC resources that can be verified through investigation. Allegations may be reported to the employee's supervisor, the Department OC Internal Affairs Division at 870-267-6218/23, the Department OC Internal Auditor at 870-850267-8536/6259 or any member of the Department OC Management Team. Department OC employees shall be protected against any form of retaliation, including discharge, for reporting in good faith any occurrences of ethical violations, fraud, waste or abuse of Department OC resources as stated in the Department OC Secretarial Directive regarding the Arkansas Whistleblower Act. Investigations to substantiate reported allegations will be conducted in a confidential manner.~~

~~All allegations of ethical violations or fraud may also be reported to the Arkansas State Employees' Fraud, Waste, and Abuse Report Center (1-800-952-8248) or to the Office of Accounting – Internal Audit Section (501-682-0370).~~

~~All allegations will be investigated by the DOC Office of Internal Affairs. A complainant may also choose to report fraud, waste or abuse by completing a Complaint Form obtained at the DFA web site – **Error! Hyperlink reference not valid.** Complaint forms can be mailed directly to the DFA Office of Accounting – Internal Audit Section at the following address:~~

~~— Department of Finance and Administration
— Office of Accounting – Internal Audit Section
— 1515 West 7th Street, Room 215
— Little Rock, AR 72201~~

~~— In addition, employees with supervisory fiduciary responsibility over all fiscal matters shall report any loss of public funds to Arkansas Legislative Audit within five (5) business days of the date that the employee learns of the loss of funds in accordance with A.C.A. § 25-1-124. This includes any apparent unauthorized disbursement of public funds or an apparent theft or misappropriation of public funds. In accordance with A.C.A. § 25-1-124, any employee with supervisory fiduciary responsibility over all fiscal matters who purposely fails to report the loss of funds within the five (5) business days to Arkansas Legislative Audit is guilty of a Class A misdemeanor.~~

~~— **Resource Information:**~~

~~All references to Arkansas Law, Administrative Directives and Regulations, and Governor's Policy Directives, will be provided as a part of this document and made available on the Official ADQC Website. Employees may also request to review copies of this information that will be maintained at all ADQC Human Resources offices.~~





OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 682-3309 | Fax: (501) 534-3958
DOC.ARKANSAS.GOV

ARKANSAS DEPARTMENT OF CORRECTIONS
CODE OF ETHICS POLICY AFFIRMATION

I understand it is my responsibility to read this policy thoroughly and ask questions of my supervisor if I do not understand it.

I understand that my signature on this document indicates that I have read and fully understand the prohibited activities and my professional ethical conduct responsibilities as an employee of the Arkansas Department of Corrections as described herein.

I understand that this acknowledgement will be placed in my personnel file.

Print Name **Assigned Work Location**

Signature **Date**



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 682-3309 | Fax: (501) 534-3958
DOC.ARKANSAS.GOV





Department of Inspector General
Office of Internal Audit

Complaint Form

Fraud, Waste, and Abuse Reporting Form

Report improper use and mismanagement of state resources within the Executive Branch of Arkansas State Government.

Anonymous Reporting

This office accepts anonymous complaints when requested; however, additional informational may be needed for clarification. Although it is not a requirement when submitting a complaint, we ask that you provide a way to contact you.

Are you reporting anonymously? *(Required)* Yes No

Whistle-Blower Act

The Arkansas Whistle-Blower Act prohibits a public employer from taking adverse action against a public employee who communicates in good faith to an appropriate authority the existence of waste of public funds, property, or manpower or a violation of law; participates, or gives information, in an investigation, hearing, court proceeding, legislative inquiry, or administrative review; or objects to carrying out a directive the public employee reasonably believes violates the law. For more information consult Ark. Code Ann. §§ 21-1-601 to 21-1-610.

Complainant Information (Optional) Your Personal Data

Your Name

First

Last

Your Phone

Your Email

Your Address

Street Address

Address Line 2

City

State / Province / Region

ZIP / Postal Code

Country



Department of Inspector General
Office of Internal Audit

Complaint Form

Employment Information

Are you an employee of a state agency, department, board, or commission? *(Required)* Yes No

If yes, list the name of the state agency, department, board, or commission of which you are employed.

Complaint Details

PLEASE DO NOT PROVIDE ANY DATES OF BIRTH, SOCIAL SECURITY NUMBERS, DRIVER'S LICENSES, MEDICAL RECORDS, CREDIT CARD INFORMATION, OR PASSPORT INFORMATION

Name of the state agency, department, board, or commission involved.

State Employee(s) or Individual(s) involved.

First

Last

Position Title of Employee or Individual involved.

Details of Complaint

Details of facts relevant to the allegation. Please provide as much detail as possible including who, what, when, where, why, and how.



Department of Inspector General
Office of Internal Audit

Complaint Form

Please provide any relevant documents regarding this allegation with this complaint form.

If there are relevant documents that you do not have access to, please describe those documents and how they can be obtained by Internal Audit.

Has this complaint been filed with any other agency? *(Required)* Yes No Unknown

If yes, what agency?

Is there any civil, criminal, or administrative proceeding pending in this matter? *(Required)*

Yes No Unknown

If yes, please explain.

In case of referral to another agency, should your name and contact information be removed? *(Required)*

Yes No Other

If other, please explain.

Important

By submitting this form, you are confirming that the information provided is true and accurate to the best of your knowledge.

Email to: OIA.fraud@arkansas.gov -OR-
Mail to: 323 Center Street, Suite 1200 • Little Rock, AR • 72120

ARKANSAS DEPARTMENT OF CORRECTIONS
CODE OF ETHICS POLICY AFFIRMATION:

I understand it is my responsibility to read this policy thoroughly and ask questions of my supervisor if I do not understand it.

I understand that my signature on this document indicates that I have read and fully understand the prohibited activities and my professional ethical conduct responsibilities as an employee of the [Arkansas Department of Corrections](#) as described herein.

I understand that have signed and dated this acknowledgement and understand it will be maintained in my personnel file.

Print Name _____ **Unit/Location**

Signature _____ **Date**

COMPLAINT FORM **Attachment II**
DFA OFFICE OF ACCOUNTING
Internal Audit Section (IA)

For IA use only

RECEIVED:

DATE

TIME

COMPLAINANT: (Optional)

NAME

ADDRESS

HOME TELEPHONE #

EMPLOYMENT

WORK TELEPHONE #

DETAILS OF SUBJECT:

DETAILS OF COMPLAINT:

RECEIVED BY:
For IA use only
For IA use only

ACTION TAKEN:



OFFICE OF THE SECRETARY

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 North Little Rock, Arkansas 72114
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SECRETARIAL DIRECTIVE

SUBJECT: Employee Conduct Standards and Discipline

NUMBER: 2022-17

SUPERSEDES: SD 2020-09

APPLICABILITY: All Department of Corrections employees

REFERENCE: A.C.A. §§ 25-43-103, 25-43-105, 25-43-108, 25-43-403; SD on Code of Ethics, SD on Employment

PAGE: 1 of 5

APPROVED: Original signature on file

EFFECTIVE DATE: 12/16/2022

I. POLICY:

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. This directive is consistent with Department policies governing employee conduct and discipline in addition to all Arkansas state laws, rules, and policies. The purpose of this policy is to establish consistent employee Conduct Standards and disciplinary procedures throughout the Department. The Conduct Standards are intended to identify common problems associated with employee conduct and are intended as a guide for actions the Department considers to constitute a conduct violation. Specific violations listed in this directive are not intended to be a comprehensive list. This policy does not create a contract of employment or any legally enforceable interest, nor does it limit the Secretary's authority to establish or revise Department policies or affect their right to terminate employment pursuant to the at-will employment doctrine.

II. DEFINITIONS:

- A. Conduct Standards. Standards of acceptable behavior for Department employees while on or off duty, including by not limited to those found in this Secretarial Directive.
- B. Contraband. Under this Secretarial Directive, Contraband is defined as any article or item that is prohibited by law, rule, or Department policy.
- C. Decision-Making Supervisor. An individual over the daily operations and decision-making processes of any Department owned or operated Entity including the Secretary, Chief of Staff, Division Directors, Deputy Directors, Superintendents, Wardens, Center Supervisors, Superintendents, Area Managers, Assistant Area Managers, Administrators, or their designee.
- D. Disciplinary Probation. A period of time for the Department to evaluate and help employees correct negative behavior and achieve success. The length of the probation period is determined by the disciplinary violation.
- E. Entity. Any office, unit, center, or facility operated by the Department to include programs, farm and industry facilities, construction sites, administrative offices, area offices, jails, work release centers, pre-release centers, and private prisons operated on behalf of the Department

- F. Initial Probation. A (1) one-year probationary period from the date of initial hire with the Department. This probationary period is established as a time for the Department and its divisions to evaluate and help employees adjust to their new positions.
- G. Multiple Violations. Two or more conduct violations by an employee that are active at the same time but resulted from separate incidents.
- H. Offender. Individuals under the custody or supervision of a division of the Department including, but not limited to, inmates of a correctional facility, residents of a community correction center, residents of a reentry center, parolees, and probationers.
- I. Personnel File. The official record of employment of all Department staff maintained by the Central Human Resources office.
- J. Supervisor's File. A record of an employee's performance, including any counseling, verbal warnings, or other disciplinary measures taken, which is maintained by an employee's supervisor. The Supervisor's File is not the same as a Personnel File and may contain additional performance and disciplinary records.

III. PROCEDURES:

A. General Procedures

1. The Central Human Resources Office or Local Human Resource Offices will make this Secretarial Directive available to all employees. Policy distribution will be documented by the employee by signing an Acknowledgment of Receipt of Policy form (Attachment #2) or by signing a virtual acknowledgement through EASE. The signed acknowledgement will be placed in the employee's Personnel File. All employees shall be notified of any changes made to this policy.
2. This Secretarial Directive may be used as a reference for all Department policy violations in conjunction with the Secretarial Directive on Code of Ethics, the Secretarial Directive on Employment, and any other policies that outline expectations of employees.

B. Responsibilities

1. Employees are responsible for being knowledgeable of Department policies outlining Conduct Standards and will be held accountable for violations of those policies pursuant to this directive. Employees can seek clarification of the standards with their supervisor or human resources manager if they are unsure of whether specific conduct may result in a violation.
2. Employees may be required to participate in administrative investigations into conduct violations. It is their responsibility to do so in good faith. Employees should report suspected violations to their supervisors.
3. Related to this policy, employees that are Decision-Making Supervisors have the responsibility to those under their supervision to:
 - a. promptly provide their staff with any changes to this policy;
 - b. promote and enforce a work environment that is consistent with the Conduct Standards; and
 - c. administer disciplinary actions for violations of Conduct Standards in a consistent and objective manner.

C. Disciplinary Action, Violations, and Prohibited Conduct

1. Progressive discipline is intended to impose discipline at the level that is appropriate for the offense and progress through the disciplinary grid when further violations of the applicable Conduct Standards are committed. Progressive discipline also recognizes that some violations of the Conduct Standards are so serious that the level of discipline imposed may exceed the level recommended on the disciplinary grid. The frequency and proximity of violations to previous violations can be grounds to increase the penalty imposed.
2. Progressive disciplinary action will be taken where appropriate, and the Secretary and Division Directors may intervene in conduct violation situations when warranted. Progressive disciplinary action may not be taken when a conduct violation adversely affects the security and good order of Department operations.

3. The Conduct Standards should be applied consistently. This goal is accomplished with a fair and thorough investigation prior to the imposition of disciplinary action. The consistency being sought does not require management or Decision-Making Supervisors to administer the exact disciplinary guidelines indicated in the Conduct Standards in every case. Some circumstances, facts, and details of a disciplinary violation may cause disciplinary action to deviate from the recommended standards. However, the Department will promote consistency in disciplining employees for similar violations whenever possible.
4. Corrective counseling is an option and should be considered prior to any disciplinary action as well as between various steps of progressive discipline. Corrective counseling is a tool used to communicate and define expectations to an employee. Corrective counseling is not discipline, however, it should be documented and placed in the Supervisor's File for the counseled employee. Employees may be given opportunity to alter negative behavior using constructive corrective action in a reasonable manner within the scope of the provisions outlined in this policy.
5. All employees of the Department are expected to abide by the Employee Conduct Standards Table (Attachment #3) which are established as guidelines to give a measure of consistency in the administering of discipline with the Department. Other Conduct Standards may be subsequently adopted by the Department. Following each standard are examples of conduct which violate the standard and the disciplinary action which should follow for a typical occurrence.
6. The Employee Conduct Standards Table (Attachment #3) is intended to be a guide for such actions the Department considers unacceptable but are not intended as an inclusive list.
7. Violations of this Secretarial Directive in addition to any of the policies set forth by the Department may result in conduct violations and Disciplinary Action. Employees are responsible for being knowledgeable about Department policy. Employees must seek clarification from their supervisor if they are unsure or do not understand any of the policies maintained by the Department.

D. Penalties

1. Penalties for violation of Conduct Standards shall be administered by supervisors in a consistent, objective, good faith, and non-discriminatory manner. Decision-Making Supervisors are expected to use good judgment in determining the seriousness of violations and the disciplinary penalties. Supervisors must document facts in each case and make sure the penalty is appropriate. All circumstances must be considered before taking final action.
2. The penalty imposed for violating a rule or policy must take into consideration all relevant circumstances. All relevant circumstances taken into consideration when determining a penalty must be clearly stated and well documented. An employee may be disciplined for violating more than one rule or policy arising out of the same incident. In all cases, any mitigating and aggravating circumstances, including Multiple Violations, must be considered in determining the appropriate level of discipline.
3. The following penalties are not intended to be a comprehensive list, as some Conduct Standards violation penalties may be imposed at the discretion of an employee's Decision-Making Supervisor based on circumstantial details. These penalties are meant to serve as a general guide to common disciplinary actions an employee may face when they are found to be in violation of a Conduct Standard:
 - a. Verbal Warning. A verbal warning is a notice to inform an employee that they have violated a conduct standard. Verbal warnings may be used as the basis for future Disciplinary Action.
 - i. Documentation of the verbal warning will be placed in the employee's Supervisor File. A copy of the documentation will not be placed in the employee's Personnel File.
 - ii. An employee shall not be placed on Disciplinary Probation as a result of a verbal warning.
 - iii. Upon the employee's written request and the supervisor's approval, documentation of a verbal warning may be removed from the employee's Supervisor's File after one (1) year from the date of the warning provided

- that no other incidents have occurred.
- iv. When an employee is reassigned to a different supervisor, the Supervisor's File will be forwarded to their new supervisor.
 - b. **Written Warning.** The written notification of a disciplinary violation will include the violation and date the incident occurred. An employee receiving a written warning is automatically subject to a minimum six (6) month Disciplinary Probation period which may be longer depending on the nature of the violation and its impact on Department operations. If a subsequent written warning is received within a one (1) year period from the initial written warning, a minimum nine (9) month disciplinary Probation period will be imposed. A copy of the written warning will be placed in the employee's Personnel File.
 - c. **Suspension.** A suspension is used for major violations of Conduct Standards, repeated violations of Conduct Standards, or when it is determined that the violation, its impact on the operations of the Department, or the circumstances surrounding the incident warrants the immediate removal of an employee for a specified period. Suspensions are accompanied by an automatic twelve (12) month probationary period. A copy of the suspension document will be placed in the employee's personnel file.
 - i. A recommendation to suspend an employee may be made by the immediate supervisor after a thorough and documented review of the situation, but the final decision to suspend must be made by the appropriate Decision-Making Supervisor. The dates of Suspension are to be scheduled soon as possible following the imposition of the penalty. Suspension shall be without pay for a minimum of (1) one working day but not to exceed (10) ten working days (80 hours).
 - ii. Pursuant to the Arkansas Vehicle Safety Policy, in cases where an employee's driver's license is suspended, suspension from their duties may be up to fifteen (15) working days (120 hours). For timekeeping and payroll purposes, the number of hours worked plus the hours of a suspension will not exceed the number of the employee's regularly scheduled work period.
 - d. **Demotion.** An action to be imposed against an employee for a serious violation that reduces their rank, position, or job title. An employee must be qualified for the position to which demoted. Demotion is accompanied by an automatic twelve (12) month Disciplinary Probation period. A copy of the demotion document will be placed in the employee's Personnel File. A demotion may be imposed in conjunction with a suspension.
 - i. A recommendation to demote an employee may be made by their immediate supervisor after a thorough and documented review of the situation, but the final decision to demote must be made by the appropriate Decision-Making Supervisor and reviewed by the Human Resource Administrator to ensure an appropriate position placement.
 - ii. Re-assignment may occur for non-disciplinary reasons. If re-assignment does not result in a loss of pay, the re-assignment does not constitute a disciplinary action.
 - e. **Termination.** Termination is an action to be used for major violations of a Conduct Standard affecting the security and good order of Department operations or when the accumulation of violations has exhausted every other available disciplinary action.
 - i. A recommendation to terminate an employee may be made by their immediate supervisor after a thorough and documented review of the situation, but the final decision to terminate must be made by the appropriate Decision-Making Supervisor.
4. A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (6) six months from the date of the initial verbal or written warning.
 5. A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (12) twelve months of the date of suspension or demotion.

E. Documentation.

1. Supervisors are responsible for documenting each disciplinary action taken. The Acknowledgement of Disciplinary Action Form (Attachment #1) must be completed by the supervisor and employee charged with the conduct violation.
2. Supervisors are responsible for forwarding the Acknowledgement of Disciplinary Action form (Attachment #1) and any supporting documentation to the appropriate Human Resources Administrator and Central Office Human Resources.
3. After the Disciplinary Probation period has expired, disciplinary action should not be used as a consideration for further progressive discipline. However, documentation regarding an incident will remain in an employee's Personnel File unless ordered to be removed pursuant to the employee grievance process or as a result of an internal investigation concluding that the violation never occurred.
4. Documentation should include detailed descriptions of factual statements. Documentation shall include the following information at a minimum:
 - a. Standards which have been violated;
 - b. Disciplinary Action taken;
 - c. Assistance or advice given to the employee to bring conduct into acceptable standards;
 - d. Consequences if standards are not followed in the future; and
 - e. Acknowledgment of Disciplinary Action (Attachment #1) signed by the supervisor, employee, and a witness (if applicable).
 - i. If the employee refuses to sign the Acknowledgment of Disciplinary Action form (Attachment #1), a third party shall witness the refusal by signing the appropriate place.
 - ii. A copy of the documentation of all disciplinary actions shall be placed in the Supervisor's File.
 - iii. A copy of the documentation shall be placed in the employee's Personnel File, except for documentation of verbal warnings which will only be placed in the Supervisor's File.
5. If authorized in writing by the Secretary, disciplinary records of senior executive employees (assistant director and above) may be retained outside of Central Human Resources.

F. Probationary Period.

1. All disciplinary actions, except a verbal warning, are accompanied by an automatic Disciplinary Probation Period. A Disciplinary Probation Period will commence on the day an employee receives official notification of disciplinary action. Official notification should be hand-delivered or mailed to the employee.
2. Employees are automatically subject to an Initial Probation period during their first year of employment or six (6) months following a promotion. This Initial Probation period may be extended by the appropriate Decision-Making Supervisor in lieu of disciplinary action with written notification.
3. Employees who are disciplined during the Initial Probation period who then do not show improvement may be terminated.

IV. ATTACHMENTS:

- Attachment 1. Acknowledgement of Disciplinary Action Form
- Attachment 2. Acknowledgement of Receipt of Policy
- Attachment 3. Employee Conduct Standards Table



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Acknowledgment of Disciplinary Action

I have reviewed the Employee Conduct Standards with _____ (employee). They are aware of the conduct violation, disciplinary action to be imposed, and potential consequences if the action is repeated.

 Supervisor Name Supervisor Signature Date

This is to certify that the attached letter, which is being placed in my Personnel File, has been discussed with me. I have been given a copy of the attached letter. I have been notified that providing my signature does not necessarily indicate my agreement with the attached letter.

 Employee Name Employee Signature Date

Employee refused to sign

 Witness Date

NOTE: THIS FORM SHOULD BE COMPLETED FOR ANY LETTER OR FORMAL DISCIPLINARY ACTION. BOTH SHOULD BE PLACED IN THE EMPLOYEES PERSONNEL FILE.



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Acknowledgement of Receipt of Policy

I have been provided a copy (digital or physical) of the Department of Corrections Employee Conduct Standards and Discipline policy. I understand that it is my responsibility to understand and read this policy. My signature below indicates that I acknowledge receipt of the policy and that I have read and understand the information it outlines regarding Conduct Standards and discipline.

Employee Signature

AASIS #

Date

Employee Conduct Standards and Prohibited Conduct Table

The following standards are guidelines created to give a measure of consistency in the administration of discipline throughout the Department of Corrections (Department). The standards listed below are not an exhaustive list of prohibited conduct. The Department may adopt and enforce additional standards.

Each conduct standard is labeled numerically and in bold text. Below each standard is a list of conduct which violates the standard, as well as the disciplinary action which should result from a typical occurrence of the conduct violating the standard. Instances which are less or more serious than a typical occurrence of prohibited conduct may be subject to departures from the presumptive disciplinary actions for a prohibited conduct.

The list of prohibited conduct is intended only as a guide in determining which actions the Department considers unacceptable. Nothing in this list creates any legally enforceable interest or limits the authority of the Secretary or Division Directors to terminate any employee at will.

To determine the presumptive appropriate disciplinary action for a specific prohibited action, locate the conduct on the chart. There are four (4) progressive levels of discipline located to the right of the chart. An X in the column for a level of discipline indicates that the particular level of discipline is recommended for the listed conduct.

Occasionally, an X will be followed by an asterisk (*), which indicates that further guidance regarding that level of discipline should be located in the table cell detailing the prohibited conduct. Supervisors should consider this guidance prior to finalizing any disciplinary decisions.

Standards & Prohibited Conduct		Verbal	Written	Suspension/ Demotion	Termination
1.	Employees shall conduct themselves in a professional manner. Employees shall be patient, courteous, and respectful.				
a.	Loitering, visiting, or excessive personal use of the telephone.	X	X	X	X
b.	Disruptive horseplay or practical jokes, not resulting in injury or property damage.	X	X	X	X
c.	Disruptive horseplay or practical jokes resulting in injury or property damage. *Employee may be required to reimburse the Department for injury or property damage		X	X	X
d.	Use of language or gestures that are inappropriate, insolent, violent, or profane in nature while on duty, in uniform that depicts a Department logo, or on Department property.		X	X	X
e.	Unnecessary or excessive use of force against a member of the public or another employee.			X	X
f.	Introduction or possession of contraband in any amount within a secured perimeter or a security post of a Department entity.				X

g.	Unauthorized possession of a cell phone or its components within a secured perimeter or a security post of a Department entity. *Suspension may only be utilized when the employee did not possess the phone for purposes of illicit behavior.			X*	X
h.	Bribery				X
i.	Failure to report an offer of a bribe or gratuity from offenders or anybody working on behalf of an offender.			X	X
j.	Careless or unsafe handling of vehicular equipment. *Employee may be required to reimburse the Department for injuries or property damage.		X	X	X
k.	Careless or unsafe handling of a firearm. *Employee may be required to reimburse the Department for injuries or property damage.		X	X	X
l.	Unauthorized possession of firearms, explosives, or other weapons during work hours.			X	X
m.	Sexual conduct with staff, offenders, or the public while on duty, within the secured perimeter of a Department entity, in Department office buildings, or in state vehicles.			X	X
n.	Refusal to submit to a polygraph or voice stress analysis when required by Department policy.				X
o.	Violation of established uniform dress codes. *Employee may be sent home to change attire or appearance.	X	X	X	X
p.	Willful destruction of evidence of an employee by converting such evidence to his or her own use, manufacturing, concealing, falsifying, destroying, removing, tampering with, or withholding any property or evidence.				X
q.	Violation of Department or Division level published policies other than those for which appropriate discipline levels are prescribed in this document. *Severity of discipline depends on severity of the policy violation and the effect on the Department.	X*	X*	X*	X*
r.	Accepting any gifts, compensation, donations, etc. for services rendered by employees or inmates other than those that may be acceptable under law or policy.		X	X	X
s.	Association or membership in a security threat group, including but not limited to, the Bloods, Crips, Mexican Mafia, and Ku Klux Klan.				X
t.	Purchase of lottery tickets, gambling, or visiting a casino restaurant or store while in uniform or on duty. For the purposes of this standard, uniform includes any clothing or personal item with a logo representing the Department or any of its divisions.		X	X	X
u.	Failure to notify supervisor and Human Resources of any changes in telephone or address within 72 hours of the change.	X	X	X	X
v.	Engaging in behavior that prohibits an employee from maintaining a required professional certification.			X	X
2.	Employees shall always conduct themselves in a manner that reflects favorably on the Department of Corrections, both on and off the job.				

a.	Conduct unbecoming of a public employee- conduct which damages the Department image as a government, law enforcement, and criminal justice agency, reflects discredit on the character of the employee or the Department, or impairs Department operations.		X	X	X
3.	Employees shall not engage in inappropriate use of social media, including inappropriate use which occurs outside of work. Employees will be held accountable for content appearing on their social networking sites, whether posted by the employee or not.				
a.	Posting content that is inconsistent with Department policy.		X	X	X
b.	Posting confidential information or information restricted by state law or rule, Department policy, or Division policy.		X	X	X
c.	Cyberbullying – using information and communication technologies to support deliberate and hostile behavior by an individual or group with the intention of harming another person.		X	X	X
d.	Posting information or pictures on social media which actually or potentially compromise staff, compromise public safety, undermine operations, or cause disruptions in the workplace.		X	X	X
e.	Posting, transmitting, or disseminating unauthorized information (such as texts, pictures, files, video, audio, etc.) to the internet or any other public or private forum in a matter that discredits or reflects unfavorably on the Department as a whole.		X	X	X
f.	Creating an unauthorized site or platform that appears to be an official Department site or platform.		X	X	X
g.	Posting images of logos, emblems, badges, and patches which specifically identify the Department in a manner that would lead a viewer to believe that the site or platform is sanctioned by the Department.		X	X	X
4.	Employees shall not violate Arkansas state law prohibiting nepotism. State law prohibits relatives of employees from being placed within the same line of supervision whereby one relative is in a supervisory position over the other or is able to hire, fire, make pay adjustment, or other personnel actions. For purposes of this policy, relative is defined as family members such as husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepson, stepdaughter, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece.				
a.	Employee's failure to report their relationships violating the nepotism policy. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade			X*	X
b.	Supervisor's failure to take direct action after an employee's report of relationships violating the nepotism policy.			X	X
5.	Employees shall not engage in activity which compromises professional relationships and causes a disruption to the work environment.				
a.	Sexual or personal relationships between a supervisor and a subordinate.			X	X
b.	Employment relationships between a supervisor and a subordinate outside of Department employment in which the subordinate is hired by the Department supervisor in a non-Department job, such as a contractor.			X	X

c.	Participating in hiring or promotional decisions with any applicant or employee with whom there exists an intimate relationship.			X	X
d.	Any business enterprise, partnership, or joint venture between a supervisor or subordinate. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.			X*	X
e.	Engaging in any activity with another employee which compromises professional relationships. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.			X*	X
6.	Employees shall: (1) report immediately to their supervisor when unable to be at work or training, (2) get approval prior to being away from duty station, and (3) strictly observe working hours and lunch periods. For purposes of this policy, each action is considered an independent violation. A physician's statement to verify illness may be required by a supervisor at any time, subject to applicable laws.				
a.	Unauthorized absence from work, training, or physical assessment.		X	X	X
b.	Verified misuse of sick leave.		X	X	X
c.	Failure to adhere to work hours or lunch periods.	X	X	X	X
d.	Failure to provide a medical provider's statement when requested.		X	X	X
e.	Failure to call or report to supervisor for three (3) consecutive working days.				X
f.	Failure to log or clock in or out as directed.	X	X	X	X
g.	Clocking in or out for another employee.				X
h.	Abandonment of post or job.				X
7.	Employees shall perform job duties at a level commensurate with job specifications, performance standards, and other duties as assigned.				
a.	Unsatisfactory work performance. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.	X	X	X*	X
b.	Unsatisfactory work performance resulting in injury, property damage, or both. *Employee may be required to reimburse the Department for injuries and property damage. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.		X	X*	X
c.	Inadequate work performance *This violation may warrant a greater disciplinary action based on the impact the violation or error has to Department operations.	X	X	X	X
8.	Employees shall abide by the Department's Code of Ethics policy that governs employee ethics, solicitation, and anti-fraud practices. Violations of these standards may be in violation of state law and subject to prosecution.				
a.	Selling to or solicitation of employees during work time without authorization of the Secretary or Division Director.	X	X	X	X
b.	Selling to or solicitation of offenders.			X	X

c.	Violation of public employee ethical standards set forth in the Code of Ethics policy.	X	X	X	X
d.	Posting personal items, altering, or removing business notices on Department property without authorization of the Secretary or Division Director.	X	X	X	X
9.	Employees shall come to the assistance of another employee or offender, including but not limited to aiding a person who is being physically assaulted or when force is being used in a manner inconsistent with Department or Division Policy.				
a.	Failure to respond or assist in situations resulting in or likely to result in physical injury or property damage. *Employee may be required to reimburse the Department for injuries or property damage			X*	X
10.	Employees shall abide by Department and Division Drug Free Workplace Policies. All positions at the Department of Corrections are designated as security sensitive positions.				
a.	Purchase, use, sale of, or distribution of alcoholic beverages while in uniform or on duty. For the purposes of this standard, uniform includes any clothing or personal item with a logo representing the Department or any of its divisions. *This violation may warrant a greater disciplinary action based on the impact the violation or error has to Department operations.		X*	X*	X*
b.	Reporting to or on duty with an alcohol level at or above .02 but less than .04. *Suspension must be accompanied by a referral to the Employee Assistance Program			X*	X
c.	Reporting to or on duty with an alcohol level at or above .04.				X
d.	Possession (in any amount), use, sale of, or distribution of any illegal drug or drug paraphernalia.				X
e.	Refusing to provide a urine specimen when required, providing an adulterated specimen, or providing or attempting to provide another person's urine.				X
f.	A positive result in a specimen provided by the employee used to identify illegal drug use or unauthorized prescription drug use as determined by the Department's toxicologist.				X
11.	Employees shall be law-abiding citizens. Progression of discipline for conduct with multiple discipline options will depend on the extent of the adverse impact on the Department, offenders, or other employees.				
a.	A conviction, plea of guilty, or plea of nolo contendere to a felony.				X
b.	A conviction, plea of guilty, or plea of nolo contendere to a Class A misdemeanor or any misdemeanor violations of the Omnibus DWI Act. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.			X*	X
c.	A conviction, plea of guilty, or plea of nolo contendere to a misdemeanor that is not a Class A misdemeanor or a violation of the Omnibus DWI Act, including unclassified misdemeanors. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.		X	X*	X

d.	Failure to report incidents of arrest on felony charges, filing of felony information, issuance of a felony warrant, or indictment on a felony.		X	X	X
e.	Failure to report moving traffic violations in a state or personal vehicle. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.	X	X	X*	X
f.	Failure to maintain the ability to carry a weapon or drive a state vehicle in positions that are required to do so. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.			X*	X
g.	Unauthorized use of authority, identification, or emergency equipment.			X	X
h.	Employee arrest for a charge that impairs their ability to perform their job duties.				X
12.	Employees shall maintain a courteous and respectful demeanor in communicating with co-workers, subordinates, offenders, and members of the public. Level of discipline will depend on the extent of the adverse impact on the Department, offenders, or other employees.				
a.	Discourteous treatment of others.	X	X	X	X
b.	Presumptuous and insulting manner of speech which is rude and disrespectful to employees or members of the public.		X	X	X
13.	Employees shall not engage in harassment or discriminatory conduct based on a person's race, color, sex, religion, national origin, age, disability, or any other protected class. The Department has a zero-tolerance policy for all forms of sexual abuse or sexual harassment.				
a.	Harassment.			X	X
b.	Discrimination.				X
c.	Retaliation against employees or offenders who have filed lawsuits or grievances or who have otherwise engaged in protected activity.			X	X
14.	Employees shall always remain alert and vigilant while at work. For purposes of this policy, sleeping while on duty may be substantiated by firsthand witness testimony or circumstantial evidence which shows that the employee's actions were so significantly failing to meet standards of being alert that there can be no substantive difference between the alleged behavior of one who would be found asleep under the same circumstances.				
a.	Sleeping while on duty not resulting in escape, injury, or property damage.			X	X
b.	Sleeping while on duty resulting in escape, injury, or property damage.				X

c.	Inattentiveness on duty. *Level of discipline will depend on the extent of the adverse impact on the Department, offenders, or other employees.	X	X	X	X
d.	Failure to inform supervisor when taking medications which may impair performance.		X	X	X
15.	Employees shall exercise reasonable and responsible care of Department equipment, materials, property, and facilities. Employees shall not be in the possession Department property without approval from their supervisor.				
a.	Unauthorized possession, misuse, or abuse of equipment, vehicles, materials, property, or facilities. *Employees may be required to reimburse the Department for damage or loss.		X	X	X
b.	Unauthorized entry into state property, including unauthorized entry outside of assigned work hours.		X	X	X
c.	Unauthorized entry into restricted areas.			X	X
16.	Employees shall report any injuries of employees or offenders according to Department and Divisional policies.				
a.	Failure or delay in reporting injuries of employees or injuries or illness of offenders.	X	X	X	X
b.	Failure to report a known or suspected PREA incident.			X	X
17.	Employees shall perform work assignments within the scope of their assigned roles and follow requests and instructions by supervisors.				
a.	Failure to perform or carry out work related instructions when such instructions are reasonable, within the employee's ability to perform, and would not pose a safety or welfare hazard to the employee. *This violation may warrant a greater disciplinary action based on the impact the violation or error has to Department operations.	X*	X*	X*	X*
b.	Insubordination - deliberate refusal to carry out reasonable work requests or instructions.			X	X
18.	Employees shall give clear, complete, and accurate information in completing applications, work records, verbal statements, written statements, inmate records, investigations, and claims for reimbursement. For purposes of this policy, intentional omission of significant information done with the intent to falsify or deceive is considered falsification.				
a.	Falsification of work records, employment applications and supporting documentation, or other forms or applications.				X
b.	Falsification of written or verbal statements.				X
c.	Fraudulent claims for reimbursements or benefits. *Written warnings, suspension, or demotion can only be considered when the employee has admitted to previously falsified information to assist officials engaged in an ongoing investigation.		X*	X*	X
19.	Employees shall respect state property and the property of others. Employees shall handle all Department funds as required by the Department and State accounting and applicable budgetary procedures.				
a.	Mishandling of Department funds or assets.		X	X	X

b.	Theft of property or mishandling of Department funds or assets for personal gain.				X
20.	Employees shall observe rules and regulations regarding confidential information in Department records. Employees shall not use records and other confidential information for purposes other than to conduct Department business. Unauthorized disclosure of ACIC, NCIC, Justice Exchange, eOMIS, and other information may be a criminal offense and subject to prosecution.				
a.	Unauthorized access, release, or disclosure of information, records, or documents- including but not limited to human resource records, offender records, facility or center security information, recordings, emails, and photographs. *Severity of disciplinary action depends on the severity of the policy violation and its effect on Department operations.		X*	X*	X*
b.	Misuse, mishandling, or unauthorized use of information, records, or documents such as that information contained in, but not limited to, eOMIS, ACIC, NCIC, and Justice Exchange. *Severity of disciplinary action depends on the severity of the policy violation and its effect on Department operations.		X*	X*	X*
21.	Employees shall always maintain a courteous and professional demeanor in their associations with offenders, their families, and friends. Employees shall abide by the Department's regulations concerning appropriate relationships between employees and offenders, their families, and friends. Unavoidable relationships due to marriage, family relationships, etc. should be reported to a supervisor immediately.				
a.	Engaging in gambling with an offender.				X
b.	Soliciting or accepting a bribe from an offender.				X
c.	Verbal abuse of an offender, their family, or friends.	X	X	X	X
d.	Unnecessary or excessive force against an offender, their family, or friends. *Disciplinary action may escalate if injury is involved.		X	X	X
e.	Physical abuse used to punish or harass an offender, their family, or friends.				X
f.	Engaging in sexual contact of any type with an offender, their family, or friends. Sexual conduct includes, but is not limited to kissing, sexual intercourse, etc. *Engaging in sexual conduct with an offender, their family, or friends may be a criminal offense and subject to prosecution in addition to the conduct being a violation of this directive.				X
g.	Entering into a private business relationship or partnership involving financial transactions with an offender, their family, or friends, unless the employee is related to the individual with whom the business relationship is entered.			X	X
h.	Development of a non-professional relationship with offenders, their family, or friends, including but not limited to sexual relationships, personal letters, phone calls, social media communications, and visiting.				X
i.	Failure to report the incarceration of an immediate or distant family member, friend, or acquaintance after initial employment.	X	X	X	X
j.	Trafficking or unauthorized trading with an offender, their families, or friends.				X
k.	Failure to report criminal activity involving an offender outside of work.	X	X	X	X

1.	Employee's failure to report an existing relationship with an offender, whether or not that offender is in custody at the time of their initial employment or is remanded to Department custody during any point of their employment. *This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.			X*	X
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SECRETARIAL DIRECTIVE

SUBJECT: Employee Conduct Standards and Discipline

NUMBER: 2022-~~17~~

~~————~~ **SUPERSEDES:** SD 2020-09

APPLICABILITY: All ~~Arkansas~~ Department of Corrections employees

REFERENCE: A.C.A. §§ 25-43-103, 25-43-105, 25-43-108, 25-43-403; ~~SD 2022-XX on~~ Code of Ethics, SD on Employment

~~————~~ **PAGE:** 1 of 5

APPROVED: Original signature on file _____

~~————~~ **EFFECTIVE DATE:** 12/16/2022

I. POLICY:

I.POLICY

As the executive head of the Arkansas Department of Corrections (Department), it is the responsibility of the Secretary of Corrections (~~the Secretary~~) to administer the various rules, orders, or directives issued by the Department. This directive is consistent with Department policies governing employee conduct and discipline in addition to all Arkansas state laws, rules, and policies and guidelines. ~~This policy does not create a contract of employment or any legally enforceable interest, nor does it limit the Secretary's authority to establish or revise Department policies or affect their right to terminate employment pursuant to the at-will employment doctrine.~~

The purpose of this policy is to establish consistent employee Conduct Standards and disciplinary procedures throughout the Department. The Conduct Standards are intended to identify common problems associated with employee conduct and. ~~Progressive disciplinary action will be taken where appropriate, but the Secretary and Division Directors may intervene in conduct violation situations when warranted. Progressive disciplinary action will not be taken when a conduct violation adversely affects the security and good order of Department operations. The conduct standards listed in this policy and its subsequent documents are intended as a guide for actions the Department considers to constitute a conduct violation. Specific ~~The mentioned~~ violations listed in this directive are not intended to be a comprehensive list. This policy does not create a contract of employment or any legally enforceable interest, nor does it limit the Secretary's authority to establish or revise Department policies or affect their right to terminate employment pursuant to the at-will employment doctrine.~~

II. H-DEFINITIONS:

- A. Conduct Standards. Standards of acceptable behavior for Department employees while on or off duty, including by not limited to those found in this Secretarial Directive.

- B. Contraband. Under this Secretarial Directive, Contraband is defined as ~~possession of~~ any article or item that is prohibited by law, ~~regulation~~rule, or Department policy. ~~Contraband that is brought into and Department owned, or operated Entity may result in disciplinary measures up to termination.~~
- ~~C. Decision-Making Supervisor~~. An individual over the daily operations and decision-making processes of any Department owned or operated Entity including the Secretary, Chief of Staff, Division Directors, Deputy Directors, Superintendents, Wardens, Center Supervisors, Superintendents, Area Managers, Assistant Area Managers, ~~or~~ Administrators, or their designee.
- ~~D.C. Demotion~~. A disciplinary action in which an employee's rank, position, or job title is reduced.
- ~~E.D. Disciplinary Probation~~. This ~~probationary~~ A period is established as ~~as a of~~ time for the Department to evaluate and help employees correct negative behavior and achieve success. The length of the probation period is ~~determined by subject to~~ the disciplinary violation.
- ~~F.E. Entity~~. Any office, unit, center, or facility operated by the Department to include programs, farm and industry facilities, construction sites, administrative offices, area offices, jails, work release centers, pre-release centers, and private prisons operated on behalf of the Department
- ~~G.F. Initial Probation~~. ~~Initial employment includes a~~ A (1) one-year probationary period ~~upon from~~ the date of initial hire with the Department. This probationary period is established as a time for the Department ~~and its /d/~~ Divisions to evaluate and help employees adjust to their new positions. ~~A six-month initial probationary period also applies upon promotion within the Department.~~
- ~~H.G. Multiple Violations~~. Two or more conduct violations by an employee that are active at the same time but resulted from separate incidents.
- ~~I.H. Offender~~. Individuals under the custody or supervision of a division of the Department ~~of Corrections~~ including, but not limited to, ~~residents-inmates~~ of a correctional facility, residents of a community correction center, residents of a reentry center, parolees, and probationers.
- ~~J.I. Personnel File~~. The official record of employment of all Department staff maintained by the Central Human Resources office.
- ~~K. Progressive Discipline~~. Disciplinary action that is intended to impose penalties upon violations of the conduct standards that is applicable to the offense and consistent with the disciplinary action that is appropriate upon subsequent violations.
- ~~L.J. Supervisor's File~~. A record of an employee's performance, including any counseling, verbal warnings, or other disciplinary measures taken, which is maintained by an employee's supervisor. The Supervisor's File is not the same as a Personnel File and may contain additional performance and disciplinary records.
- ~~M. Suspension~~. An action to be used for major violations of standards, repeated violations of standards or when management determines that the violation, its impact on the job atmosphere, or the circumstances surrounding the incident warrants the immediate removal of the employee for a specified period
- ~~N. Verbal Warning~~. A verbal notice to inform the employee that they have violated a conduct standard.
- ~~O. Written Warning~~. A written notification to an employee that they have violated a conduct standard, including the violation and the date in which the incident occurred.

III. III. PROCEDURES:

A. General Procedures:

1. The Central Human Resources Office or Local Human Resource Offices will make ~~available the appropriate Administrative Rule and~~ this Secretarial Directive available to all employees. Policy distribution will be documented by the employee by signing an A ~~acknowledgment of R~~ acknowledgment of R receipt ~~for the policy of Policy form (Attachment #2) or by signing a virtual acknowledgement through EASE.~~ The ~~receipt signed acknowledgement~~ will be placed in the employee's P ~~personnel~~ F ~~file~~. All employees shall be notified ~~and receive subsequent notice of any~~ changes made to this policy.
2. This Secretarial Directive may be used ~~in as a~~ reference for ~~to~~ all Department policy violations in conjunction with the Secretarial Directive on Code of Ethics, ~~the Secretarial Directive on and Anti-Fraud Employment, and any other policies that outline expectations of employees.~~ Since both policies reflect similar topics of disciplinary and ethical violations, employees are responsible for understanding and being knowledgeable on any potential violations they may encounter and the implications of such violations.

~~2. Progressive disciplinary action will be taken where appropriate, but the Secretary and Division Directors may intervene in conduct violation situations when warranted.~~

B. Responsibilities:

1. ~~All employees of the Department are responsible for knowing and understanding the conduct standards set forth by this policy and its Employees are responsible for being knowledgeable of Department policies outlining Conduct Standards and will be held accountable for violations of those policies pursuant to this directivesubsequent documents.~~ Employees can seek clarification of the standards with their supervisor or ~~h~~Human ~~r~~Resources manager if they are unsure of whether ~~their specific~~ conduct may result in a violation.
2. Employees may be required to participate in administrative investigations into ~~conduct violationsviolations of conduct standards.~~ It is their responsibility to do so in good faith. ~~Employees should and~~ report suspected violations to their supervisors.
3. ~~Related to this policy, e~~Employees that are Decision-Making Supervisors ~~roles~~ have the responsibility to those under their supervision to:
 - ~~3.a.~~ promptly provide their staff with any changes to this policy;
 - a. ~~Employees that are Decision-Making Supervisor are responsible for establishing, maintaining, and monitoring their areas of supervision to enforcepromote and enforce and promote~~ a work environment that is consistent with the ~~C~~conduct ~~S~~standards; and
 - b.
 - c. ~~Employees that are Decision-Making Supervisors have the responsibility to enforceadminister disciplinary actions for violations of Cconduct Sstandards and administer discipline~~ in a consistent and objective manner.

~~4.~~

C. General Disciplinary Action, Violations, and Prohibited Conduct:

1. ~~Progressive d~~Discipline is intended to impose discipline at the level that is appropriate for the offense and progress through the disciplinary grid when further violations of the applicable ~~Standards of Employee Conduct~~Conduct Standards are committed. Progressive ~~d~~Discipline also recognizes that some violations of the ~~Standards of Employee~~Conduct Standards are so serious that the level of discipline imposedmay exceed the level recommended on the disciplinary grid. The frequency and proximity of violations to previous violations can be grounds to increase the penalty imposed ~~on an employee.~~
2. ~~Progressive disciplinary action will be taken where appropriate, and the Secretary and Division Directors may intervene in conduct violation situations when warranted. Progressive disciplinary action may not be taken when a conduct violation adversely affects the security and good order of Department operations.~~

~~4.~~

~~2.3.~~ Consistency in the application of theThe Standards of Employee-Conduct Standards should be applied consistentlyis a goal sought by the Department through conduct violation procedures. This goal is accomplished ~~through the use of~~with a fair and thorough investigation prior to ~~the imposition~~ the imposition of disciplinary action. The consistency being sought does not require management ~~or Decision-Making Supervisors~~ to administer the exact disciplinary guidelines indicated in the ~~Standards of Employee~~Conduct Standards in every case. Some circumstances, facts, and details of a disciplinary violation may cause disciplinary action to deviate from the recommended standards. However, the Department will promote consistency in disciplining employees ~~in for~~ similar violations whenever possible.

4. ~~Corrective c~~Counseling is an option and should be considered prior to any disciplinary action as ~~wellaswell as~~ between various steps of progressive discipline. Corrective ~~c~~Counseling is a tool used to communicate ~~and~~ define expectations to an employee. Corrective, and provide an opportunity to achieve success. Corrective counseling is not discipline; however, it should be documented and placed in the ~~S~~supervisor's ~~F~~file for the counseled employee. ~~To the extent that is reasonable and within the scope of requirements of this policy, E~~employees may be given opportunity to alter

negative behavior using constructive corrective action in a reasonable manner within the scope of the provisions outlined in this policy.

5. All employees of the Department are expected to abide by the Employee Conduct Standards Table (Attachment #3) which are established as guidelines to give a measure of consistency in the administering of discipline with the Department. Other Conduct Standards may be subsequently adopted by the Department. Following each standard are examples of conduct which violate the standard and the disciplinary action which should follow for a typical occurrence.
6. The Employee Conduct Standards Table (Attachment #3) is intended to be a guide for such actions the Department considers unacceptable but are not intended as an inclusive list.
7. Violations of this Secretarial Directive in addition to any of the policies set forth by the Department may result in conduct violations and Disciplinary Action. Employees are responsible for being knowledgeable about Department policy. Employees must seek clarification from their supervisor if they are unsure or do not understand any of the policies maintained by the Department.

~~3.~~

D. Penalties:

1. Penalties for violation of Conduct Sstandards shall be administered by supervisors in a consistent, objective, good faith, and non-discriminatory manner. Decision-Making Supervisors are expected to use good judgment in determining the seriousness of violations and the disciplinary penalties. Supervisors must document facts ~~document facts~~ in each case and make sure the penalty is appropriate. All circumstances must be considered before taking final action.
2. The penalty imposed for violating a rule or policy must take into consideration all relevant circumstances. All relevant circumstances taken into consideration when determining a penalty must be clearly stated and well documented. An employee may be disciplined for violating more than one rule or policy arising out of the same incident. In all cases, any mitigating and ~~aggravating circumstances~~ aggravating circumstances, along with the relationship of including Mmultiple ~~Violations~~ offenses, must be considered in determining the ~~determining the~~ appropriate level of discipline.
3. The following penalties are not intended to be a comprehensive list, as some Cconduct Sstandards violation penalties may be imposed at the discretion of an employee's Decision-Making Supervisor based on circumstantial details. These penalties are meant to serve as a general guide to common disciplinary actions an employee may face when they are found to be in violation of a Cconduct Sstandard:

~~3.~~

- a. Verbal Warning. A verbal warning is a notice to inform an employee that they have violated a conduct standard. Verbal warnings may be used as the basis for future Disciplinary Action. A more severe Disciplinary Action may be taken if an equal or more substantial violation occurs within a (6) six month period from the date of the verbal warning.
 - i. Documentation of the vVerbal wWarning will be placed in the employee's Supervisor File. A copy of the documentation will not be placed in the employee's Personnel File.
 - ii. An employee shall not be placed on Disciplinary Probation as a result of a vVerbal wWarning.
 - iii. Upon the employee's written request and the supervisor's approval, documentation of a vVerbal wWarning may be removed from the employee's Supervisor's File after ~~(1) one~~ (1 year) year from the date of the warning, provided ~~dedding~~ that no other incidents have occurred.
 - iv. When an employee is reassigned to a different supervisor, the Supervisor's File will be forwarded to their new supervisor.
- b. Written Warning. The written notification of a disciplinary violation will include the violation and date the incident occurred. must inform the employee that a violation of a standard has occurred. A more severe Disciplinary Action should be taken if an equal or more substantial violation occurs within (6) six months from the date of the disciplinary action. An employee receiving a written warning is automatically subject to a minimum ~~six (66)~~ month Disciplinary Probation period which may be longer depending on the

~~nature of the violation and its impact on Department operations. If a subsequent written warning is received within a one (1) year period from the initial written warning, a minimum nine (9) month disciplinary Probation period will be imposed.~~ A copy of the ~~w~~Written ~~w~~Warning will be placed in the employee's Personnel File:

- c. Suspension. ~~A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (12) twelve months of the date of suspension. A~~ suspension is used for major violations of Conduct Standards, repeated violations of Conduct Standards, or when it is determined that the violation, its impact on the operations of the Department, or the circumstances surrounding the incident warrants the immediate removal of an employee for a specified period. Suspensions are accompanied by an automatic twelve (12) month probationary period. A copy of the ~~suspension~~suspension document will be placed in ~~the employee's~~ the employee's personnel file.
 - i. A recommendation to suspend an employee may be made by the immediate supervisor after a thorough and documented review of the situation, but the final decision to suspend must be made by the appropriate Decision-Making Supervisor. The dates of ~~S~~suspension are to be scheduled soon as possible following the imposition of the penalty. Suspension shall be without pay for a minimum of (1) one working day but not to exceed (10) ten working days (80 hours).
 - ii. Pursuant to the Arkansas Vehicle Safety Policy, ~~i~~n cases where an employee's driver's license is suspended, ~~the s~~Suspension from their duties ~~could may~~ be up to fifteen (15) working days ~~or (120 hours)~~. For timekeeping and payroll purposes, the number of hours worked plus the hours of a ~~s~~Suspension will not exceed the number of the employee's regularly scheduled work period.
- d. Demotion. An action to be imposed against an employee for a serious violation that reduces their rank, position, or job title. An employee ~~must~~must be qualified for the position to which demoted. ~~A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (12) twelve months of the date of demotion.~~ Demotion is accompanied by an automatic twelve (12) month Disciplinary Probation period. A copy of the ~~d~~Demotion document will be placed in the employee's Personnel File. A ~~d~~Demotion may be imposed in conjunction with a ~~s~~Suspension.
 - i. A recommendation to demote an employee may be made by their immediate supervisor after a thorough and documented review of the situation, but the final decision to demote must be made by the appropriate Decision-Making Supervisor and reviewed by the Human Resource Administrator to ensure an appropriate position placement.
 - ii. Re-assignment may occur for non-disciplinary reasons. If re-assignment does not result in a loss of pay, the re-assignment does not constitute a ~~d~~Disciplinary ~~a~~Action.
- e. Termination. Termination is an action to be used for major violations of a ~~C~~onduct ~~S~~tandard affecting the security and good order of Department operations or when the accumulation of violations has exhausted every other available ~~d~~Disciplinary ~~a~~Action ~~or penalties up to discharge.~~
 - i. A recommendation to terminate an employee may be made by their immediate supervisor after a thorough and documented review of the situation, but the final decision to terminate must be made by the appropriate Decision-Making Supervisor.
 4. A more severe ~~d~~Disciplinary ~~a~~Action should be taken if an equal or more substantial violation occurs within (6) six months from the date of the initial disciplinary action verbal or written warning.
 5. A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (12) twelve months of the date of suspension or demotion.

E. Documentation.

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1. Supervisors are responsible for documenting each ~~d~~Disciplinary ~~a~~Action taken. The Acknowledgement of Disciplinary Action Form (Attachment #1) must be completed by the supervisor and employee charged with the conduct violation.
2. Supervisors are responsible for ~~and~~ forwarding the Acknowledgement of Disciplinary Action form (Attachment #1) and any supporting documentation to the appropriate Human Resources ~~A~~Administrator and Central Office Human Resources. ~~Documented information~~
- ~~4.3. regarding~~ After the Disciplinary Probation period has expired, ~~d~~Disciplinary ~~a~~Action should not be used as a consideration for further ~~p~~Progressive ~~d~~Discipline, ~~or other employee actions.~~ However, documentation regarding an incident~~the information~~ will remain in an employee's Personnel File; unless ordered to be removed pursuant to the employee grievance process or as a result of an internal investigation concluding that the violation never occurred.
- ~~2.4.~~ Documentation should ~~be specific and~~ include detailed descriptions of factual statements. Documentation shall include the following information at a minimum:
 - ~~a.~~ Standards which have been violated;
 - ~~a.~~
 - ~~b.~~ Disciplinary Action taken;
 - ~~b.~~
 - ~~c.~~ Assistance and/or advice given to the employee to bring conduct into acceptable standards;
 - ~~c.~~
 - ~~d.~~ Consequences if standards are not followed in the future; and
 - ~~d.~~
 - e. Acknowledgment of Disciplinary Action (Attachment #1) signed by ~~both~~ the supervisor, employee, and a witness (if applicable).
 - i. If the employee refuses to sign the Acknowledgment of ~~D~~Disciplinary ~~A~~Action form (Attachment #1), a third party shall witness the refusal by signing the appropriate place.
 - ii. A copy of the documentation of all ~~d~~Disciplinary ~~a~~Actions shall be placed in the Supervisor's File.
 - ~~iii.~~ A copy of the documentation shall be placed in the employee's Personnel File, except for documentation of ~~v~~Verbal ~~w~~Warnings which will only be placed in the Supervisor's File.
5. If authorized in writing by the Secretary, disciplinary records of senior executive employees (assistant director and above) may be retained outside of Central Human Resources.

~~iii.~~

F. Probationary Period.

1. All ~~d~~Disciplinary ~~a~~Actions, except a ~~v~~Verbal ~~w~~Warning, are accompanied by an automatic ~~D~~Disciplinary ~~P~~robation ~~P~~eriod. A Disciplinary Probation Period will commence on the day an employee receives official notification of ~~d~~Disciplinary ~~a~~Action. Official notification should be hand-delivered or mailed to the employee ~~by certified mail with return receipt requested.~~
2. Employees are automatically subject to an Initial Probationary period during their first year of employment or ~~within~~ six (6) months followingof a promotion. ~~However in lieu of termination, with written notification, this~~ This Initial Probation period~~ary period~~ may be extended by the appropriate Decision-Making Supervisor in lieu of disciplinary action with written notification.
3. Employees who are disciplined during the Initial Probationary period who then subsequently do not show ~~cannot adjust~~ improvement may be terminated. ~~The reason given for the termination shall be submitted in writing to the employee being terminated, their local Human Resource Manager, and the Central Human Resource Office.~~
- ~~4. Employees will not be eligible for promotions during any probationary period except when approved by the Secretary.~~

G. Violation and Prohibited Conduct.

- ~~1. All employees of the Department are expected to abide by the Employee Conduct Standards Table~~

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~~(Attachment #2) which are established as guidelines to give a measure of consistency in the administering of discipline with the Department. Other conduct standards may be subsequently adopted by the Department. Following each standard are examples of conduct which violate the standard and the disciplinary action which should follow for a typical occurrence.~~

- ~~2. The Employee Conduct Standards Table (Attachment #2) is intended to be a guide for such actions the Department considers unacceptable but are not intended as an inclusive list.~~
- ~~3. Violations of this Secretarial Directive in addition to any of the policies set forth by the Department may result in conduct violations and Disciplinary Action. Employees are responsible for being knowledgeable about Department policy. Employees must seek clarification from their supervisor if they are unsure or do not understand any of the policies maintained by the Department.~~

IV. ATTACHMENTS:

Attachment #1. Acknowledgement of Disciplinary Action Form

Attachment #2. Acknowledgement of Receipt of Employee Conduct Standards Policy

Attachment #3. Employee Conduct Standards Table



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Acknowledgment ~~C~~ **KNOWLEDGEMENT of** Disciplinary Action ~~O~~ **F DISCIPLINARY ACTIONS**

I have reviewed the Employee Conduct Standards with _____ (employee). They are aware of the conduct violation, disciplinary action to be imposed, and potential consequences if the action is repeated.

Supervisor Name Supervisor Signature Date

This is to certify that the attached letter, which is being placed in my Personnel File, has been discussed with me. I have been given a copy of the attached letter. I have been notified that providing my signature does not necessarily indicate my agreement with the attached letter.

Employee Name Employee Signature Date

Employee refused to sign

Witness Date

NOTE: THIS FORM SHOULD BE COMPLETED FOR ANY LETTER OR FORMAL DISCIPLINARY ACTION. BOTH SHOULD BE PLACED IN THE EMPLOYEES PERSONNEL FILE.



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Acknowledgement of Receipt of Policy

I have been provided a copy (digital or physical) of the Department of Corrections Employee Conduct Standards and Discipline policy. I understand that it is my responsibility to understand and read this policy. My signature below indicates that I acknowledge receipt of the policy and that I have read and understand the information it outlines regarding Conduct Standards and discipline.

Employee Signature AASIS # Date

Employee Conduct Standards and Prohibited Conduct Table

The following standards are guidelines created to give a measure of consistency in the administration of discipline throughout the Department of Corrections (Department). The standards listed below are not an exhaustive list of prohibited conduct. The Department may adopt and enforce additional standards.

Each conduct standard is labeled numerically and in bold text. Below each standard is a list of conduct which violates the standard, as well as the disciplinary action which should result from a typical occurrence of the conduct violating the standard. Instances which are less or more serious than a typical occurrence of prohibited conduct may be subject to departures from the presumptive disciplinary actions for a prohibited conduct.

The list of prohibited conduct is intended only as a guide in determining which actions the Department considers unacceptable. Nothing in this list creates any legally enforceable interest or limits the authority of the Secretary or Division Directors to terminate any employee at will.

To determine the presumptive appropriate disciplinary action for a specific prohibited action, locate the conduct on the chart. There are four (4) progressive levels of discipline located to the right of the chart. An X in the column for a level of discipline indicates that the particular level of discipline is recommended for the listed conduct.

Occasionally, an X will be followed by an asterisk (*), which indicates that further guidance regarding that level of discipline should be located in the table cell detailing the prohibited conduct. Supervisors should consider this guidance prior to finalizing any disciplinary decisions.

<u>Standards & Prohibited Conduct</u>		<u>Verbal</u>	<u>Written</u>	<u>Suspension/ Demotion</u>	<u>Termination</u>
<u>1.</u>	<u>Employees shall conduct themselves in a professional manner. Employees shall be patient, courteous, and respectful.</u>				
<u>a.</u>	<u>Loitering, visiting, or excessive personal use of the telephone.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>b.</u>	<u>Disruptive horseplay or practical jokes, not resulting in injury or property damage.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>c.</u>	<u>Disruptive horseplay or practical jokes resulting in injury or property damage. *Employee may be required to reimburse the Department for injury or property damage</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>d.</u>	<u>Use of language or gestures that are inappropriate, insolent, violent, or profane in nature while on duty, in uniform that depicts a Department logo, or on Department property.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>e.</u>	<u>Unnecessary or excessive use of force against a member of the public or another employee.</u>			<u>X</u>	<u>X</u>
<u>f.</u>	<u>Introduction or possession of contraband in any amount within a secured perimeter or a security post of a Department entity.</u>				<u>X</u>

<u>g.</u>	<u>Unauthorized possession of a cell phone or its components within a secured perimeter or a security post of a Department entity.</u> <u>*Suspension may only be utilized when the employee did not possess the phone for purposes of illicit behavior.</u>			<u>X*</u>	<u>X</u>
<u>h.</u>	<u>Bribery</u>				<u>X</u>
<u>i.</u>	<u>Failure to report an offer of a bribe or gratuity from offenders or anybody working on behalf of an offender.</u>			<u>X</u>	<u>X</u>
<u>j.</u>	<u>Careless or unsafe handling of vehicular equipment.</u> <u>*Employee may be required to reimburse the Department for injuries or property damage.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>k.</u>	<u>Careless or unsafe handling of a firearm.</u> <u>*Employee may be required to reimburse the Department for injuries or property damage.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>l.</u>	<u>Unauthorized possession of firearms, explosives, or other weapons during work hours.</u>			<u>X</u>	<u>X</u>
<u>m.</u>	<u>Sexual conduct with staff, offenders, or the public while on duty, within the secured perimeter of a Department entity, in Department office buildings, or in state vehicles.</u>			<u>X</u>	<u>X</u>
<u>n.</u>	<u>Refusal to submit to a polygraph or voice stress analysis when required by Department policy.</u>				<u>X</u>
<u>o.</u>	<u>Violation of established uniform dress codes.</u> <u>*Employee may be sent home to change attire or appearance.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>p.</u>	<u>Willful destruction of evidence of an employee by converting such evidence to his or her own use, manufacturing, concealing, falsifying, destroying, removing, tampering with, or withholding any property or evidence.</u>				<u>X</u>
<u>q.</u>	<u>Violation of Department or Division level published policies other than those for which appropriate discipline levels are prescribed in this document.</u> <u>*Severity of discipline depends on severity of the policy violation and the effect on the Department.</u>	<u>X*</u>	<u>X*</u>	<u>X*</u>	<u>X*</u>
<u>r.</u>	<u>Accepting any gifts, compensation, donations, etc. for services rendered by employees or inmates other than those that may be acceptable under law or policy.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>s.</u>	<u>Association or membership in a security threat group, including but not limited to, the Bloods, Crips, Mexican Mafia, and Ku Klux Klan.</u>				<u>X</u>
<u>t.</u>	<u>Purchase of lottery tickets, gambling, or visiting a casino restaurant or store while in uniform or on duty. For the purposes of this standard, uniform includes any clothing or personal item with a logo representing the Department or any of its divisions.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>u.</u>	<u>Failure to notify supervisor and Human Resources of any changes in telephone or address within 72 hours of the change.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>v.</u>	<u>Engaging in behavior that prohibits an employee from maintaining a required professional certification.</u>			<u>X</u>	<u>X</u>
<u>2.</u>	<u>Employees shall always conduct themselves in a manner that reflects favorably on the Department of Corrections, both on and off the job.</u>				

a.	<u>Conduct unbecoming of a public employee- conduct which damages the Department image as a government, law enforcement, and criminal justice agency, reflects discredit on the character of the employee or the Department, or impairs Department operations.</u>		X	X	X
3.	<u>Employees shall not engage in inappropriate use of social media, including inappropriate use which occurs outside of work. Employees will be held accountable for content appearing on their social networking sites, whether posted by the employee or not.</u>				
a.	<u>Posting content that is inconsistent with Department policy.</u>		X	X	X
b.	<u>Posting confidential information or information restricted by state law or rule, Department policy, or Division policy.</u>		X	X	X
c.	<u>Cyberbullying – using information and communication technologies to support deliberate and hostile behavior by an individual or group with the intention of harming another person.</u>		X	X	X
d.	<u>Posting information or pictures on social media which actually or potentially compromise staff, compromise public safety, undermine operations, or cause disruptions in the workplace.</u>		X	X	X
e.	<u>Posting, transmitting, or disseminating unauthorized information (such as texts, pictures, files, video, audio, etc.) to the internet or any other public or private forum in a matter that discredits or reflects unfavorably on the Department as a whole.</u>		X	X	X
f.	<u>Creating an unauthorized site or platform that appears to be an official Department site or platform.</u>		X	X	X
g.	<u>Posting images of logos, emblems, badges, and patches which specifically identify the Department in a manner that would lead a viewer to believe that the site or platform is sanctioned by the Department.</u>		X	X	X
4.	<u>Employees shall not violate Arkansas state law prohibiting nepotism. State law prohibits relatives of employees from being placed within the same line of supervision whereby one relative is in a supervisory position over the other or is able to hire, fire, make pay adjustment, or other personnel actions. For purposes of this policy, relative is defined as family members such as husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepson, stepdaughter, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece.</u>				
a.	<u>Employee's failure to report their relationships violating the nepotism policy.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade</u>			X*	X
b.	<u>Supervisor's failure to take direct action after an employee's report of relationships violating the nepotism policy.</u>			X	X
5.	<u>Employees shall not engage in activity which compromises professional relationships and causes a disruption to the work environment.</u>				
a.	<u>Sexual or personal relationships between a supervisor and a subordinate.</u>			X	X
b.	<u>Employment relationships between a supervisor and a subordinate outside of Department employment in which the subordinate is hired by the Department supervisor in a non-Department job, such as a contractor.</u>			X	X

<u>c.</u>	<u>Participating in hiring or promotional decisions with any applicant or employee with whom there exists an intimate relationship.</u>			<u>X</u>	<u>X</u>
<u>d.</u>	<u>Any business enterprise, partnership, or joint venture between a supervisor or subordinate.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>			<u>X*</u>	<u>X</u>
<u>e.</u>	<u>Engaging in any activity with another employee which compromises professional relationships.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>			<u>X*</u>	<u>X</u>
<u>6.</u>	<u>Employees shall: (1) report immediately to their supervisor when unable to be at work or training, (2) get approval prior to being away from duty station, and (3) strictly observe working hours and lunch periods.</u> <u>For purposes of this policy, each action is considered an independent violation. A physician's statement to verify illness may be required by a supervisor at any time, subject to applicable laws.</u>				
<u>a.</u>	<u>Unauthorized absence from work, training, or physical assessment.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>b.</u>	<u>Verified misuse of sick leave.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>c.</u>	<u>Failure to adhere to work hours or lunch periods.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>d.</u>	<u>Failure to provide a medical provider's statement when requested.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>e.</u>	<u>Failure to call or report to supervisor for three (3) consecutive working days.</u>				<u>X</u>
<u>f.</u>	<u>Failure to log or clock in or out as directed.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>g.</u>	<u>Clocking in or out for another employee.</u>				<u>X</u>
<u>h.</u>	<u>Abandonment of post or job.</u>				<u>X</u>
<u>7.</u>	<u>Employees shall perform job duties at a level commensurate with job specifications, performance standards, and other duties as assigned.</u>				
<u>a.</u>	<u>Unsatisfactory work performance.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>	<u>X</u>	<u>X</u>	<u>X*</u>	<u>X</u>
<u>b.</u>	<u>Unsatisfactory work performance resulting in injury, property damage, or both.</u> <u>*Employee may be required to reimburse the Department for injuries and property damage.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>		<u>X</u>	<u>X*</u>	<u>X</u>
<u>c.</u>	<u>Inadequate work performance</u> <u>*This violation may warrant a greater disciplinary action based on the impact the violation or error has to Department operations.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>8.</u>	<u>Employees shall abide by the Department's Code of Ethics policy that governs employee ethics, solicitation, and anti-fraud practices. Violations of these standards may be in violation of state law and subject to prosecution.</u>				
<u>a.</u>	<u>Selling to or solicitation of employees during work time without authorization of the Secretary or Division Director.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>b.</u>	<u>Selling to or solicitation of offenders.</u>			<u>X</u>	<u>X</u>

<u>c.</u>	<u>Violation of public employee ethical standards set forth in the Code of Ethics policy.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>d.</u>	<u>Posting personal items, altering, or removing business notices on Department property without authorization of the Secretary or Division Director.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>9.</u>	<u>Employees shall come to the assistance of another employee or offender, including but not limited to aiding a person who is being physically assaulted or when force is being used in a manner inconsistent with Department or Division Policy.</u>				
<u>a.</u>	<u>Failure to respond or assist in situations resulting in or likely to result in physical injury or property damage.</u> <u>*Employee may be required to reimburse the Department for injuries or property damage</u>			<u>X*</u>	<u>X</u>
<u>10.</u>	<u>Employees shall abide by Department and Division Drug Free Workplace Policies. All positions at the Department of Corrections are designated as security sensitive positions.</u>				
<u>a.</u>	<u>Purchase, use, sale of, or distribution of alcoholic beverages while in uniform or on duty. For the purposes of this standard, uniform includes any clothing or personal item with a logo representing the Department or any of its divisions.</u> <u>*This violation may warrant a greater disciplinary action based on the impact the violation or error has to Department operations.</u>		<u>X*</u>	<u>X*</u>	<u>X*</u>
<u>b.</u>	<u>Reporting to or on duty with an alcohol level at or above .02 but less than .04.</u> <u>*Suspension must be accompanied by a referral to the Employee Assistance Program</u>			<u>X*</u>	<u>X</u>
<u>c.</u>	<u>Reporting to or on duty with an alcohol level at or above .04.</u>				<u>X</u>
<u>d.</u>	<u>Possession (in any amount), use, sale of, or distribution of any illegal drug or drug paraphernalia.</u>				<u>X</u>
<u>e.</u>	<u>Refusing to provide a urine specimen when required, providing an adulterated specimen, or providing or attempting to provide another person's urine.</u>				<u>X</u>
<u>f.</u>	<u>A positive result in a specimen provided by the employee used to identify illegal drug use or unauthorized prescription drug use as determined by the Department's toxicologist.</u>				<u>X</u>
<u>11.</u>	<u>Employees shall be law-abiding citizens.</u> <u>Progression of discipline for conduct with multiple discipline options will depend on the extent of the adverse impact on the Department, offenders, or other employees.</u>				
<u>a.</u>	<u>A conviction, plea of guilty, or plea of nolo contendere to a felony.</u>				<u>X</u>
<u>b.</u>	<u>A conviction, plea of guilty, or plea of nolo contendere to a Class A misdemeanor or any misdemeanor violations of the Omnibus DWI Act.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>			<u>X*</u>	<u>X</u>
<u>c.</u>	<u>A conviction, plea of guilty, or plea of nolo contendere to a misdemeanor that is not a Class A misdemeanor or a violation of the Omnibus DWI Act, including unclassified misdemeanors.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>		<u>X</u>	<u>X*</u>	<u>X</u>

<u>d.</u>	<u>Failure to report incidents of arrest on felony charges, filing of felony information, issuance of a felony warrant, or indictment on a felony.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>e.</u>	<u>Failure to report moving traffic violations in a state or personal vehicle.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>	<u>X</u>	<u>X</u>	<u>X*</u>	<u>X</u>
<u>f.</u>	<u>Failure to maintain the ability to carry a weapon or drive a state vehicle in positions that are required to do so.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>			<u>X*</u>	<u>X</u>
<u>g.</u>	<u>Unauthorized use of authority, identification, or emergency equipment.</u>			<u>X</u>	<u>X</u>
<u>h.</u>	<u>Employee arrest for a charge that impairs their ability to perform their job duties.</u>				<u>X</u>
<u>12.</u>	<u>Employees shall maintain a courteous and respectful demeanor in communicating with co-workers, subordinates, offenders, and members of the public.</u> <u>Level of discipline will depend on the extent of the adverse impact on the Department, offenders, or other employees.</u>				
<u>a.</u>	<u>Discourteous treatment of others.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>b.</u>	<u>Presumptuous and insulting manner of speech which is rude and disrespectful to employees or members of the public.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>13.</u>	<u>Employees shall not engage in harassment or discriminatory conduct based on a person's race, color, sex, religion, national origin, age, disability, or any other protected class.</u> <u>The Department has a zero-tolerance policy for all forms of sexual abuse or sexual harassment.</u>				
<u>a.</u>	<u>Harassment.</u>			<u>X</u>	<u>X</u>
<u>b.</u>	<u>Discrimination.</u>				<u>X</u>
<u>c.</u>	<u>Retaliation against employees or offenders who have filed lawsuits or grievances or who have otherwise engaged in protected activity.</u>			<u>X</u>	<u>X</u>
<u>14.</u>	<u>Employees shall always remain alert and vigilant while at work.</u> <u>For purposes of this policy, sleeping while on duty may be substantiated by firsthand witness testimony or circumstantial evidence which shows that the employee's actions were so significantly failing to meet standards of being alert that there can be no substantive difference between the alleged behavior of one who would be found asleep under the same circumstances.</u>				
<u>a.</u>	<u>Sleeping while on duty not resulting in escape, injury, or property damage.</u>			<u>X</u>	<u>X</u>
<u>b.</u>	<u>Sleeping while on duty resulting in escape, injury, or property damage.</u>				<u>X</u>

c.	<u>Inattentiveness on duty.</u> <u>*Level of discipline will depend on the extent of the adverse impact on the Department, offenders, or other employees.</u>	X	X	X	X
d.	<u>Failure to inform supervisor when taking medications which may impair performance.</u>		X	X	X
15.	<u>Employees shall exercise reasonable and responsible care of Department equipment, materials, property, and facilities. Employees shall not be in the possession Department property without approval from their supervisor.</u>				
a.	<u>Unauthorized possession, misuse, or abuse of equipment, vehicles, materials, property, or facilities.</u> <u>*Employees may be required to reimburse the Department for damage or loss.</u>		X	X	X
b.	<u>Unauthorized entry into state property, including unauthorized entry outside of assigned work hours.</u>		X	X	X
c.	<u>Unauthorized entry into restricted areas.</u>			X	X
16.	<u>Employees shall report any injuries of employees or offenders according to Department and Divisional policies.</u>				
a.	<u>Failure or delay in reporting injuries of employees or injuries or illness of offenders.</u>	X	X	X	X
b.	<u>Failure to report a known or suspected PREA incident.</u>			X	X
17.	<u>Employees shall perform work assignments within the scope of their assigned roles and follow requests and instructions by supervisors.</u>				
a.	<u>Failure to perform or carry out work related instructions when such instructions are reasonable, within the employee's ability to perform, and would not pose a safety or welfare hazard to the employee.</u> <u>*This violation may warrant a greater disciplinary action based on the impact the violation or error has to Department operations.</u>	X*	X*	X*	X*
b.	<u>Insubordination - deliberate refusal to carry out reasonable work requests or instructions.</u>			X	X
18.	<u>Employees shall give clear, complete, and accurate information in completing applications, work records, verbal statements, written statements, inmate records, investigations, and claims for reimbursement.</u> <u>For purposes of this policy, intentional omission of significant information done with the intent to falsify or deceive is considered falsification.</u>				
a.	<u>Falsification of work records, employment applications and supporting documentation, or other forms or applications.</u>				X
b.	<u>Falsification of written or verbal statements.</u>				X
c.	<u>Fraudulent claims for reimbursements or benefits.</u> <u>*Written warnings, suspension, or demotion can only be considered when the employee has admitted to previously falsified information to assist officials engaged in an ongoing investigation.</u>		X*	X*	X
19.	<u>Employees shall respect state property and the property of others. Employees shall handle all Department funds as required by the Department and State accounting and applicable budgetary procedures.</u>				
a.	<u>Mishandling of Department funds or assets.</u>		X	X	X

<u>b.</u>	<u>Theft of property or mishandling of Department funds or assets for personal gain.</u>				<u>X</u>
<u>20.</u>	<u>Employees shall observe rules and regulations regarding confidential information in Department records. Employees shall not use records and other confidential information for purposes other than to conduct Department business. Unauthorized disclosure of ACIC, NCIC, Justice Exchange, eOMIS, and other information may be a criminal offense and subject to prosecution.</u>				
<u>a.</u>	<u>Unauthorized access, release, or disclosure of information, records, or documents- including but not limited to human resource records, offender records, facility or center security information, recordings, emails, and photographs. *Severity of disciplinary action depends on the severity of the policy violation and its effect on Department operations.</u>		<u>X*</u>	<u>X*</u>	<u>X*</u>
<u>b.</u>	<u>Misuse, mishandling, or unauthorized use of information, records, or documents such as that information contained in, but not limited to, eOMIS, ACIC, NCIC, and Justice Exchange. *Severity of disciplinary action depends on the severity of the policy violation and its effect on Department operations.</u>		<u>X*</u>	<u>X*</u>	<u>X*</u>
<u>21.</u>	<u>Employees shall always maintain a courteous and professional demeanor in their associations with offenders, their families, and friends. Employees shall abide by the Department's regulations concerning appropriate relationships between employees and offenders, their families, and friends. Unavoidable relationships due to marriage, family relationships, etc. should be reported to a supervisor immediately.</u>				
<u>a.</u>	<u>Engaging in gambling with an offender.</u>				<u>X</u>
<u>b.</u>	<u>Soliciting or accepting a bribe from an offender.</u>				<u>X</u>
<u>c.</u>	<u>Verbal abuse of an offender, their family, or friends.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>d.</u>	<u>Unnecessary or excessive force against an offender, their family, or friends. *Disciplinary action may escalate if injury is involved.</u>		<u>X</u>	<u>X</u>	<u>X</u>
<u>e.</u>	<u>Physical abuse used to punish or harass an offender, their family, or friends.</u>				<u>X</u>
<u>f.</u>	<u>Engaging in sexual contact of any type with an offender, their family, or friends. Sexual conduct includes, but is not limited to kissing, sexual intercourse, etc. *Engaging in sexual conduct with an offender, their family, or friends may be a criminal offense and subject to prosecution in addition to the conduct being a violation of this directive.</u>				<u>X</u>
<u>g.</u>	<u>Entering into a private business relationship or partnership involving financial transactions with an offender, their family, or friends, unless the employee is related to the individual with whom the business relationship is entered.</u>			<u>X</u>	<u>X</u>
<u>h.</u>	<u>Development of a non-professional relationship with offenders, their family, or friends, including but not limited to sexual relationships, personal letters, phone calls, social media communications, and visiting.</u>				<u>X</u>
<u>i.</u>	<u>Failure to report the incarceration of an immediate or distant family member, friend, or acquaintance after initial employment.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>j.</u>	<u>Trafficking or unauthorized trading with an offender, their families, or friends.</u>				<u>X</u>
<u>k.</u>	<u>Failure to report criminal activity involving an offender outside of work.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

<u>I.</u>	<u>Employee's failure to report an existing relationship with an offender, whether or not that offender is in custody at the time of their initial employment or is remanded to Department custody during any point of their employment.</u> <u>*This conduct may result in demotion, reassignment, or both, which may result in loss of pay or grade.</u>			<u>X*</u>	<u>X</u>
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ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Tuberculosis Screening for Employees

NUMBER: 2022-20

SUPERSEDES: 2021-05

APPLICABILITY: All ADC Employees

PAGE: 1 of 2

REFERENCE: Ark. Code Ann § 20-7-101, Health Service OPP 302, SD Employment;
Arkansas State Board of Health

APPROVED: Original Signed by Dexter Payne

EFFECTIVE DATE: 10/10/2022

I. POLICY:

It shall be the policy of the Arkansas Division of Correction (ADC) to adhere to regulations of the Arkansas Department of Health (ADH), which requires annual documented tuberculosis screening of persons who come in contact with detainees and/or inmates for the protection of inmates, staff, and the public.

II. DEFINITIONS:

1. ADC Tuberculosis (TB) Coordinator. An employee charged with the responsibility of coordinating prevention, screening, treatment, tracking and facilitating education regarding tuberculosis.
2. Baseline Tuberculosis Test. Confirmed negative PPD skin test.
3. Certificate of Health. A certificate issued by the ADH documenting that the holder has been tested and is compliant with treatment procedures, if indicated. The ADH requires that this certificate be issued by private physicians who test for tuberculosis. The certificates are available upon request to any licensed physician in the state of Arkansas from their local County Health Unit.
4. Employee. Any ADC employee, or member of a contractor’s staff who is assigned to work at a facility of the ADC. Persons working or volunteering where inmates are present may also be considered an employee for the purposes of this directive.
5. TB Screening. The process of interviewing an individual for current symptoms of TB. The interview shall consist of screening for current symptoms including cough, unexplained weight loss, and night sweats.
6. TB Skin Test. A test used to detect the presence of Mycobacterium tuberculosis, the bacterium that causes tuberculosis (TB).

7. TB Testing. The process of injecting 0.1 ml of Purified Protein Derivative (PPD) into the skin of the forearm (reaction to the PPD should be read in 48 to 72 hours).

III. PROCEDURE:

1. Individuals accepted for employment as correctional officers will be tested for TB during their first week at the Training Academy.
2. Individuals accepted for employment as non-security staff are required to have a documented PPD prior to hire. The PPD should be dated within the last 24 months of hire. The Employee Screening of Tuberculin Status Form will be forwarded to the ADC Tuberculosis (TB) Coordinator for review. If the individual reports a history of a previous positive TB skin test, the individual will complete the Employee Screening of Tuberculin Status Form and the information will be verified with the ADH.
3. Current employees with either a Baseline Tuberculosis Test or past positive test must be screened for TB and provided the TB Education Form (attachment 2) annually during the month of November. The ADC TB Coordinator will review the screenings and may refer the employee to their County Health Unit or primary care provider for further examination, if indicated.
4. The ADC TB Coordinator will compile the annual TB report during the month of December. During the annual compilation, all information is entered and maintained in a master spreadsheet and all employee screening forms/TB skin test results are sent to Human Resources and are placed in the employee's individual health file.
5. Any individual absent on the days that screening takes place will be required to complete and submit their screening form within two (2) business days upon return.
6. Scheduling of the screening offered at the facilities will be coordinated by the Unit Human Resources Office, and the Warden, or their designees, as appropriate.
7. Any employee who tests positive for the first time must obtain a Certificate of Health from the County Health Unit.
8. Any employee referred to their local County Health Unit for further evaluation will be required to present a Certificate of Health or release from their provider.
9. Failure to comply with this directive may result in implementation of progressive discipline up to, and including termination, and/or placing the employee on leave until a Certificate of Health or release from their provider is obtained.
10. Tuberculosis Screening requirements are included in the Employee Handbook.

IV. ATTACHMENT

- I. Employee Screening of Tuberculin Status
- II. Tuberculosis Education Form



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

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

Attachment I

EMPLOYEE SCREENING OF TUBERCULIN STATUS

Unit: _____ Date: _____

Employee Name: _____ Employee AASIS #: _____

<u>IN THE PAST YEAR HAVE YOU EXPERIENCED:</u>	<u>YES</u>	<u>NO</u>
• WEIGHT LOSS OF 10LBS OR GREATER WITHOUT TRYING		
• FEVER WITHOUT KNOWN INFECTION		
• NIGHT SWEATS		
• COUGH/CHEST PAIN FOR GREATER THAN 3 WEEKS		
• COUGHING UP BLOODY SPUTUM OF MUCOUS		
• CHILLS		
• LOSS OF APPETITE		
• EASILY FATIGUED		

My signature below acknowledges that I received informative education about TB (attachment 2)

Staff Signature: _____ Date: _____

Authorized Medical Staff only below this line

Nurse verified employee has: Baseline : Past Positive:

Last PPD Date: _____ Results: _____ mm

Reviewed with no recommendations.

Reviewed with recommendations.

Staff completing form (printed name): _____ Title: _____

Signature: _____ Date: _____



Tuberculosis Education

Tuberculosis (TB) is a serious disease that usually affects the lungs, but can sometimes affect other parts of the body such as the kidney, spine, and brain. TB can cause a person to become very sick or even death if not treated with proper medicine.

How is TB spread

TB is spread through the air from one person to another. TB germs are passed through the air when someone who is sick with TB disease coughs, speaks, laughs, sings, or sneezes. If you breathe in air that has TB germs, you may get a TB infection. A TB infection does not mean you have TB. It means you have dormant TB germs in your body. These dormant germs will not make you sick and cannot be passed to another person. If dormant germs become active and multiply, you could get sick with TB disease. This usually only happens if your body's immune system becomes compromised in some way.

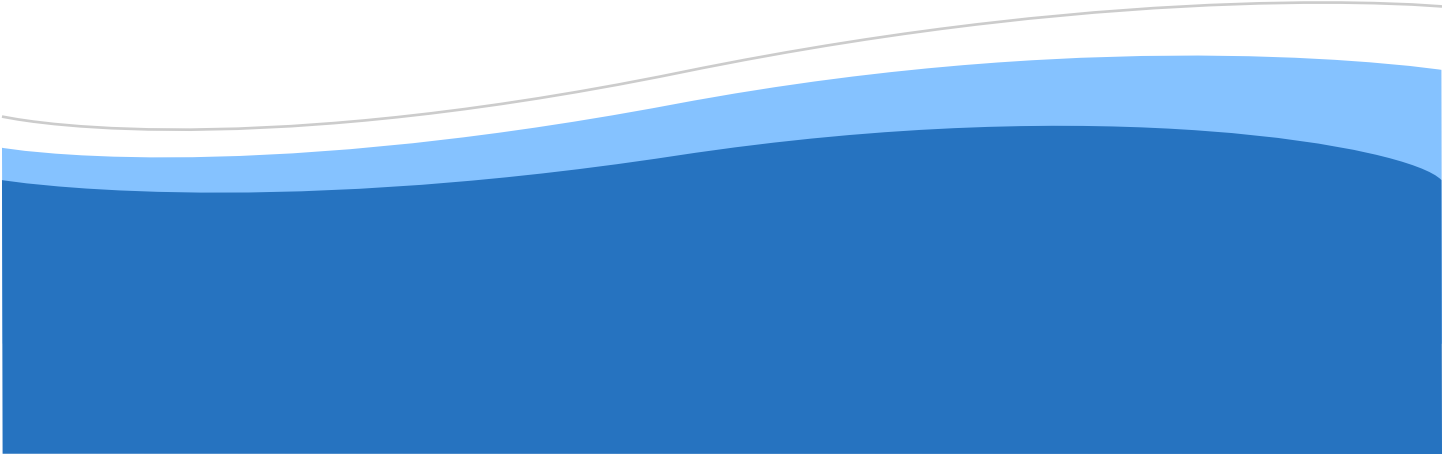
You cannot get TB germs from:

- ◆ Sharing food or drinks
- ◆ Kissing
- ◆ Shaking someone's hand
- ◆ Touching bed linens or toilet seats
- ◆ Sharing toothbrushes

Myths about TB

- ◆ TB is Genetic | TB is hereditary | TB is Incurable
- ◆ All TB patients are infectious | TB can be prevented
- ◆ Smoking is the leading cause of TB

You have a higher chance of getting TB disease if you:

- ◆ Are HIV positive
 - ◆ Have been infected with the TB germ in the last 2 years
 - ◆ Have other health problems or other diseases (silicosis, diabetes, head and neck cancer, severe kidney disease) that weaken the immune system
 - ◆ Abuse alcohol or inject illegal drugs
 - ◆ Were not treated correctly for TB in the past.
- 



Tuberculosis Education Continued

Signs & Symptoms of TB Disease

- ◆ Bad cough lasting two (2) or more weeks unrelated to a cold/allergies
- ◆ Chest Pain
- ◆ Coughing up blood or sputum
- ◆ Feeling weak or very tired
- ◆ Losing weight without trying
- ◆ Loss of appetite
- ◆ Fever, Chills or sweating a night

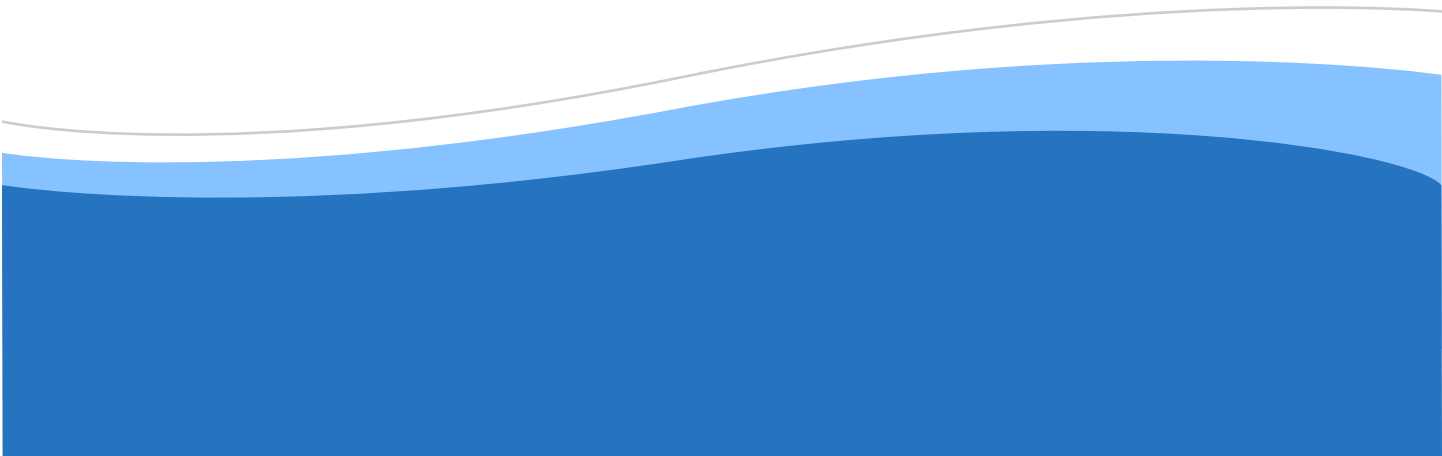


What to do if you have been exposed to TB

If you think you have been exposed to someone with TB disease, you should contact your doctor or local health department about getting a TB skin test or a special TB blood test. Be sure to tell the doctor or nurse when you spent time with the person who has TB disease.

As a Correctional Officer:

You are in direct contact with the vast population of inmates in the custody of ADC. If you notice an inmate under your supervision with any of the symptoms listed previously. Report them to your supervisor and ask that they be seen as soon as possible by Infirmiry staff.





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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: -Tuberculosis Screening for Employees

NUMBER: ~~2021-052022~~

SUPERSEDES: 2021-0513-57

APPLICABILITY: All ADC Employees PAGE: 1 of 2

REFERENCE: Ark. Code Ann § 20-7-101, Health Service OPP 302, SD Employment;
Arkansas State Board of Health PAGE: 1 of 2
Health Service OPP 302

APPROVED: Original Signed by Dexter Payne

EFFECTIVE DATE: 6/18/2021

I. POLICY:

It shall be the policy of the Arkansas Division of Correction (ADC) to adhere to regulations of the Arkansas Department of Health (ADH), which requires annual documented tuberculosis screening of persons who come into contact with detainees and/or inmates for the protection of inmates, staff, and the ~~general~~ public.

II. DEFINITIONS:

1. ADC Tuberculosis (TB) Coordinator. An employee charged with the responsibility of coordinating prevention, screening, treatment, tracking and facilitating education regarding tuberculosis.
- ~~2.~~ Tuberculosis (TB) Testing. -The process of injecting 0.1 ml of Purified Protein Derivative (PPD) into the skin of the forearm ~~and the~~ (reaction to the PPD should be read in 48 to 72 hours).
- ~~32.~~ Tuberculosis Screening. The process of interviewing an individual for current symptoms of TB. The interview shall consist of screening for current symptoms including cough, unexplained weight loss, and night sweats.
- ~~43.~~ Tuberculosis Skin Test. A test used to detect the presence of Mycobacterium tuberculosis, the bacterium that causes tuberculosis (TB).
- ~~543.~~ Certificate of Health. A certificate issued by the ADH documenting that the holder has been tested and is compliant with treatment procedures, if indicated. The ADH requires that this certificate be issued by private physicians who test for tuberculosis. The certificates are available upon request to any licensed physician in the state of Arkansas from their local County Health Unit.

6. Employee. Any ADC employee, or member of a contractor's staff who is assigned to work at a facility of the ADC. Persons working or volunteering where inmates are present may also be considered an employee for the purposes of this directive.

7. Baseline Tuberculosis Test. Confirmed negative PPD skin test.

WWW.DOC.ARKANSAS.GOV

III. PROCEDURE:

1. Individuals accepted for employment as correctional officers will be tested for TB during their first week at the Training Academy.
2. Individuals accepted for employment as non-security staff are required to have a documented PPD prior to hire. The PPD should be dated within the last 24 months of hire. ~~If the individual's PPD is older than 24 months, the individual will need to have an updated PPD prior to hire. Individuals whose PPD is within the past 24 months will complete the Employee Screening of Tuberculin Status Form (Attachment 1).~~ The Employee Screening of Tuberculin Status Form will be forwarded to the ADC Tuberculosis (TB) Coordinator~~Disease Intervention Specialist Unit Infection Control Nurse~~ for review. If the individual ~~is believed to be reports a history of being a previous past~~ reports a history of being a previous TB skin test, the individual will complete the Employee Screening of Tuberculin Status Form and the information will be verified with the ADH.
3. Current employees with either a Baseline Tuberculosis Test or past positive test must be screened for TB and provided the ADH TB Fact Sheet (attachment 2)~~TB education~~ annually during the month of November.~~Screenings will be scheduled at their unit.~~ The ADC TB Coordinator~~Unit Infection Control Nurse~~ will review the screenings and may refer the employee to their County Health Unit or primary care provider for further examination, if indicated.

4. The ADC TB Coordinator will compile the annual TB report during the month of December. During the annual compilation, all information is entered and maintained in a master spreadsheet and all employee screening forms/TB skin test results are sent to Human Resources and are placed in the employee's individual health file.

~~The ADC TB Coordinator will compile the annual TB report during the month of December.~~

54. -Any individual absent on the days that screening takes place will be required to complete and submit their screening form within two (2) business days upon return.
5. Scheduling of the screening offered at the facilities will be coordinated by the Unit Human Resources Office,~~Health Services Administrator~~ and the Warden, or their designees, as appropriate.
6. Any employee who tests positive for the first time must obtain a Certificate of Health from the County Health Unit.
7. Any employee referred to their local County Health Unit for further evaluation will be required to present a Certificate of Health or release from their provider.

8. Failure to comply with this directive may result in implementation of progressive discipline up to, and including termination, and/or placing the employee on leave until a Certificate of Health or release from their provider is obtained.

9. Tuberculosis Screening requirements are included in the Employee Handbook.

IV. ATTACHMENT

1. Employee Screening of Tuberculin Status

2. [ADH Tuberculosis Fact Sheet Tuberculosis Information Form](#)



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

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EMPLOYEE SCREENING OF TUBERCULIN STATUS

- U

Unit: _____ Date: _____

Employee Name: _____ Employee AASIS #: _____

<u>IN THE PAST YEAR HAVE YOU EXPERIENCED:</u>	<u>YES</u>	<u>NO</u>
• WEIGHT LOSS OF 10LBS OR GREATER WITHOUT TRYING		
• FEVER WITHOUT KNOWN INFECTION		
• NIGHT SWEATS		
• COUGH/CHEST PAIN FOR GREATER THAN 3 WEEKS		
• COUGHING UP BLOODY SPUTUM OF MUCOUS		
• CHILLS		
• LOSS OF APPETITE		
• EASILY FATIGUED		

~~My signature below acknowledges that I received informative education about TB~~
~~My signature below acknowledges that I received the ADH Tuberculosis education Fact Sheet form (attachment 2).~~
~~(add this to policy, currently can't find it)~~

Staff Signature: _____ Date: _____

Authorized Medical Staff only below this line

Nurse verified employee has: Baseline : Past Positive:

Nurse verified negative PPD within the past 24 months: ~~Yes~~ ~~No~~

Last PPD Date: _____ Results: _____ mm

Reviewed with no recommendations.

Reviewed with recommendations.

Staff completing form (printed name): _____ Title: _____

Signature: _____ Date: _____



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

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Forced Cell Movement

NUMBER: 2022-21

SUPERSEDES: 2020-13

APPLICABILITY: All Staff

PAGE: 1 of 6

REFERENCE: AR 409 Use of Force, AR 020 Emergency Preparedness, AR 401 Searches and Control of Contraband, AR 403 Use of Restraints, AR 411 Use of Audio-Visual Equipment AR 410 Use of Chemical Agents and Other Non-Lethal Weapons, AD Electronic Control Devices

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 10/10/2022

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to provide guidance and direction on the use of force and security equipment by Forced Cell Movement Teams in the lawful performance of their duties. Conditions under which force is used must be set forth, case-by-case in a realistic evaluation of the actual need for that application.

II. DEFINITIONS:

- A. Force. A directed movement or overt action with or without weapons or devices, with the intention of restraining, regaining or maintaining control of inmate(s).
- B. Chemical Agents. Various types of agents or irritants such as, pepper fogger, smoke screen mace, and other chemicals approved for use by the Director.
- C. Compliance Team. Any religious advisor, mental health staff or security staff used in efforts to get an inmate to comply with orders of staff to prevent the use of a FCM.
- D. Deadly Force. Any force that under the circumstances is readily capable of causing death or serious physical injury.
- E. Excessive Force. Any act of force in excess of what it takes to subdue a resisting inmate and/or to move a resisting inmate to a secure location, i.e., a cell.
- F. Electronic Control Devices (ECD). Conducted electrical weapons used to incapacitate or otherwise control a person’s actions without causing permanent harm. ECDs include, but are not limited to, Tasers, Remotely Activated Custody Control Belts (RACC belt), stun or electronic trap shields.
- G. Forced Cell Movement (FCM). The forceful removal of an inmate who refuses to come out of the cell or other enclosed area of a housing unit.

- H. FCM Team. A correctional team of specially trained officers tasked with responding to situations involving uncooperative, disruptive, or violent inmates.
- I. Non-Deadly Force. Force that, under normal circumstances, will not result in death or serious bodily injury.
- J. Physical Harm. Any injury, illness, or other physiological impairment regardless of its gravity or duration.
- K. Serious Physical Harm to Persons means any of the following:
 1. Mental illness or condition of such gravity that would normally require hospitalization or prolonged psychiatric treatment;
 2. Carries a substantial risk of death;
 3. Involves some permanent incapacity, whether partial or total, or which involves some temporary or substantial incapacity; or
 4. Involves some temporary serious disfigurement.
- L. Restraints. Security equipment used to prevent escape, assault, or the commission of other offenses by violent or disruptive offenders; and to protect employees, offenders, and other individuals.
- M. Risk. A significant possibility, as contrasted with a remote possibility, that a certain result may occur or that certain circumstances may exist.
- N. Substantial Risk. A strong possibility, as contrasted with a remote or significant possibility, that a certain result may occur or that certain circumstances may exist.

III. PROCEDURES

- A. The authority for the use of a FCM Team shall rest with the Warden, Deputy Warden or Chief of Security (Duty Warden). Health services staff must be notified/consulted prior to a FCM, and be readily available during and after the movement. Health services staff shall review the inmate's medical records prior to the FCM.
- B. The Warden or designee shall be notified immediately when any type of force is used. A written report shall be prepared by the officer(s) who employed force by using ADC Reporting of Incidents Form (F-005) and Use of Force (F-409-1). These forms shall be completed immediately after control is established of the situation resulting in such force, and given to the Team Leader. The Team Leader shall facilitate the completion of the Force Cell Movement Information/Fact Sheet (Attachment).
- C. After force has been used against an inmate, the inmate shall be examined by medical personnel as soon as possible. If injuries were suffered, immediate medical attention shall be given to both staff and inmate(s).
- D. During any FCM, if an inmate refuses to comply with orders of staff to have handcuffs removed after placement in a video monitored cell, the Duty Warden shall be notified.

IV. FORCED CELL MOVEMENT TEAM OBJECTIVES AND MISSION

The objective of the FCM Team is to provide for the protection of the team and others from threats of violence from inmates, and to protect the inmate(s) from inflicting harm upon themselves. To ensure that physical force is used as a last resort and only to the degree necessary to subdue, and if needed, relocate the inmate to a more secure area of the facility.

V. TEAM COMPOSITION.

A. Team members will be selected by the Warden. The team will consist of:

1. One (1) Team Leader
2. Five (5) Officers (Team)
3. One (1) Camera Operator
4. One (1) Licensed Healthcare Staff

B. Due to lack of staff and/or other resources, the team composition may vary from unit to unit.

VI. TRAINING

A. Team members will receive training as approved by the Division's Training Academy and/or the Division Emergency Preparedness Coordinator.

B. Team members will receive in-service training on a schedule determined by the Training Academy and/or the Division Emergency Preparedness Coordinator.

VII. ACTIVATION OF TEAM

A. Once the shift supervisor determines that a FCM is needed after all efforts (security staff, religious advisors, housing unit managers, mental health staff) to gain compliance of an inmate who is refusing to comply, he or she will notify/brief the Warden, Deputy Warden, Chief of Security (Duty Warden), of the situation. The Warden, Deputy Warden or Chief of Security (Duty Warden) will then appoint a Team Leader, give permission to start the procedures outlined in this policy, and authorization for the FCM. The team leader is responsible for briefing the Warden, Deputy Warden, or Chief of Security on the use of force plan, and any changes that may occur before, during and after the FCM.

B. The Team Leader will direct the team members to report to a designated area for further instructions.

C. Each team member will draw necessary equipment and suit up. Forced movements may involve use of chemical agents, restraints, or electronic control devices. Only team members who have received training approved by the ADC Training Academy shall be permitted to use chemical agents or other control devices. Each unit shall maintain an updated list of approved staff members.

VIII. EQUIPMENT

A. Equipment shall be stored in a secure but readily accessible depository outside of inmate housing and activity areas. Each facility shall maintain a written record of routine and emergency distributions of chemical agents or electronic control/restraint devices. The written record must detail who issues and receives the equipment, when and what equipment they receive, including the serial numbers for the devices and each cartridge, and when the equipment is returned. The ADC Emergency Preparedness Coordinator shall complete annual inspection of all equipment at each facility.

B. Force, security/restraint equipment and control devices are intended to be used only as control measures when absolutely necessary; they are not intended and shall never be used as a means of punishment. Prior to the use of any chemical agent/other non-lethal weapon (stun type devices), the inmate shall be informed that such will be used unless he/she complies with an order(s).

- C. The Team will be supplied with the following equipment. Other supplemental equipment may be provided when necessary.
1. Helmet (blunt force trauma)
 2. Protective vest (anti slash/stab)
 3. Protective uniform
 4. Cut Resistant Gloves
 5. Cut resistant forearm protection
 6. Chemical mask with filters
 7. ERD shield or capture shield
 8. ERD handheld device
 9. Handcuffs
 10. Leg Shackles
 11. Handcuff tether 60"
 12. Rescue knife (J-tool)
 13. OC canister with hose and wand
 14. Video recording capability (camera)

IX. PRE-FORCED CELL MOVEMENT BRIEFING

- A. The team members will suit-up and prepare any equipment to be used. The Team Leader will discuss the following information:
1. Physical condition of the cell:
 - a. water on the floor;
 - b. barricaded subject; or
 - c. jammed cell door, etc.
 2. Physical condition of the inmate:
 - a. If the inmate is armed, if so, what type of weapon(s),
 - b. Characteristics of the inmate:
 - i. Size;
 - ii. History of resisting;
 - iii. Assaultive behavior; and
 - iv. Medical/mental health condition, etc.
 3. Cell location; and
 4. Location to move inmate after extraction (if applicable).

X. THE FORCED CELL MOVEMENT

- A. The Team shall march to the cell, in formation and stop. Once at the cell, the Camera Operator shall turn on the camera. The Team Leader will order the inmate to comply.
- B. If the inmate refuses to comply, the Team Leader will order "SET" and the team will crouch in readiness and respond "SET."
- C. Chemical agents or other less than lethal munitions will be deployed into the cell onto the person of the inmate if authorized and justified. Deployment will be in accordance with appropriate administrative directives and administrative rules concerning Use of Force,

chemical agents, electronic restraints, and training received as approved by the Division's Training Academy and/or the Emergency Preparedness Coordinator.

- D. The Team Leader shall unlock the cell door, open it and order "GO" and the team shall enter the cell.
- E. Team Member #1 equipped with the shield, shall place the inmate against wall.
- F. Team Member #2 is responsible for restraining the left side arm.
- G. Team Member #3 is responsible for restraining the right side arm.
- H. Team Member #4 is responsible for restraining the left side leg.
- I. Team Member #5 is responsible for restraining the right side leg.
- J. Members #4 & #5 shall lift the inmate's legs and place the inmate face down on the floor.
- K. Member #3 will place the handcuffs on the inmate.
- L. Member #5 will place the leg irons on the inmate.
- M. The inmate is forcibly subdued.
- N. Team Member #1 yells "CLEAR" as a signal that the inmate has been subdued and restrained.
- O. The inmate is then physically picked up and removed from the cell. The inmate's cell is locked and secured to prevent personal property loss. If chemical agents are used, the inmate is to be carried to the shower for decontamination. Prior to placement into the shower or any other cell, the inmate's clothing should be removed to search for contraband and weapons.
- P. If the inmate is being transported within the same cellblock, the inmate should be carried by the officers to that cell. If the inmate is being transported to a different cellblock, the inmate may be given the opportunity to walk. If the inmate complies with walking, restraints must be re-checked before proceeding. If the inmate refuses to walk, the team will place the inmate in a facedown position and carry the inmate to the new cellblock.
- Q. The Team Leader will then notify medical staff to report to the secured area to evaluate the inmate. Any necessary treatment will be given at this time unless the inmate requires treatment from the infirmary.
- R. Any necessary treatment will be given to staff at the completion of the extraction.

XI. MOVEMENT FROM CELL

- A. After placement in a cell (video monitored if available) and the inmate is complying with orders of staff, the inmate should be laid face down, and the leg restraints will then be removed. The team will then remove themselves from the cell in a reverse manner. The handcuffs will not be removed until the Team has exited the cell.
 - 1. Team Member # 1 (who is at the head of the inmate) will get up and resume "the ready," crouched position inside the cell entrance. Once he is in the crouched position, he should state "CLEAR."
 - 2. The leg restraints are now removed, but the inmate's entire body is still physically restrained.
 - 3. Team Members #4 and #5 are now cleared to move into a ready, crouched position, to take their place in front of Team Member #1. Once they are in front, both shall state "CLEAR."

4. Team Member #3 shall continue in the kneeling position, holding the legs and hands of the inmate who is lying face down in the cell.
5. Team Member #2 goes into the ready, crouched position behind Team Member #3.
6. Team Member #3 is the only remaining member holding the inmate facedown. All members are in a crouched position and are ready to leave the cell backwards. Team Member #3 stands up and moves backward towards the other members.
7. In one unified movement, the team will extract themselves from the cell backwards.
8. As the last Member clears the cell, Team Member #3 should state "CLEAR" and the Team Leader will secure the door shut.
9. The Team Leader will order the inmate to stand up and walk backwards towards the cell door to remove the handcuffs through the trap door. If the inmate refuses to come to the cell door to get handcuffs removed, the FCM Team will exit and advise the correctional officer on duty to monitor the inmate and advise when the inmate is compliant and is ready to get handcuffs removed. A sergeant or above, and another security staff member will then come to the cell and remove the handcuffs.
10. The Team Leader and another correctional officer will return to the inmate's previous location along with the video camera operator and inventory the extracted inmate's personal property.
11. Once the inmate's personal property is inventoried, the FCM is complete, and the camera is turned off.

XII. DEBRIEFING

- A. The members of the Team will debrief if needed with the Warden or Duty Warden.
- B. The Warden or Duty Warden must be advised if the inmate is still in restraints.
- C. The Team Leader and the team will discuss the forced movement.
- D. The video recording of the move will be reviewed by the Warden or Duty Warden, Unit Emergency Preparedness Coordinator, and team members.
- E. The Team Leader will ensure the incident is documented on all required reports.

XIII. REQUIRED REPORTS:

- A. Forced Cell Movement Information/Fact Sheet (Attachment)
- B. Incident Report – 005 Form.
- C. Use of Force Report – 409 Form.
- D. Medical Report or Witnessed Refusal of Care Form
- E. Workman's Compensation report if employee has been injured.
- F. Disciplinary Report.
- G. Inventory – 401 Form.



ARKANSAS DIVISION OF CORRECTION

ATTACHMENT

Forced Cell Movement Information/Fact Sheet

Date _____ Inmate Name & ADC # _____ Start Time _____ End Time _____

Unit _____ Location of FCM, Cell # _____ New Cell # _____

Force Authorized by _____
Print Name Signature

Medical limitations: _____

Name of medical personnel who was notified of Use of Force: _____

Mental Health considerations: _____

Reason(s) for forced cell movement:

Team (Name & Rank):

Team Leader _____ Camera Operator: _____

1. _____ 2. _____

3. _____ 4. _____

5. _____

Injuries/treatment to staff: _____

Injuries/Treatment afforded inmate Yes No (See medical report)

Type of force used (OC, ERD, .37 MM etc.)

Disciplinary written by _____

List rule violations/charges _____

Disposition of property _____

Disposition of FCM video evidence _____

Reviewed and Signed by EPC Date

Reviewed and Signed by the Warden Date



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

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

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Pine Bluff, Arkansas 71602

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Forced Cell Movement

NUMBER: ~~2022-2020-13~~ _____

SUPERSEDES: ~~2020-13~~ ~~18-22~~

APPLICABILITY: All Staff _____ **PAGE:** 1 of 6

PAGE: 1 of 6

REFERENCE: AR 409 Use of Force,

~~AR 020 Emergency Preparedness, AR 401 Searches and Control of Contraband,~~

~~AR 403 Use of Restraints, AR 411 Use of Audio-Visual Equipment~~

~~AR 410 Use of Chemical Agents and Other Non-Lethal Weapons, AD Electronic Control Devices~~

~~AR 411 Use of Audio-Visual Equipment~~

~~AR 410 Use of Chemical Agents and Other Non-Lethal Weapons~~

~~AD Electronic Control Devices~~

~~AR 401 Searches and Control of Contraband~~

~~AR 403 Use of Restraints~~

~~AR 411 Use of Audio-Visual Equipment~~

~~AR 410 Use of Chemical Agents and Other Non-Lethal Weapons~~

~~AD Electronic Control Devices~~

PAGE: 1 of 6

APPROVED: ~~Original Signed by Director Dexter Payne~~ _____

EFFECTIVE DATE: ~~12/4/2020~~ _____

I. POLICY:

—It is the policy of the Arkansas Division of Correction (ADC) to provide guidance and direction on the use of force and security equipment by ~~Unit~~ Forced Cell Movement (FCM) Teams in the lawful performance of their duties. Conditions under which force is used must be set forth, case-by-case in a realistic evaluation of the actual need for that application.

II. DEFINITIONS:

—Force. A directed movement or overt action with or without weapons or devices, with the intention of restraining, regaining or maintaining control of an inmate or inmates.

A.

—

—Chemical Agents. Various types of agents or irritants such as, pepper fogger, smoke screen mace, and other chemicals approved for use by the Director.

B.

—

—Compliance Team-. Any religious advisor, mental health staff or security staff used in efforts to get an inmate to comply with orders of staff to prevent the use of a FCM.

C.

—

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

D.

—

—Excessive Force. Any act of force in excess of what it takes to subdue a resisting inmate and/or to move a resisting inmate to a secure location, i.e., a cell.

E.

—

—Electronic Control Devices (ECD). Conducted electrical weapons used to incapacitate or otherwise control a person's actions without causing permanent harm. ECDs include, but are not limited to, Tasers, Remotely Activated Custody Control Belts (RACC belt), stun or electronic trap shields.

—

F.

—

B. Forced Cell Movement (FCM). The forceful removal of an inmate who refuses to come out of the cell or other enclosed area of a housing unit.

G.

~~B.~~ Forced Cell Movement Team. A correctional team of specially trained officers tasked with responding to situations involving uncooperative, disruptive or violent inmates.

~~H.~~

~~B.~~ Non-Deadly Force. Force that, under normal circumstances, will not result in death or serious bodily injury.

~~I.~~

~~B.~~ Physical Harm. Any injury, illness or other physiological impairment regardless of its gravity or duration.

~~J.~~

~~s.K.~~ Serious Physical Harm to Persons means any of the following:

_____ 1. Mental illness or condition of such gravity that would normally
_____ require hospitalization or prolonged psychiatric treatment;

_____ 2. _____ Carries a substantial risk of death;

3. Physical harm which involves some permanent incapacity, whether partial or total, or which involves some temporary, substantial incapacity; or

4. Physical harm which involves some temporary serious disfigurement

~~U.~~ L. Restraints. Security equipment used to prevent escape, assault, or the commission of some other offense by violent or disruptive offenders; and to protect employees, offenders, and other individuals.

~~V.~~ M. Risk. A significant possibility, as contrasted with a remote possibility, that a certain result may occur or that certain circumstances may exist.

~~W.~~ N. Substantial Risk. A strong possibility, as contrasted with a remote or significant possibility, that a certain result may occur or that certain circumstances may exist.

III. PROCEDURES

A. The authority for the use of a ~~Forced Cell Movement~~ Team shall rest with the Warden, Deputy Warden or Chief of Security (Duty Warden). Health services staff must be notified/consulted prior to a FCM to be readily available during and after the movement. Health services staff shall review the inmate's medical records prior to the FCM.

~~B.~~ The Warden or designee shall be notified immediately when any type of force is used. A written report shall be prepared by the officer(s) who employed force by using ADC Reporting of Incidents Form (F-005) and Use of Force (F-409-1). These forms shall be completed immediately after control of the situation resulting in such force, and given to the Team Leader. The Team Leader shall facilitate the completion of the Force Cell Movement Information/Fact Sheet (Attachment).

~~C.~~ After force has been used against an inmate, the inmate shall be examined by medical personnel as soon as possible. If injuries were suffered, immediate medical attention shall be given to both staff and inmate(s).

IV. FORCED CELL MOVEMENT TEAM OBJECTIVES AND MISSION

To provide for the protection of self and others from threats of violence from inmates, and to protect the inmate(s) from inflicting harm upon themselves. To ensure that physical force is used as a last resort and only to the degree necessary to subdue, and if needed, relocate the inmate to a more secure area of the facility.

V. TEAM COMPOSITION

Team members will be selected by the Warden. The ideal team will consist of:

- A. One (1) Team Leader
- B. Five (5) Officers (Team)
- ~~C.~~ ~~One (1) Camera Operator~~
- ~~A.~~ D. -One (1) Licensed Healthcare Staff

Note: Due to lack of staff and/or other resources, the team composition may vary from unit to unit.

VI. TRAINING

- A. Team members will receive training as approved by the Division's Training Academy and/or the Emergency Preparedness Coordinator.
- ~~B.~~ Team members will receive in-service training on a schedule determined by the Training Academy and/or the Emergency Preparedness Coordinator of the Department of Correction.

VII. ACTIVATION OF TEAM

- A. ~~Once the shift supervisor determines that a FCM is needed after all efforts (security staff, religious advisors, housing unit managers, mental health staff) to gain compliance of an inmate who is refusing to comply, he or she will notify/brief the Warden, Deputy Warden, Chief of Security (Duty Warden), of the situation. The Warden, Deputy Warden or Chief of Security (Duty Warden) will then appoint a Team Leader, give permission to start the procedures outlined in this policy, and authorization for the FCM. The team leader is responsible for briefing the Warden, Deputy Warden, or Chief of Security on the use of force plan, and any changes that may occur before, during and after the FCM.~~
-
- B. The Team Leader will direct the team members to report to a designated area for further instructions.



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Forced Cell Movement

NUMBER: 2022-

SUPERSEDES: 2020-13

APPLICABILITY: All Staff

PAGE: 1 of 6

REFERENCE: AR 409 Use of Force, AR 020 Emergency Preparedness, AR 401 Searches and Control of Contraband, AR 403 Use of Restraints, AR 411 Use of Audio-Visual Equipment AR 410 Use of Chemical Agents and Other Non-Lethal Weapons, AD Electronic Control Devices

APPROVED:

EFFECTIVE DATE:

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to provide guidance and direction on the use of force and security equipment by Forced Cell Movement (FCM) Teams in the lawful performance of their duties. Conditions under which force is used must be set forth, case-by-case in a realistic evaluation of the actual need for that application.

II. DEFINITIONS:

- A. Force. A directed movement or overt action with or without weapons or devices, with the intention of restraining, regaining or maintaining control of an inmate or inmates.
- B. Chemical Agents. Various types of agents or irritants such as, pepper fogger, smoke screen mace, and other chemicals approved for use by the Director.
- C. Compliance Team. Any religious advisor, mental health staff or security staff used in efforts to get an inmate to comply with orders of staff to prevent the use of a FCM.
- D. Deadly Force. Any force that under the circumstances is readily capable of causing death or serious physical injury.
- E. Excessive Force. Any act of force in excess of what it takes to subdue a resisting inmate and/or to move a resisting inmate to a secure location, i.e., a cell.
- F. Electronic Control Devices (ECD). Conducted electrical weapons used to incapacitate or otherwise control a person’s actions without causing permanent harm. ECDs include, but are not limited to, Tasers, Remotely Activated Custody Control Belts (RACC belt), stun or electronic trap shields.
- G. FCM. The forceful removal of an inmate who refuses to come out of the cell or other enclosed area of a housing unit.

C. Each team member will draw necessary equipment and suit up. Forced movements may involve use of chemical agents, restraints, or electronic control devices. Only team members who have received training approved by the ADC Training Academy shall be permitted to use chemical agents or other control devices. Each unit shall maintain an updated list of approved staff members.

VIII. EQUIPMENT

— Equipment shall be stored in a secure but readily accessible depository outside of inmate housing and activity areas. Each facility shall maintain a written record of routine and emergency

A. distributions of chemical agents or electronic control/restraint devices. The written record must detail who issues and receives the equipment, when and what equipment they receive including the serial numbers

for the devices and each cartridge, and when the equipment is returned. The ~~Division~~ DOC Emergency Preparedness Coordinator shall complete annual inspection of all equipment at each facility.

~~D.~~ Force, security/restraint equipment and control devices are intended to be used only as control measures when absolutely necessary; they are not intended and shall never be used as a means of punishment. Prior to the use of any chemical agent/other non-lethal weapon (stun type devices), the inmate shall be informed that such will be used unless he/she complies with an order(s).

B.

—

C. -The Team will be supplied with, but not limited to, the following equipment.

1. ~~A.~~ — A. — Helmet (blunt force trauma)
2. ~~B.~~ — B. — Protective vest (anti slash/stab)
3. ~~C.~~ — C. — Protective uniform
4. ~~D.~~ — D. — Cut Resistant Gloves
5. ~~E.~~ — E. — Cut resistant forearm protection
6. ~~F.~~ — F. — Chemical mask with filters
7. ~~G.~~ — G. — ERD shield or capture shield
8. ~~H.~~ — H. — ERD handheld device
9. ~~I.~~ — I. — Handcuffs
10. ~~J.~~ — J. — Leg Shackles
11. ~~K.~~ — K. — Handcuff tether 60"
12. ~~L.~~ — L. — Rescue knife (J-tool)
13. ~~M.~~ — M. — OC canister with hose and wand
14. ~~N.~~ — N. — Video recording capability (camera)

VIIIX. PRE-FORCED CELL MOVEMENT BRIEFING

A. The team members will suit-up and prepare any equipment to be used. The Team Leader will discuss the following information:

2.1. Physical condition of the cell:

- b.a. _____ water on the floor;
- e.b. _____ barricaded subject; or
- d.c. _____ jammed cell door, etc.

4.2. Physical condition of the inmate:

- a. If the inmate is armed, if so, what type of weapon(s),
- b. Characteristics of the inmate:
 - i. _____ ~~1.~~ Size;
 - ii. _____ ~~2.~~ History of resisting;
 - iii. _____ ~~3.~~ Assaultive behavior; and
 - iv. _____ ~~4.~~ Medical/mental health condition, etc.
- 3. Cell location; and
- 4. Location to move inmate after extraction (if applicable).

IX. THE FORCED CELL MOVEMENT

- A. The Team shall march to the cell, in formation and stop. Once at the cell, the Camera Operator shall turn on the camera. The Team Leader will order the inmate to comply.
- B. If the inmate refuses to comply, the Team Leader will order "SET" and the team crouches in readiness and responds "SET."
- C. _____ Chemical agents or other less than lethal munitions will be deployed into the cell onto the person of the inmate if authorized and justified. Deployment will be in accordance with appropriate administrative directives and administrative rules concerning Use of Force, chemical agents, electronic restraints, and training received as approved by the Division's Training Academy and/or the Emergency Preparedness Coordinator.
- D. The Team Leader shall unlock the cell door, open it and order "GO" and the team shall enter the cell.
- E. _____ Team Member #1 equipped with the shield, shall place the inmate against wall.

- F. Team Member #2 is responsible for restraining the left side arm.
- G. Team Member #3 is responsible for restraining the right side arm.
- H. Team Member #4 is responsible for restraining the left side leg.
- I. Team Member #5 is responsible for restraining the right side leg.
- J. Members #4 & #5 shall lift the inmate's legs and place the inmate face down on the floor.
- K. Member #3 will place the handcuffs on the inmate.
- L. Member #5 will place the leg irons on the inmate.
- ~~M.~~ The inmate is forcibly subdued.
- N. Team Member #1 yells "CLEAR" as a signal that the inmate has been subdued and restrained.
- O. The inmate is then physically picked up and removed from the cell. The inmate's cell is locked and secured to prevent personal property loss. If chemical agents are used, the inmate is to be carried to the shower for decontamination. Prior to placement into the shower or any other cell, the inmate's clothing should be removed to search for contraband and weapons.
- P. ~~—~~ If the inmate is being transported within the same cellblock, the inmate should be carried by the officers to that cell. If the inmate is being transported to a different cellblock, the inmate may be given the opportunity to walk. If the inmate complies with walking, restraints must be re-checked before proceeding. If the inmate refuses to walk, the team will place the inmate in a facedown position and carry the inmate to the new cellblock.
- ~~Q.-P.~~ The Team Leader will then notify medical staff to report to the secured area to assess the inmate. Any needed treatment will be given at this time unless the inmate is requiring treatment from the infirmary.
- ~~RQ.~~ Any needed treatment will be given to staff at the completion of the extraction.

XI. MOVEMENT FROM CELL

- A. Once back inside a cell and the inmate is complying with orders of staff, the inmate should be laid face down, and the leg restraints will then be removed in an orderly fashion. The team will then remove themselves from the cell in a reverse manner.

~~1. The handcuffs are now removed but the hands and the rest of the inmate's body continues to be physically restrained.~~

12. Team Member # 1 (who is at the head of the inmate) will get up and resume "the ready," crouched position inside the cell entrance. Once he is in the crouched position, he should state "CLEAR."

23. The leg restraints are now removed, but the inmate's entire body is still physically restrained.

34. Team Members #4 and #5 are now cleared to move into a ready, crouched position, to take their place in front of Team Member #1. Once they are in front, both shall state "CLEAR."

45. Team Member #3 shall continue in the kneeling position, holding the legs and hands of the inmate who is lying face down in the cell.

56. Team Member #2 goes into the ready, crouched position behind Team Member #3.

~~67. Team Member #3 is the only remaining member holding the now unrestrained inmate facedown. All members are in a crouched position and are ready to leave the cell backwards. Team Member #3 stands up and moves backward towards the other members.~~

78. In one unified movement, the team will extract themselves from the cell backwards.

89. As the last Member clears the cell, Team Member #3 should state "CLEAR" and the Team Leader will secure the door shut.

9. The Team Leader will order the inmate to stand up and walk backwards towards the cell door to remove the handcuffs. ~~are now removed~~ through the trap door. If the inmate refuses to come to the cell door to get handcuffs removed, the FCM Team will exit and advise the correctional officer on duty to monitor the inmate and advise when he/she is compliant and is ready to get handcuffs removed, but the hands and the rest of the inmate's body continues to be physically restrained.

10+0. The Team Leader and another correctional officer will return to the inmate's previous location along with the video camera operator and inventory the extracted inmate's personal property.

11+. —Once the inmate's personal property is inventoried, the FCM is complete, and the camera is turned off.

XII. DEBRIEFING

~~B.A.~~ B.A. The members of the Team will now debrief with the Duty Warden.

~~D.B.~~ D.B. The Team Leader and the team will discuss the forced movement.

~~F.C.~~ F.C. The video recording of the move will be reviewed by the Warden, Unit Emergency Preparedness Coordinator, and team members.

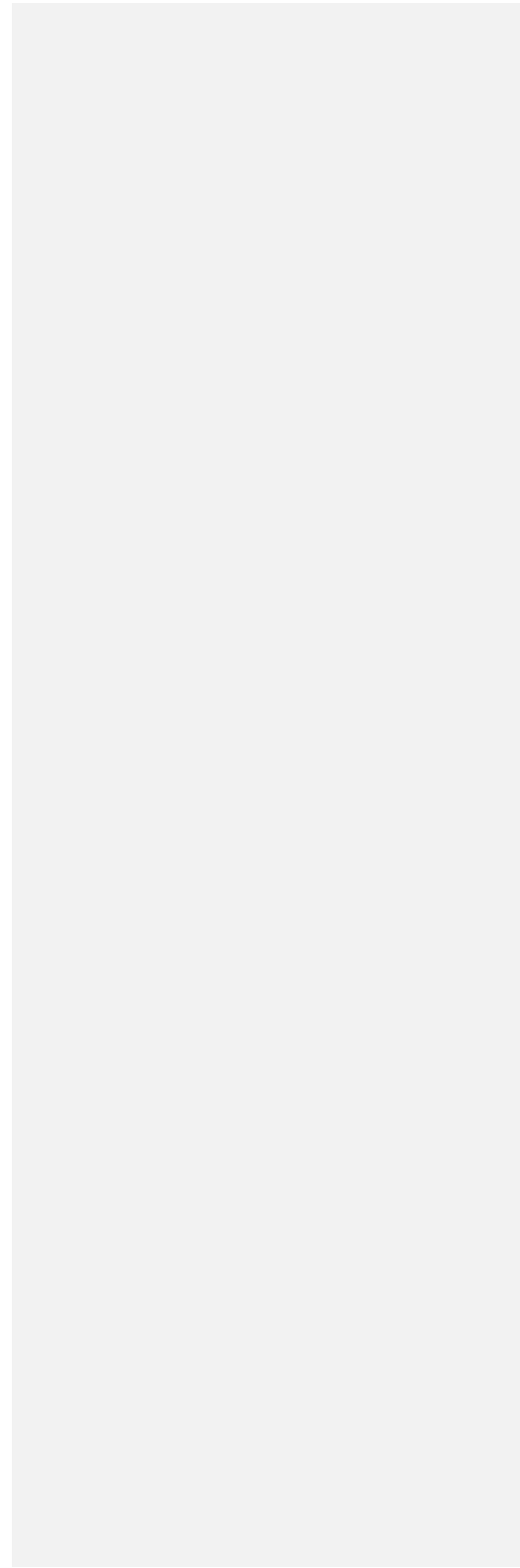
~~H.D.~~ H.D. The Team Leader will ensure the incident is documented on all required reports.

XIII. REQUIRED REPORTS:

- A. Forced Cell Movement Information/Fact Sheet (Attached~~ed~~)
- B. Incident Report - 005.
- C. Use of Force Report - 409.
- D. Medical Report or Witnessed Refusal of Care Form
- E. Workman's Compensation report if employee has been injured.
- F. Disciplinary Report.
- G. Inventory - 401.



ARKANSAS DIVISION OF CORRECTION



Attachment

Forced Cell Movement Information/Fact Sheet

Date _____ Inmate Name & ADC # _____ Start Time _____ End Time _____

Location of Forced Cell Movement, Cell # _____ New Cell # _____

Force Authorized by _____
Print Name Signature

Medical limitations: _____

Name of medical personnel who was notified of Use of Force: _____

Mental Health considerations: _____

Reason (s) for forced cell move:

Team (Name & Rank):

Team Leader _____ Camera Operator: _____

1. _____

2. _____

3. _____

4. _____

5. _____

Injuries/treatment to staff: _____

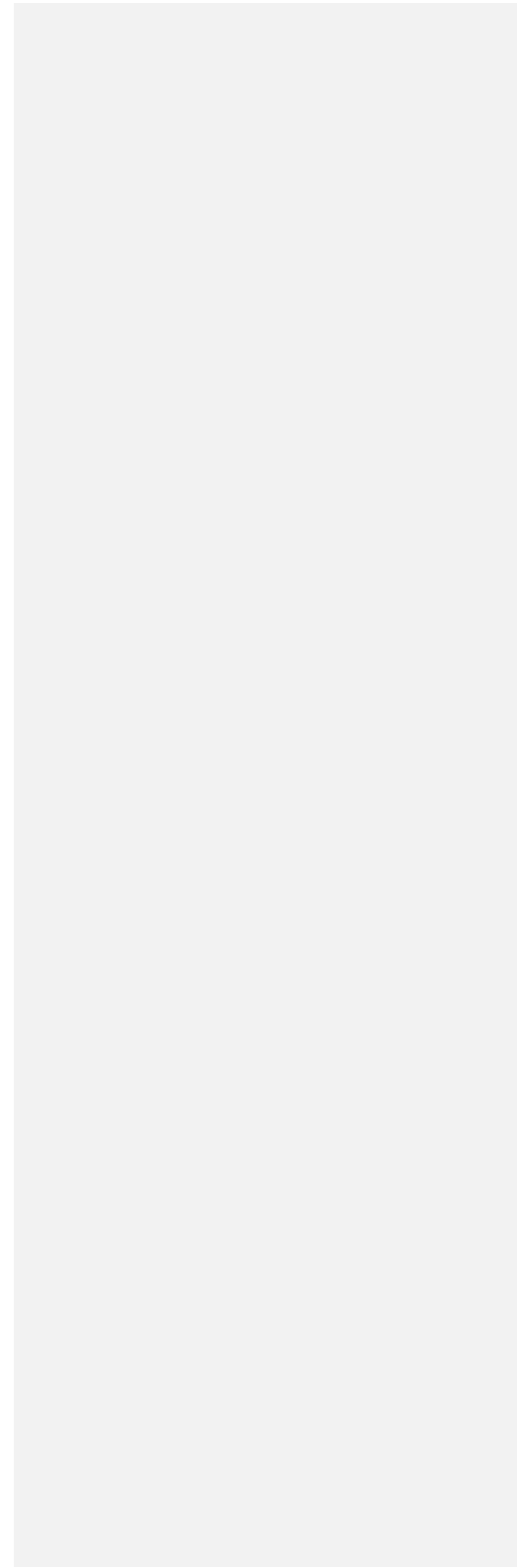
Injuries/Treatment afforded inmate Yes No (See medical report)

Type of force used (OC, ERD, .37 MM etc.)

Disciplinary written by _____

List rule violations/charges _____

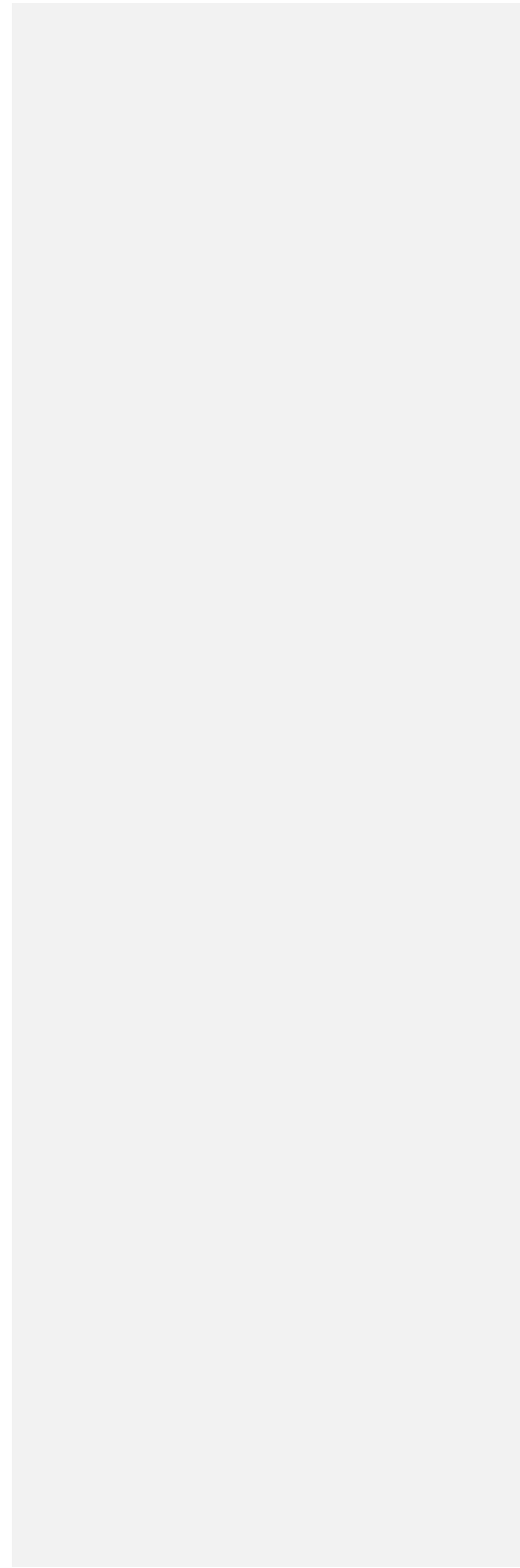
Disposition of property _____



Disposition of FCM video evidence _____

Reviewed and Signed by EPC Date

Reviewed and Signed by the Warden Date





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

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Publications

NUMBER: 2022-22

SUPERSEDES: 2020-04

APPLICABILITY: Staff and Inmates

PAGE: 1 of 4

REFERENCE: AR 864 Publications, AD Inmate Correspondence, AD Inmate Property Control, AD Inmate Grievance Procedure

APPROVED: Original signed by Dexter Payne **EFFECTIVE DATE:** 10/12/2022

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) that the inmate population may only receive certain publications, as established by guidance stated herein. Publications may only be received from recognized commercial, religious, or charitable outlets. All publications are subject to inspection and may be rejected when the publication presents a danger to the security, discipline, or good order of the institution, or is inconsistent with rehabilitative goals.

II. DEFINITIONS:

- A. Charitable Outlet. A religious group or an incorporated non-profit organization established to promote literacy or to provide literature for inmates.
- B. Commercial Outlet. A publisher, bookstore, educational or vocational institute, or other entity whose primary business is the sale and distribution of printed materials.
- C. Nudity. A depiction in which genitalia, buttock(s) or female breasts are fully exposed.
- D. Publication. A book, magazine, catalog, advertising brochure, religious tract, newspaper, periodical, newsletter, or any type of image or text (does not include a personal letter).
- E. Sexually Explicit. A depiction or description of actual or simulated sexual acts including sexual intercourse, anal or oral sex, masturbation, sadism, sado-masochism, bondage, bestiality, or excretory functions which the average adult, taking the material as a whole and applying statewide contemporary community standards, would find appeals to the prurient interest, and which material, taken as a whole, lacks serious literary, scientific, political, or artistic value.

- F. Security Terrorist Threat Group (STTG). Any group of inmates that the ADC reasonably believes poses a threat to the security of the institution or the physical safety of other inmates or staff by virtue of the group's nature, purpose, or activities.
- G. Warden. Includes Wardens and Work Release Center Supervisors.

III. PROCEDURES:

- A. The Warden shall designate staff to review incoming publications.
- B. A publication will be rejected if it contains contraband or if the material presents a danger to the security, discipline, or good order of the institution, or is inconsistent with rehabilitative goals. A publication containing pictorial or textual material meeting one (1) or more of the following categories may be rejected:
 - 1. Material that incites, advocates, aids or abets a riot, work stoppage, or any other behavior that may be detrimental to the safe, secure, and orderly operation of the institution;
 - 2. Material that advocates or assists criminal activity, which is an act or omission prohibited and punished by law, including but not limited to:
 - a. Material advocating, describing, or assisting methods of escape or eluding capture or which contain blueprints, drawings, or depictions of ADC facilities;
 - b. Maps or drawings depicting a geographical region that could reasonably be construed to assist methods of escape or eluding capture, or otherwise be a threat to security;
 - c. Material advocating or providing instructions on identity theft; or
 - d. Material that incites, encourages, advocates, or promotes an act of violence such as but not limited to sexual assaults and physical assaults.
 - 3. Depictions, descriptions, or instructions regarding the introduction, manufacture, concealment, or use of guns, knives, or any other weaponry, including realistic pictures of such weapons suitable to aid in the manufacture of such weapons, or facsimiles of such weapons;
 - 4. Depictions, descriptions, or instructions regarding the operation of security devices such as locks, cameras, or alarms;
 - 5. STTG materials including, but not limited to codes, signs, symbols, photographs, drawings, training materials, and catalogs;
 - 6. Depictions, descriptions, or instructions on the use of hands, feet, or the head as weapons, or of other fighting techniques;
 - 7. Depictions, descriptions, or instructions on the manufacture, cultivation, or introduction of drugs, alcohol, tobacco, or poisons;
 - 8. Instructions or patterns for tattoos, or other skin modification techniques or equipment;

9. Material that incites, encourages, advocates, or promotes racism or any other illegal act of discrimination, or that is likely to be disruptive, produce violence, or cause a threat to the offender population or staff;
10. Material that depicts nudity; however, material that includes the depiction of nudity as illustrative of and as part of broader medical, educational, anthropological, or artistic content will not be rejected solely on the basis that the material includes nudity;
11. Sexually explicit material, whether pictorial or textual, which could reasonably pose a threat to the safety, security, discipline, or good order of the institution, or is inconsistent with rehabilitative goals;
12. Posters measuring more than two hundred (200) square inches;
13. Publications containing a product insert which, by itself, would be deemed contraband; and
14. Publications which meet two (2) of the following conditions:
 - a. Books that measure more than 9" x 11".
 - b. Hardback books thicker than two (2) inches.
 - c. Softback books thicker than four (4) inches.
 - d. Any book heavier than three (3) pounds.

The Warden has the authority to waive these conditions on legal, educational, and religious publications.

15. Publications altered from the original state, such as, but not limited to:
 - a. Writing in book;
 - b. Foreign objects found inside book; or
 - c. Stains from liquid.
 16. Photobooks are not considered an allowable publication and will not be permitted.
 17. Inmates are only allowed five (5) individual photos. This does not include digital photos (refer to AD on Inmate Correspondence).
- C. Publications recommended for rejection will be referred to the Warden for final decision. With respect to any publication, the decisions must be made on the contents of an individual publication, not previous issues of the same publication.
 - D. Items within the package cannot be separated; otherwise, the package is rejected in its entirety.
 - E. The Warden must approve or reject the publication within thirty (30) days of receipt. If the publication is rejected, the inmate must be notified, in writing, of any decision to reject and the basis for rejection of the publication. The inmate is also notified of appeal procedures and options for disposing of the publication. The inmate must sign that the notice of rejection has been received. Should the inmate refuse to sign, an employee will attest to the fact that the inmate was duly notified.

- F. The decision to reject a publication may be appealed to the Central Office Publication Review Committee. The Committee members are to be assigned by the Director or his/her designee. The appeal must be initiated within ten (10) days of the receipt of written notification of the Warden's decision to reject the publication. Rejection of a Publication is not grievable.
- G. Any rejected publication will be held safe by the Warden or his/her designee until the appeal process has been completed, or until the ten (10) day period for filing an appeal has expired.
- H. Options for disposing of an unacceptable publication are:
 - 1. Destruction;
 - 2. Return of the publication to the sender at the expense of the inmate unless return postage is guaranteed;
 - 3. Mailing the publication to a third party at the expense of the inmate; or
 - 4. Picked up by a person on the inmate's approved visitation list during Visitation.

IV. ATTACHMENT

Notice of Rejection of Publication Form



ARKANSAS DIVISION OF CORRECTION
NOTICE OF REJECTION OF PUBLICATION FORM

UNIT: _____

Attachment

To: _____
Inmate Name ADC Number

From: _____
Warden/Deputy Warden

Name of Publication: _____ Date: _____

Identifying information: _____

The Unit Publication Review Committee has denied your publication for the reason(s) listed below:

Other (explain) _____

Committee Member/Title Date Committee Member/Title Date

Committee Member/Title Date Committee Member/Title Date

This decision is consistent with AR 864 and AD on Publications. You have TEN (10) days upon receipt of this notification to appeal. Send your appeal to the Unit Mailroom and the mailroom will present it to the Central Office Publication Review Committee. If you choose not to appeal the decision you will have FIFTEEN (15) days to exercise one (1) of the following options before the publication will be destroyed:

Destruction Return the publication to sender at your own expense Mail the publication to a third party at your own expense:

List Full Address: _____

- Give to an approved visitor during Visitation
Authorize removal of insert(s) and release any, and all claims

*Failure to exercise an option will be considered authorization for destruction.

Inmate Signature Date

Refused to sign

Witness Date

CC: Publication File; Inmate Electronic File; Warden; and Inmate.



DIVISION OF
CORRECTION

6814 Princeton Pike
Pine Bluff, AR 71602
Phone: 870-267-6200
Fax: 870-267-6244
www.adc.arkansas.gov

ADMINISTRATIVE DIRECTIVE

SUBJECT: ~~—~~Publications

NUMBER: ~~2022-~~ ~~20-04~~ ~~—~~ **SUPERSEDES:** ~~—2020-0417-17~~

APPLICABILITY: ~~—~~Division Staff and Inmates ~~—~~ **PAGE:** 1 of 4

REFERENCE: ~~—~~ AR ~~—~~864 ~~—~~Publications, ~~—~~ **PAGE:** 1 of 5

AD ~~—~~Inmate Correspondence,

AD ~~—~~Inmate Property Control,

~~—~~ AD ~~—~~Inmate Grievance Procedure

APPROVED: ~~Original Signed by Dexter Payne~~

EFFECTIVE DATE: ~~—~~ 4/10/2020

I. POLICY:

H.I.

~~—~~ This ~~Administrative Directive~~ policy establishes the process by which the Arkansas Division of Correction (ADC) determines which publications may be received by the inmate population. Inmates may receive publications only from recognized commercial, religious or charitable outlets. All publications are subject to inspection and may be rejected when the publication presents a danger to the security, discipline, or good order of the institution, or is inconsistent with rehabilitative goals.

III. PURPOSE:

~~This Administrative Directive establishes the process by which the Division of Correction determines which publications may be received by the inmate population.~~

IV. DEFINITIONS:

V.II.

~~A. Publication.n:~~ A book, magazine, catalog, advertising brochure, religious tract, newspaper, periodical, newsletter, or any type of image or text (~~.-The term publication does not include a personal letter).~~

~~B.A.~~ _____

~~C.B.~~ _____ Commercial Outlet: A publisher, bookstore, educational or vocational institute, or other entity whose primary business is the sale and distribution of printed materials.

~~D. Charitable Outlet:-.~~ A religious group or an incorporated non-profit organization established to promote literacy or to provide literature for inmates.

~~E.C.~~ _____

~~F. Nudity:-.~~ A depiction in which genitalia, buttock(s) or female breasts are fully exposed.

~~G.D.~~ _____

~~H. Sexually Explicit:-.~~ A depiction or description of actual or simulated sexual acts including sexual intercourse, anal or oral sex, masturbation, sadism, sado-masochism, bondage, bestiality, or excretory functions which the average adult, taking the material as a whole and applying statewide contemporary community standards, would find appeals to the prurient interest, and which material, taken as a whole, lacks serious literary, scientific, political, or artistic value.

~~I.E.~~ _____

~~J. Security Terrorist Threat Group (STTG):-).~~ Any group of inmates that the ~~Division of Correction~~ADC reasonably believes poses a threat to the security of the institution or the physical safety of other inmates or staff by virtue of the group's nature, purpose, or activities.

~~K.F.~~ _____

~~VI.III.~~ PROCEDURES:

- A. The Warden/Work Release Center Supervisor shall designate staff to review incoming publications.
- B. A publication will be rejected if it contains contraband or if the material presents a danger to the security, discipline, or good order of the institution, or is inconsistent with rehabilitative goals. A publication containing pictorial or textual material meeting ~~any~~ one (1) or more of the following categories may be rejected:
 1. Material that incites, advocates, aids or abets a riot, work stoppage, or any other behavior that may be detrimental to the safe, secure, and orderly operation of the institution;
 2. Material that advocates or assists criminal activity, which is an act or omission prohibited and punished by law to include but not limited to:;

- a. Material advocating, or describing, or assisting methods of escape or eluding capture or which contain blueprints, drawings, or depictions of ~~Division ADC~~ facilities;
- b. Maps or drawings depicting a geographical region that could reasonably be construed to assist methods of escape or eluding capture, or otherwise be a threat to security;
- c. Material advocating or providing instructions on identity theft; or
- ~~d.~~ Material that incites, encourages, advocates, or promotes act of violence such as but not limited to sexual assaults and physical assaults; ~~;~~
- e.d.
3. Depictions, descriptions, or instructions regarding the introduction, manufacture, concealment, or use of guns, knives, or any other weaponry, including realistic pictures of such weapons suitable to aid in the manufacture of such weapons, or facsimiles of such weapons; ~~;~~
4. Depictions, descriptions, or instructions regarding the operation of security devices such as locks, cameras, or alarms;
5. STTG materials including, but not limited to; codes, signs, symbols, photographs, drawings, training materials, and catalogs;
6. Depictions, descriptions, or instructions on the use of hands, feet, or the head as weapons, or of other fighting techniques;
7. Depictions, descriptions, or instructions on the manufacture, cultivation, or introduction of drugs, alcohol, tobacco, or poisons;
8. Instructions or patterns for tattoos, or other skin modification techniques or equipment;
9. Material that incites, encourages, advocates, or promotes racism or any other illegal act of discrimination, or that is likely to be disruptive, produce violence, or cause a threat to the offender population or staff;
10. Material that depicts nudity; however, material that includes the depiction of nudity as illustrative of and as part of broader medical, educational, anthropological, or

artistic content will not be rejected solely on the basis that the material includes nudity;

11. Sexually explicit material, whether pictorial or textual, which could reasonably pose a threat to the safety, security, discipline, or good order of the institution, or is inconsistent with rehabilitative goals;
12. Posters measuring more than two hundred (200) square inches;
13. Publications containing a product insert which, by itself, would be deemed contraband; and
14. -Publications which meet two (2) of the following conditions:
 - a. Books that measure more than 9" x 11".
 - b. Hardback books thicker than two (2) inches.
 - c. Softback books thicker than four (4) inches.
 - d. Any book heavier than three (3) pounds.

The Warden/Work Release Center Supervisor has the authority to waive these conditions on legal, educational, and religious publications.

15. Publications altered from the original state, such as, but not limited to:

- a. Writing in book;
- b. Foreign objects found inside book; or
- c. Stains from liquid.

~~16. No used books.~~

167.

Photobooks are not considered an allowable publication and will not be permitted.

178.

~~Note:~~ Inmates are only allowed five (5) individual photos. This does not include digital photos (refer to AD Inmate Correspondence-~~AD~~).

- C. Publications recommended for rejection will be referred to the Warden/Work Release Center Supervisor for final decision. With respect to any publication, the decisions must

be made on the contents of an individual publication, not previous issues of the same publication.

~~D.~~ Items within the package cannot be separated; therefore, the package is rejected in its entirety.

~~E.~~

~~F.D.~~ **Note:** For any publication rejected solely because it contains a product insert, if the product insert(s) can be removed, the publication is acceptable.

~~G.E.~~ The Warden must approve or reject the publication within thirty (30) days of receipt. If the publication is rejected, the inmate must be notified, in writing, of any decision to reject and the basis for rejection of the publication. The inmate is also notified of appeal procedures and options for disposing of the publication. The inmate must sign that the notice of rejection has been received. Should the inmate refuse to sign, an employee will attest to the fact that the inmate was duly notified.

~~H.F.~~ The decision to reject a publication may be appealed to the Central Office Publication Review Committee. The Committee members are to be assigned by the Director or his/her designee. The appeal must be initiated within ten (10) days of the receipt of written notification of the Warden/Work Release Center Supervisor's decision to reject the publication. Rejection of a Publication is not grievable.

~~I.G.~~ Any rejected publication will be held safe by the Warden/Work Release Center Supervisor or his/her designee until the appeal process has been completed, or until the ten (10) day period for filing an appeal has expired.

~~J.H.~~ Options for disposing of an unacceptable publication are:

1. Destruction;
2. Return of the publication to the sender at the expense of the inmate unless return postage is guaranteed;
- ~~3.~~ Mailing the publication to a third party at the expense of the inmate;
- ~~3.~~ or
- ~~4.~~ 4.

~~5. Picked up by a person on the inmate's approved visitation list during
visitation. Giving to a third party during visitation.~~

IV. ATTACHMENT

Notice of Rejection of Publication



ARKANSAS DIVISION OF CORRECTION

NOTICE OF REJECTION OF PUBLICATION



~~ARKANSAS DIVISION OF CORRECTION~~



~~ARKANSAS DIVISION OF CORRECTION~~

~~NOTICE OF REJECTION OF PUBLICATION~~

UNIT NAME

To: _____
Inmate Name _____ ADC Number Use inmate name here

From: _____
Use Warden/Deputy Warden Deputy/Assistant Warden/Warden name here

~~Name of~~ Publication: _____ ~~Name of publication, _d~~Date: _____

~~or i~~dentifying information: _____ here

~~Date:~~

The Unit Publication Review Committee has denied your publication for the reason(s) listed below:

_____ [~~List a~~pplicable Policy Numbers]

~~Other~~ (explain) _____

_____	_____	_____
C		
Committee Member/Title	_____Date	_____Committee Member/Title
Date		

_____	_____	_____
Committee Member/Title	_____Date	_____Committee Member/Title
Date		

This decision is consistent with AR 864 ~~and AD~~ Publications (~~AD~~). You ~~will~~ have TEN (10) days upon receipt of this notification to appeal. **Send your appeal to the Unit Mailroom** and the mailroom will present it to the Central Office Publication Review Committee.

If you choose **not** to appeal the decision you will have FIFTEEN (15) days to exercise one (1) of the following options 2, 3, 4, 5, or 6, (if applicable) before the publication will be destroyed:

~~Appeal~~

Destruction

~~Return~~ Return the publication to sender at your own expense

~~Mail~~ Mail the publication to a third party at your own expense _____

List Full —Address: _____

Give to an approved visitor during Visitation ~~3rd party at Visitation~~

Authorize removal of insert(s) and release any, and all claims

***OPTION:** _____

***Failure to exercise an option will be considered authorization for destruction.**



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Mobile/Wireless Telephone Devices

NUMBER: 2022-23

SUPERSEDES: 11-23

APPLICABILITY: All persons entering an ADC facility **PAGE:** 1 of 2

REFERENCE: A.C.A. § 5-54-119; AR 401 Searches and Control of Contraband; SD Employee Conduct Standards and Discipline; AR 865 Visitation.

APPROVED: Original signed by Dexter Payne **EFFECTIVE DATE:** 10/12/2022

I. POLICY:

In order to preserve the safety and security of Arkansas Division of Correction (ADC) facilities, it shall be the policy of the ADC to prohibit the possession or use of non-state issued mobile/wireless telephone devices by employees or others while within the perimeter fence of a facility, or while assigned to outside perimeter towers and security posts on the grounds of these facilities, or while supervising inmates on the grounds of these facilities. For those ADC housing facilities without a perimeter fence, this policy will apply at the entrance to the physical structure of the facility itself.

II. DEFINITIONS:

A. Mobile/Wireless Telephone Device. Refers to any cellular/satellite telephone device whether it is personally owned or issued by the individual’s employer. It does not include communication radios issued for security purposes or cellular telephone devices issued to staff or Board members by the ADC.

III. PROCEDURES:

- A. Signs will be posted at appropriate places such as entrances to buildings, gates at secured perimeters, and parking lots advising of ADC’s mobile/wireless telephone device ban.
- B. Any mobile/wireless telephone device possessed by any person in violation of the terms of this policy will be considered contraband and will be subject to seizure and destruction.
- C. Violation of this policy and any other rules and regulations that may be related to the introduction/possession of a mobile/wireless telephone device in areas where the ban applies will be dealt with as follows:
 1. Volunteers and vendors may be barred from ADC property for a period appropriate for the nature of the violation as determined by the warden.

2. Employees will be subject to disciplinary action pursuant to the Secretarial Directive on Employee Conduct Standards and Discipline up to and including termination of employment. Proceedings may be brought under rules concerning possession/use of contraband, violation of published policies, and/or trafficking and unauthorized trading. If mitigating circumstances exist, the warden may consider an oral warning in lieu of more severe sanctions.
 3. Visitors will be subject to loss of visitation privileges under provisions of AR 865 Visitation.
 4. All violators depending on the circumstances and the nature of the violation, may be subject to prosecution pursuant to A.C.A. § 5-54-119, Furnishing, possessing, or using prohibited articles – Delivering a prohibited article.
- D. In the event of a unit emergency, (i.e., major disturbance, escape, homicide, emergency drill), the unit warden or designee may suspend the ban on mobile/wireless telephone devices by ADC personnel, law enforcement and/or other emergency responders.
 - E. Any confiscated mobile/wireless telephone device may contain information valuable to the investigative process and should not be turned on or off. The battery or sim card shall not be removed. The mobile/wireless telephones device will be placed in an evidence container and sealed.
 - F. The employee discovering the mobile/wireless telephone device will be responsible for the handling, labeling, packaging, and securing of all evidence.
 - G. The employee shall complete a Confiscation Form (401) describing the mobile/wireless telephone device and naming involved personnel.
 - H. A Chain of Custody form must be filled out and the original form must be attached to the evidence container and a copy will be attached to the Incident Report (005) and the completed Confiscation Form (401). If it is necessary for more than one (1) person to assume custody of the seized mobile/wireless telephone device, each person will make a notation on the Chain of Custody form.
 - I. Mobile/wireless telephone devices will be subsequently turned over to the Arkansas State Police (ASP) or the Radio Shop.
 1. Cell phones that are found in common areas such as dayrooms, chow halls, shower areas, bathrooms, etc. will be turned over to the Radio Shop.
 2. Cell phones that are found in the possession of an inmate will be held in the evidence locker until a decision is made by the local prosecuting attorney's office whether criminal charges will be filed or not. If prosecuting charges are filed, the phone will be turned over to ASP. If prosecution is declined, the phone will be sent to the Radio Shop.
 - J. Unauthorized mobile/wireless telephone devices that are confiscated may be donated to a non-profit or other outside agency in lieu of destruction, at the discretion of the Director. No mobile/wireless telephone device will be donated without first obtaining written approval from Internal Affairs to ensure the preservation of evidence for any investigation.
 - K. Any exception to this policy must be approved in advance and in writing by the Director.



ARKANSAS DEPARTMENT OF CORRECTIONS
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ADMINISTRATIVE DIRECTIVE

SUBJECT: ~~_____~~ Mobile/Wireless Telephone Devices

NUMBER: ~~20221-_____~~ ~~11-23~~ ~~_____~~ **SUPERSEDES:** ~~11-~~
~~2309-45~~

APPLICABILITY: ~~_____~~ All persons entering an ADC facility **PAGE:** 1 of 2

REFERENCE: A.C.A. § 5-54-119; AR 401 ~~—~~ Searches and Control of ~~_____~~ Contraband; ACA §5-
54-119; SD Employee Conduct Standards and Discipline; AR 865 Visitation.
PAGE: 1 of 23

~~—~~ Contraband

APPROVED: ~~Original signed by Ray Hobbs, Director~~ **EFFECTIVE DATE:** _____
04/15/2011

I. POLICY:

In order to preserve the safety and security of Arkansas Division of Correction (ADC) institutions/facilities, it shall be the policy of the ADC to prohibit the possession or use of non-state issued mobile/wireless telephone devices by employees or others while within the perimeter fence of a facility, or while assigned to outside perimeter towers and security posts on the grounds of these facilities, or while supervising inmates on the grounds of these facilities. For those ADC housing facilities without a perimeter fence, this policy will apply at the entrance to the physical structure of the facility itself.

~~H.~~

~~H.II.~~ **H. DEFINITIONS:**

~~Mobile/Wireless Telephone Device.~~ Refers to any cellular/satellite telephone device whether it is personally owned or issued by the individual's employer. It does not include communication radios issued for security purposes or cellular telephone devices issued to staff or Board members by the Arkansas Department of Correction ADC.

A.

III. ~~III.~~ GUIDELINES/PROCEDURES:

~~A.~~

~~B.~~ Signs will be posted at appropriate places ~~t(that may includesuch as, but are not limited to,~~ entrances to buildings, gates at secured perimeters, and parking lots) advising of ADC's mobile/wireless telephone device ban.

~~A.~~

~~C.~~ ~~On and after the effective date of this policy,~~ ~~a~~Any mobile/wireless telephone device possessed by any person in violation of the terms of this policy will be considered contraband, and will be subject to seizure and destruction.

~~B.~~

~~D.~~ Violation of this policy and any other rules and regulations that may be related to the introduction/possession of a mobile/wireless telephone device in areas where the ban applies will be dealt with as follows:

~~C.~~

~~1.~~ Volunteers and vendors may be barred from ADC property for a period appropriate for the nature of the violation as determined by the warden.

~~1.~~

~~2.~~ Employees will be subject to disciplinary ~~sanctions~~ action pursuant to the Secretarial Directive on Employee Conduct Standards and Discipline proceedings under AR 225 – Employee Conduct Standards, up to and including termination of employment. Proceedings may be brought under rules concerning possession/use of contraband, violation of published policies, and/or trafficking and unauthorized trading. ~~—~~ If mitigating circumstances exist, the warden may consider an oral warning in lieu of more severe sanctions.

~~2.~~

~~3.~~ Visitors will be subject to loss of visitation privileges under ~~the~~ provisions of AR 865 – Visitation.

~~3.~~

~~4.~~ ~~Volunteers and vendors may be barred from ADC property for a period appropriate for the nature of the violation as determined by the warden.~~

~~4.~~

~~5.4.~~ All violators, depending on the circumstances and the nature of the violation, may be subject to prosecution ~~per~~ pursuant to – (ACA.A.C.A. – § 5-54-119, Introducing a Prohibited Article into a Correctional Facility, Furnishing, possessing, or using prohibited articles – Delivering a prohibited article.)

~~E.~~ In the event of a unit emergency, (i.e., major disturbance, escape, homicide, emergency drill), the unit warden or designee may suspend the ban on mobile/wireless telephone devices by ~~Department of Correction~~ ADC personnel, law enforcement and/or other emergency responders.

~~D.~~

~~F.~~ ~~E.~~ Any confiscated mobile/wireless telephone device may contain information valuable to the investigative process and should not be turned on or off. The battery or sim card shall not be removed. The mobile/wireless telephones device will be placed in an evidence container and sealed.

~~E.~~

~~F.~~ ~~F.~~ The employee discovering the mobile/wireless telephone device will be responsible for the handling, labeling, packaging, and securing of all evidence.

~~G.~~ The employee shall complete a Confiscation Form (401) describing the mobile/wireless telephone device and naming involved personnel.

~~H.~~ ~~A~~ The Chain of Custody form must be filled out and the original Chain of Custody form will must be attached to the evidence container and a copy will be attached to the Incident Report (005) and the completed Confiscation Form (401). If it is necessary for more than one (1) person to assume custody of the seized mobile/wireless telephone device, each person will make a notation on the Chain of Custody form.

~~I.~~ Mobile/wireless telephone devices will be subsequently turned over to the Arkansas State Police (ASP) or the Radio Shop.

1. Cell phones that are found in common areas such as dayrooms, chow halls, shower areas, bathrooms, etc. will be turned over to the Radio Shop.
2. Cell phones that are found in the possession of an inmate will be held in the evidence locker until a decision is made by the local prosecuting attorney's office whether criminal charges will be filed or not. If prosecuting charges are filed, the phone will be turned over to ASP. If prosecution is declined, the phone will be sent to the Radio Shop.

~~G.~~ ~~The employee seizing the evidence will normally maintain custody of that evidence until it is placed in the evidence locker. It will then be or turned over to the Arkansas State Police or radio shop, Internal Affairs Division. If it is necessary for more than one person to assume custody of the seized evidence, each will make a notation on the Chain of Custody form. Every person who assumes custody of any evidence must complete an Incident Report (005).~~

~~JH.~~ Unauthorized mobile/wireless telephone devices that are confiscated may be donated to a non-profit or other outside agency in lieu of destruction, at the discretion of the Director. No mobile/wireless telephone device will be donated without first obtaining written approval from Internal Affairs to ensure the preservation of evidence for any investigation. No

AD ~~2021~~~~11-23~~ Mobile/Wireless Telephone Devices

Page 5 of 5

~~mobile/wireless telephone device will be donated without first obtaining written approval from Internal Affairs to ensure the preservation of evidence for any investigation.~~

~~I.~~ K. Any exception to this policy must be approved in advance and in writing by the Director.

~~J.~~

~~11-23~~

~~K.~~ 11Apr13



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

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Tuberculosis Screening for Inmates

NUMBER: 2022-24

SUPERSEDES: 19-35

APPLICABILITY: Wardens/Work Release Center Supervisors, Administrative staff, Medical Service Contractor, all Inmates, and Detainees

PAGE: 1 of 3

REFERENCE: AR 833 Health Services, Arkansas State Board of Health - Rules Pertaining to Communicable Disease - Tuberculosis.

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 10/12/2022

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to ensure reasonable efforts are made to reduce the spread of airborne diseases, especially tuberculosis, and to adhere to regulations of the Arkansas Department of Health (ADH) and to follow the guidelines of the Center for Disease Control (CDC).

II. DEFINITIONS:

- A. ADC Tuberculosis (TB) Coordinator. An employee charged with the responsibility of coordinating prevention, screening, treatment, tracking and facilitating education regarding tuberculosis.
- B. Airborne Infection Isolation. A designated single room intended to separate individuals, who are suspects or are known to have tuberculosis in an infectious stage, from other staff and inmates, providing for UV air sterilization and appropriate ventilation in the room.
- C. Annual Screening. Routine TB screening of all inmates, at all ADC facilities, on the second Friday of the appropriate month according to the inmate’s last two digits of their ADC number.
- D. Converter. Any individual whose Purified Protein Derivative (PPD) reactions have been less than 5 mm (<5 mm), but now shows a reaction greater than or equal to 15 mm will be tested to confirm the skin test results.
- E. Contact Screening. TB screening of those persons believed to have been in contact through facility, work, or housing assignment with an individual found to have active tuberculosis disease.

- F. Contact Testing. TB testing of those persons believed to have been in contact through facility, work or housing assignment with an individual found to have active tuberculosis disease.
- G. Mass Screening. TB screening of all inmates at an ADC facility, or facilities, at the recommendation of the ADH based on potential exposure to an active case or cases.
- H. Mass Testing. TB testing of all inmates at an ADC facility, or facilities, at the recommendation of the ADH based on potential exposure to an active case or cases.
- I. Suspect. Any individual who shows clinical and X-ray and/or sputum culture evidence of having TB disease as determined by the ADH.
- J. TB Screening. The process of interviewing an individual for current symptoms of TB. The interview shall consist of screening for current symptoms (i.e. cough, unexplained weight loss, night sweats). If symptoms are reported, a blood test will be obtained for confirmation and, if positive, a chest x-ray will be obtained, and the ADH will be notified.
- K. TB Skin Test. A test used to detect the presence of Mycobacterium tuberculosis, the bacterium that causes tuberculosis (TB).
- L. TB Testing. The process of injecting 0.1 ml of PPD into the skin of the forearm and the reaction to the PPD read in 48 to 72 hours.

III. PROCEDURE:

1. All individuals received into ADC custody will receive TB testing within 72 hours of their delivery to any receiving facility. Exceptions to this are individuals who:
 - a. Have a documented non-reactive TB skin test on record with ADC; and
 - b. Have a documented past positive TB skin test.
2. Annual screening will be completed by the second Friday of each month corresponding with the inmate's last two digits of their ADC number as follows:

Month	ADC # ends in	Month	ADC # ends in
January	10 – 19	June	60 – 69
February	20 – 29	July	70 – 79
March	30 – 39	August	80 – 89
April	40 – 49	September	90 – 99
May	50 – 59	October	00 – 09

3. Contact screening/testing or mass screening/testing will be conducted at the recommendation of the ADH based on potential exposure to an active case or cases, and upon the concurrence of the vendor's Medical Director, the ADC Administrator of Medical Services, and the ADC Deputy Director over Healthcare and Programs. The Administrator of Medical Services will notify the Director of any potential exposures.
4. To the extent consistent with the security and good order of the facility, all moves in and out will be suspended between the time that the need for contact screening/testing or mass screening/testing is agreed upon and that screening can take place.

5. TB screening/testing is mandatory, under the Rules and Regulations of the Arkansas Board of Health pertaining to the Control of Communicable Diseases. Noncompliance will result in counseling. Disciplinary action and/or respiratory isolation may be invoked for the protection of staff and inmates. If counseling fails, and if necessary, for the health and safety of other inmates and staff, correctional officers may restrain an inmate or detainee for testing.
6. ADC Health Services policies and procedures will be followed for tuberculosis screening and prevention.
7. The ADC will provide computer generated listings for any screening and will maintain a database of results. The ADC Tuberculosis Program Coordinator will ensure that these activities are carried out, and will act as liaison between the ADC, the ADH, and the contracted medical vendor.
8. The contracted medical vendor will:
 - a. Provide the necessary trained and certified nurses to carry out any TB screening or testing;
 - b. Provide educational TB information;
 - c. Complete ADH TB Notification form on all new reactors;
 - d. Ensure that x-rays and lab results are forwarded to the ADH in a timely manner; and
 - e. Review and implement recommended treatments as required by the ADH.
9. TB Skin Tests shall be administered and read by licensed staff and shall be within their scope of practice.
10. The contracted medical vendor will provide in-service training regarding tuberculosis for health services staff responsible for TB testing and TB screening, and will provide documentation of the training to the ADC Tuberculosis Program Coordinator.
11. The contracted medical vendor will document efforts to educate the inmate population and will see that pamphlets or other educational materials are readily available.
12. Treatment for Converters will be per the recommendations of the ADH. This treatment for active or latent TB is mandatory except when contraindicated. Non-compliance may result in disciplinary action and/or airborne infection isolation.
13. Inmates suspected of having active infection will be housed in airborne infection isolation until such time as three (3) successive sputum cultures are found to be negative, or until they have been on medication for treatment of tuberculosis for a minimum of two (2) weeks, or until cleared by the ADH.
14. The Unit Infection Control Nurse will regularly audit the electronic Medication Administration Record (eMAR) to ensure proper medication delivery and compliance with ADH treatment recommendations.

IV. ATTACHMENT:

1. Inmate Screening of Tuberculin Status Form
2. Tuberculosis Education Sheet



Arkansas Division of Correction

Attachment I

INMATE SCREENING OF TUBERCULIN STATUS

Unit: _____ Inmate Name: _____ ADC # _____

Housing Area: _____

<u>IN THE PAST YEAR HAVE YOU EXPERIENCED:</u>	<u>YES</u>	<u>NO</u>
• WEIGHT LOSS OF 10LBS OR GREATER WITHOUT TRYING		
• FEVER WITHOUT KNOWN INFECTION		
• NIGHT SWEATS		
• COUGH/CHEST PAIN FOR GREATER THAN 3 WEEKS		
• COUGHING UP BLOODY SPUTUM OF MUCOUS		
• CHILLS		
• LOSS OF APPETITE		
• EASILY FATIGUED		

My signature _____ acknowledges that I have received the Tuberculosis

Education Sheet on __/__/_____.

This section is for authorized medical staff use only.

Nurse verified inmate has: Baseline: Past Positive:

Reviewed with no recommendations

Reviewed with recommendations.

 Staff completing form (printed name): _____ Title: _____

Signature: _____ Date: _____



ARKANSAS DIVISION OF CORRECTION

Tuberculosis Education Sheet

Attachment II

What is TB?

Tuberculosis (TB) is an infectious disease that enters the body through the lungs. In the body, TB can spread by way of the blood stream to other organs and tissues of the body. Persons with inactive TB ARE infected. They are not contagious and do not show symptoms, but still need treatment.

How is TB spread?

TB is spread from one person to another by air borne droplets from an active TB person. The TB organism enters the air when the person with active TB coughs, laughs, sneezes, etc. Breathing in these droplets can infect an uninfected person.

Who is at Risk for Getting TB?

Persons living in residential facilities (nursing homes, correctional facilities, crowded apartments), alcoholics, persons with AIDS and anyone with poor health.

How Can I Tell If I Have TB?

TB does not always make someone sick at first. A skin test is given to check for the presence of TB in the body. This does not cause TB. It only reacts if TB is present. It is usually given in the right forearm. People who work in health care and correctional facilities are among those screened for TB on a regular basis. Residents of correctional and long-term care facilities are also screened on admission and on a regular basis. This may be done more often depending on if an active case of TB has been identified. If you have previously had TB or have received a medication called BCG, be sure to inform the health care provider that will be doing the screening. Once a reaction to the TB skin test has occurred, it will always react. BCG causes this reaction also. BCG is given in some areas to prevent TB. It is not routinely used in the United States. TB can recur even if it has previously been treated.

What Are Signs of TB Infection?

Weight loss, night sweats (fever may be present), poor appetite, being unusually tired for no reason, cough (sometimes coughing up blood happens). If left untreated, a person may experience extreme weakness, chest pain and spitting up blood may occur.

Controlling TB

Use of ultraviolet lights in the barracks and throughout the facility. Exposure to sunlight for a few hours. If you are suspected of having TB, you will be sent to the appropriate facility for treatment. You may be asked to wear a mask to protect others until an isolation room is found. Others will wear face masks and use other precautions to protect themselves and others until treatment has made the TB no longer infectious.

Medications

Medications are given for several months and must be taken as directed. Missed doses can cause the TB to not be properly treated. A TB specialist will be consulted, and you will follow up with them periodically.



DIVISION OF CORRECTION

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

6814 Princeton Pike

Pine Bluff, Arkansas 71602

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

SUBJECT: Tuberculosis Screening for Inmates

NUMBER: ~~2022-~~ ~~19-35~~ _____
SUPERSEDES: ~~19-3512-22~~

APPLICABILITY: Wardens/~~Work Release~~ Center Supervisors, ~~Administrative staff, Medical~~
PAGE 1 of 4

~~Administrative staff, Medical~~
~~Service Contractor, all Inmates and Detainees~~
~~Service Contractor, all Inmates and Detainees~~ PAGE: 1 of 34

REFERENCE: AR-833 ~~Health Services, Arkansas State Board of Health - Rules Pertaining to Communicable Disease - Tuberculosis. Arkansas Department of Health Center for Disease Control~~
~~Center for Disease Control~~

APPROVED: ~~Original signed by Dexter Payne~~
EFFECTIVE DATE: _____ ~~11/18/2019~~

I. POLICY:

—It is the policy of the Arkansas Division of Correction (ADC) ~~to~~ to ensure reasonable efforts are made to ~~stem-reduce~~ the spread of airborne diseases, especially tuberculosis, and to adhere to regulations of the Arkansas Department of Health (ADH) and to follow the guidelines of the Center for Disease Control (CDC).

II. DEFINITIONS:**III.**

~~0. Tuberculosis (TB) testing. The process of injecting 0.1 ml of Purified Protein Derivative (PPD) into the skin of the forearm and the reaction to the PPD read in 48 to 72 hours.~~

V.II.

~~A. ADC Tuberculosis (TB) Coordinator. An employee charged with the responsibility of coordinating prevention, ve, screening, treatment, tracking and facilitating educational efforts regarding tuberculosis, (supervised by the ADC Administrator of Medical Services, or designee).~~

~~B. Airborne Infection Isolation. A designated single room intended to separate individuals, who are suspects or are known to have tuberculosis in an infectious stage, from other staff and inmates, providing for UV air sterilization and appropriate ventilation in the room.~~

~~C. Annual Screening. Routine TB screening of all inmates, at all ADC facilities, on the second Friday of the appropriate month according to the inmate's last two digits of their ADC number.~~

~~D. Converter. Any individual whose Purified Protein Derivative (PPD) reactions have been less than 5 mm (<5 mm), but now shows a reaction greater than or equal to 15 mm will be tested to confirm the skin test results via the T-Spot. If the T-Spot results are positive, the inmate will be considered positive. An abnormal chest X-ray changes the status of a converter to that of a suspect.~~

~~E. Contact Screening. TB screening of those persons believed to have been in contact through facility, work, or housing assignment with an individual found to have active tuberculosis disease.~~

~~F. Contact Testing. TB testing of those persons believed to have been in contact through facility, work or housing assignment with an individual found to have active tuberculosis disease.~~

~~G. Mass Screening. TB screening of all inmates at an ADC facility, or facilities, at the recommendation of the ADH based on potential exposure to an active case or cases.~~

~~H. Mass Testing. TB testing of all inmates at an ADC facility, or facilities, at the recommendation of the ADH based on potential exposure to an active case or cases.~~

~~Respiratory Airborne Infection Isolation. A designated single room intended to separate individuals, who are suspects or are known to have tuberculosis in an infectious stage, from other staff and inmates, providing for UV air sterilization and appropriate ventilation in the room.~~

~~I. Suspect. Any individual who shows clinical and X-ray and/or sputum culture evidence of having TB disease as determined by the ADH.~~

~~J. TuberculosisB Sscreening. The process of interviewing an individual for current symptoms of TB. The interview shall consist of screening for current symptoms (cough, unexplained weight loss, night sweats, et al). If symptoms are reported, a blood test will be obtained for confirmation and, if positive, a chest x-ray will be done, and the Arkansas~~

~~Department of Health will be notified. The process of interviewing an individual for current symptoms of TB. The interview shall consist of screening for current symptoms (i.e. cough, unexplained weight loss, night sweats, et al). If symptoms are reported, a blood test will be obtained for confirmation and, if positive, a chest x-ray will be doneobtained, and the Arkansas Department of HealthADH will be notified.~~

~~K. TuberculosisTB Skin Test. A test used to detect the presence of Mycobacterium tuberculosis, the bacterium that causes tuberculosis (TB).~~

~~L. Tuberculosis (TB) Testing. The process of injecting 0.1 ml of PPD into the skin of the forearm and the reaction to the PPD read in 48 to 72 hours.~~

-
- ~~0. Contact screening—TB screening of those persons believed to have been in contact through facility, work or housing assignment with an individual found to have active tuberculosis disease.~~
 - ~~0. Contact testing—TB testing of those persons believed to have been in contact through facility, work or housing assignment with an individual found to have active tuberculosis disease.~~
 - ~~0. Mass screening—TB screening of all inmates at an Arkansas Division of Correction (ADC) facility, or facilities, at the recommendation of the Arkansas Department of Health based on potential exposure to an active case or cases.~~
 - ~~0. Mass testing—TB testing of all inmates at an ADC facility, or facilities, at the recommendation of the Arkansas Department of Health based on potential exposure to an active case or cases.~~
 - ~~0. Annual screening—Routine TB screening of all inmates, at all ADC facilities, on the second Friday of the appropriate month according to the inmate's last two terminal digits of their ADC number.~~
 - ~~0. Converter—Any individual whose PPD reactions have been less than 5 mm (<5 mm), but now shows a reaction greater than or equal to 15 mm will be tested via the T-Spot. If the T-Spot results are positive, the inmate will be considered positive. An abnormal chest X-ray changes the status of a converter to that of a suspect.~~
 - ~~0. Suspect—Any individual who shows clinical and X-ray and/or sputum culture evidence of having TB disease as determined by the Arkansas Department of Health.~~
 - ~~0. ADC Tuberculosis (TB) Coordinator—An individual employed by the ADC, supervised by the ADC Administrator of Medical Services, or designee, charged with the responsibility of coordinating preventive, screening, treatment, tracking and educational efforts regarding tuberculosis.~~
 - ~~0. Respiratory Isolation—A designated single room intended to separate individuals, who are suspects or are known to have tuberculosis in an infectious stage, from other staff and inmates, providing for UV air sterilization and appropriate ventilation in the room.~~

XXV.III. PROCEDURE:

1. All individuals received into ~~the~~ ADC custody will receive TB testing within 72 hours of their delivery to any receiving facility. ~~Any individual sentenced to fourteen (14) days or more in a jail or a detention facility operated by the ADC will be similarly screened. These individuals will receive TB Screening within 72 hours of their delivery to Intake.~~ Exceptions to this are individuals who:

- a. ~~individuals w~~Who ~~h~~Have a documented non-reactive TB skin test on record with ADC; and
~~within 24 months of intake and individuals w~~Who ~~h~~Have a documented past positive TB skin test.
- 1. ~~These individuals will receive TB Sscreening within 72 hours of their delivery to Intake.any receiving facility.~~

b.

2. Annual screening will be ~~conducted~~ completed ~~on~~ by the second Friday of each month corresponding with the inmate’s last two ~~terminal~~ digits of their ADC number as follows:

<u>Month</u>	<u>ADC # ends in</u>	<u>Month</u>	<u>ADC # ends in</u>
<u>January</u>	<u>10 – 19</u>	<u>June</u> <u>July</u>	<u>60 – 69</u> 70 – 79
<u>February</u>	<u>20 – 29</u>	<u>July</u> <u>August</u>	<u>70 – 79</u> 80 – 89
<u>March</u>	<u>30 – 39</u>	<u>August</u> <u>Sept</u> <u>ember</u>	<u>80 – 89</u> 90 – 99
<u>April</u>	<u>40 – 49</u>	<u>September</u> <u>October</u>	<u>90 – 99</u> 00 – 09
<u>May</u>	<u>50 – 59</u>	<u>October</u> <u>Ne</u> <u>vember</u>	<u>-00 – 09</u> Employees
<u>June</u>	<u>60 – 69</u>	<u>December</u>	Reports

<u>Month</u>	<u>Inmates whose ADC # ends in</u>	<u>Month</u>	<u>Inmates whose ADC # ends in</u>
<u>January</u>	10 – 19	<u>July</u>	70 – 79
<u>February</u>	20 – 29	<u>August</u>	80 – 89
<u>March</u>	30 – 39	<u>September</u>	90 – 99
<u>April</u>	40 – 49	<u>October</u>	00 – 09
<u>May</u>	50 – 59	<u>November</u>	Employees
<u>June</u>	60 – 69	<u>December</u>	Reports

- ~~4.3.~~ Contact screening/testing or mass screening/testing will be conducted at the recommendation of the ~~Arkansas Department of Health~~ based on potential exposure to an active case or cases, and upon the concurrence of the vendor's Medical Director, the ADC Administrator of Medical Services, and the ADC Deputy Director over Healthcare and Programs. The Administrator of Medical Services will notify the Director of any potential exposures. -
- ~~5.~~ To the extent consistent with the security and good order of the facility, all moves in and out will be suspended between the time that the need for contact screening/testing or mass screening/testing is agreed upon and that screening can take place.
- ~~4.~~
- ~~6.5.~~ TB screening/testing is mandatory, under the Rules and Regulations of the Arkansas Board of Health pertaining to the Control of Communicable Diseases. ~~Noncompliance will result in counseling. Disciplinary action and/or respiratory isolation may be invoked for the protection of staff and inmates. If counseling fails, and if necessary, for the health and safety of other inmates and staff, correctional officers may restrain an inmate or detainee for testing.~~
- ~~7.6.~~ ADC Health Services policies and procedures will be followed for tuberculosis screening and prevention.
- ~~8.~~ The ADC will provide computer generated listings for any screening and will maintain a database of results. The ADC Tuberculosis Program Coordinator will ensure that these activities are carried out, and will act as liaison between the ADC, the ~~Arkansas Department of Health~~ ADH, and the contracted medical vendor.
- ~~7.~~
- ~~8.~~ The contracted medical vendor will:
- ~~a.~~ Provide the necessary trained and certified nurses to carry out any TB screening or testing;
 - ~~b.~~ Provide educational TB information;
 - ~~c.~~ Will eComplete MS-703's ADH TB Notification form on all new reactors;
~~— Arrange for necessary materials; and~~
 - ~~d.~~ Will eEnsure that x-rays and lab-samples results are forwarded to the Arkansas Department of Health in a timely manner; and-
 - ~~a.~~ Review and implement recommended treatments as required by the ADH.
~~—~~
- ~~9.~~ ~~The Arkansas Department of Health will read and provide written interpretation of chest x-rays and provide consultation on prevention and management of tuberculosis.~~

e.

~~10. Mantoux-TB Skin Tests shall be administered and read by licensed staff and shall be within their scope of practice.~~

9.

~~11. The contracted medical vendor in conjunction with the Arkansas Department of Health will provide semiannual in-service training regarding tuberculosis for health services staff responsible for TB testing and TB screening, and will provide documentation of the occurrence of training to the ADC Tuberculosis Program Coordinator.~~

10.

~~12. The contracted medical vendor will document efforts to educate the inmate population and will see that pamphlets or other educational materials are readily available.~~

11.

~~13. Treatment for Converters will be per the recommendations of the Arkansas Department of DHHealth. This treatment for active or latent TB is mandatory except when contraindicated drug toxicity is suspected. Non-compliance may result in disciplinary action and/or respiratory airborne infection isolation. Suspected toxicity should lead to suspension of administration of the drug(s) and prompt liver function studies.~~

12.

~~14. Inmates Suspected of having active infection will be housed in airborne infection respiratory isolation until such time as three (3) successive sputum cultures are found to be clear negative, or until they have been on medication for treatment of tuberculosis for a minimum of two (2) weeks, or until cleared by the Arkansas Department of Health. Observed sputa shall be obtained weekly.~~

13.

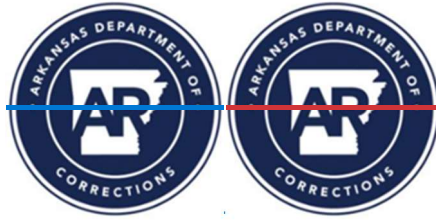
~~15.14. The ADC Tuberculosis Program Coordinator/Unit Infection Control Nurse will regularly audit the electronic Medication Administration Record (eMAR) to ensure proper medication delivery and compliance with Arkansas Department of Health DH and Human Services Standards Treatment recommendations.~~

~~16. Testing of urine for INH levels may be ordered to determine compliance with preventive treatment.~~

IV. ATTACHMENT:

1. Inmate Screening of Tuberculin Status Form

2. ADH Tuberculosis Fact Sheet/Tuberculosis Education Sheet



Arkansas Division of

Correction

Attachment I

INMATE SCREENING OF TUBERCULIN STATUS

Unit: _____ Inmate Name: _____ ADC # _____

_____ Date: _____

Inmate Name:

Inmate ADC # _____ Housing Area: _____

<u>IN THE PAST YEAR HAVE YOU EXPERIENCED:</u>	<u>YES</u>	<u>NO</u>
• <u>WEIGHT LOSS OF 10LBS OR GREATER WITHOUT TRYING</u>		
• <u>FEVER WITHOUT KNOWN INFECTION</u>		
• <u>NIGHT SWEATS</u>		
• <u>COUGH/CHEST PAIN FOR GREATER THAN 3 WEEKS</u>		
• <u>COUGHING UP BLOODY SPUTUM OF MUCOUS</u>		
• <u>CHILLS</u>		
• <u>LOSS OF APPETITE</u>		
• <u>EASILY FATIGUED</u>		

My signature _____ below acknowledges that I have received the

Tuberculosis -Education fact-Ssheet-form on :

_____ Date: _____

/ / -.

This section is for Authorized mMedical sStaff use only. only below this line

Nurse verified inmate has: _____ Baseline: Past Positive:

Reviewed with no recommendations

Reviewed with recommendations:

Staff completing form (printed name): _____ Title: _____

Signature: _____ Date: _____



ARKANSAS DIVISION OF CORRECTION

Tuberculosis Education Sheet

What Is TB?

Tuberculosis (TB) is an infectious disease that enters the body through the lungs. In the body, TB can spread by way of the blood stream to other organs and tissues of the body. Persons with inactive TB ARE infected. They are not contagious and do not show symptoms, but still need treatment.

How is TB spread?

TB is spread from one person to another by air borne droplets from an active TB person. The TB organism enters the air when the person with active TB coughs, laughs, sneezes, etc. Breathing in these droplets can infect an uninfected person.

Who is at Risk for Getting TB?

Persons living in residential facilities (nursing homes, ~~prisons~~ correctional facilities, crowded apartments), alcoholics, persons with AIDS and anyone with poor health.

How Can I Tell If I Have TB?

TB does not always make someone sick at first. A skin test is given to check for the presence of TB in the body. This does not cause TB. It only reacts if TB is present. It is usually given in the right forearm. People who work in health care and correctional facilities are among those screened for TB on a regular basis. Residents of correctional and long-term care facilities are also screened on admission and on a regular basis. This may be done more often depending on if an active case of TB has been identified. If you have previously had TB or have received a medication called BCG, be sure to inform the health care provider that will be doing the screening. Once a reaction to the TB skin test has occurred, it will always react. BCG causes this reaction also. BCG is given in some areas to prevent TB. It is not routinely used in the United States. TB can recur even if it has previously been treated.

What Are Signs of TB Infection?

Weight loss, night sweats (fever may be present), poor appetite, being unusually tired for no reason, cough (sometimes coughing up blood happens). ~~Later on, if not left untreated,~~ a person may experience extreme weakness, chest pain and spitting up blood may occur.

Controlling TB

Use of ultraviolet lights in the barracks and throughout the facility. Exposure to sunlight for a few hours. If you are suspected of having TB, you will be sent to the appropriate facility for treatment. You may be asked to wear a mask to protect others until an isolation room is found. Others will wear face masks and use other precautions to protect themselves and others until treatment has made the TB no longer infectious.

Medications

Medications are given for several months and must be taken as directed. Missed doses can cause the TB to not be properly treated. A TB specialist will be consulted, and you will follow up with them periodically.



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2022-25

SUPERSEDES: 2021-15

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

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

PAGE: 1 of 7

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 10/13/2022

I. POLICY

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

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

II. DEFINITIONS

- A. Administrative Status. Separation from the general population by the classification committee or shift supervisor when the continued presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. Inmates pending investigation by the unit or law enforcement, pending trial on a criminal act, pending disciplinary court review, or pending transfer. While this status may be in restrictive housing, it is a temporary status, and a Release Plan is not required while in this status.
- B. Assignment. A decision by the Institutional Classification Committee that RH is appropriate.
- C. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.
- D. Extended Restrictive Housing. Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day and for longer

than thirty (30) days for the safe and secure operation of the facility. A 48-hour relief does not end Extended RH because the inmate is not returned to general population during this time.

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

III. PROCEDURES

A. Initial Placement

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in RH.

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

B. Institutional Classification Committee Procedures for Assignment to RH

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

- e. Disciplinary Court Review (DCR)
- f. Investigative Status
- g. Protective Custody
- h. PREA
- i. Quarantine

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

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

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one (1) of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or
 - c. The case requires more extensive investigation.
5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.
6. Inmates who have been in restrictive housing for longer than thirty (30) days are to maintain the AM Assignment to “Extended Restrictive Housing” regardless of disciplinary court review or punitive status.

D. Control Precautions and Privileges while in Restrictive Housing

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

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.
- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- d. Inmates will have opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to

- exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing.
- e. Regularly scheduled meals may be served in cells instead of the chow hall.
 - f. Chaplains will visit the RH area at least weekly and upon request.
 - g. Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
 - h. Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
 - i. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include:
 - i. Ice cream;
 - ii. Cups/Tumblers;
 - iii. Razors;
 - iv. Any sharp objects;
 - v. Canned items/drinks;
 - vi. Nail clippers; and
 - vii. Others as designated in writing by unit policies.
 - j. Clothing allowed to male inmates in RH while inside their cells are limited to a t-shirt and boxers. For clothing allowed for females, refer to McPherson Unit policy and Hawkins Unit Policy. Thermal undergarments will be issued when appropriate.
 - k. Inmates in RH will be issued jumpsuits prior to exiting his/her cell when being escorted outside of the barracks. Jumpsuits will be taken by staff upon return to the inmate's cell.
 - l. Canvas shoes will be issued. No shoes with strings will be allowed in RH.
 - m. A reasonable amount of reading material and educational material approved by the Arkansas Correctional School District.
 - n. Bedding is to be changed weekly and weekly laundry services are to be provided.
 - o. Access to legal materials upon request and in accordance with unit policy.
 - p. Access to attorney of record via legal mail and telephone.
 - q. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.
 - r. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.
 - t. All inmates assigned to RH, excluding those inmates assigned due to protective custody or medical concerns (e.g. quarantine), will keep any Meritorious Good Time that they have upon

placement but will not earn any more for the duration of their confinement in Restrictive Housing.

2. Privileges

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

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one (1) member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.
3. The Warden or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.
5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally, the following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to specific needs of the inmate. This does not apply to court orders for immediate release.
 - b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.
 - c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.

- d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

F. Restrictive Recreation

A. Initial Placement

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

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

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued placement and the steps the inmate must take to be removed from Restrictive Recreation Status.
4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the placement. The Lieutenant or above restriction will begin with the initial placement.
5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status

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

IV. ATTACHMENTS:

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING PLACEMENT

Attachment I

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

TO: _____

FROM: _____

DATE: _____

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

Administrative Status (Temporary):

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

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

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

SIGNATURE

DATE

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE RECREATION PLACEMENT

Attachment II

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

TO: _____

FROM: _____

DATE: _____

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

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

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

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

Warden Signature

Date

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

Deputy/Duty Director

Date

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING STATUS REVIEW RECORD OF RELEASE CONSIDERATION

Facility: _____
 Inmate: _____
 ADC #: _____

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

Date of Review _____ Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

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

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

INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

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

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

MENTAL HEALTH APPRAISAL REPORT: Completed Yes No

WARDEN'S REVIEW

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

WARDEN OR DESIGNEE SIGNATURE

DATE



ARKANSAS DIVISION OF CORRECTION

Attachment IV

RESTRICTIVE HOUSING RELEASE PLAN

Facility Name: _____

Date: _____

Inmate Name: _____

ADC Number: _____

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

Classification Committee Member Signature

Date

INMATE ACKNOWLEDGEMENT

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

Inmate's Signature

Date

WARDEN'S REVIEW

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

Warden or Designee's Signature

Date



ARKANSAS DIVISION OF CORRECTION

Attachment V

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Date of Review: _____

I, Inmate _____, ADC# _____
 Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

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

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

RHCC Member Signature: _____

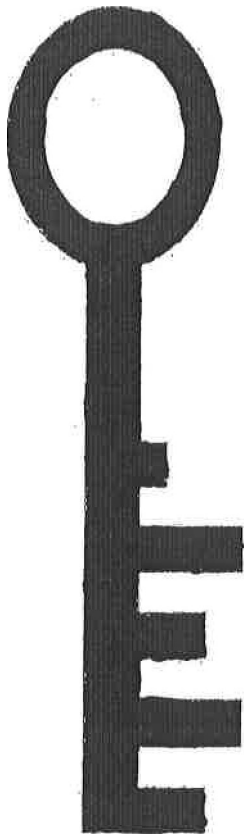
Date: _____

Witness Name (Please print): _____

Witness Signature: _____

Date: _____

Unlock Your Potential With



EXERCISE

Exercise is a key to:

EMOTIONAL WELL BEING

CARDIOVASCULAR HEALTH

WEIGHT MANAGEMENT

MUSCLE TONING

ENHANCED RELAXATION

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






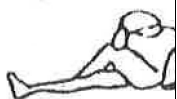

INTRODUCTION

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

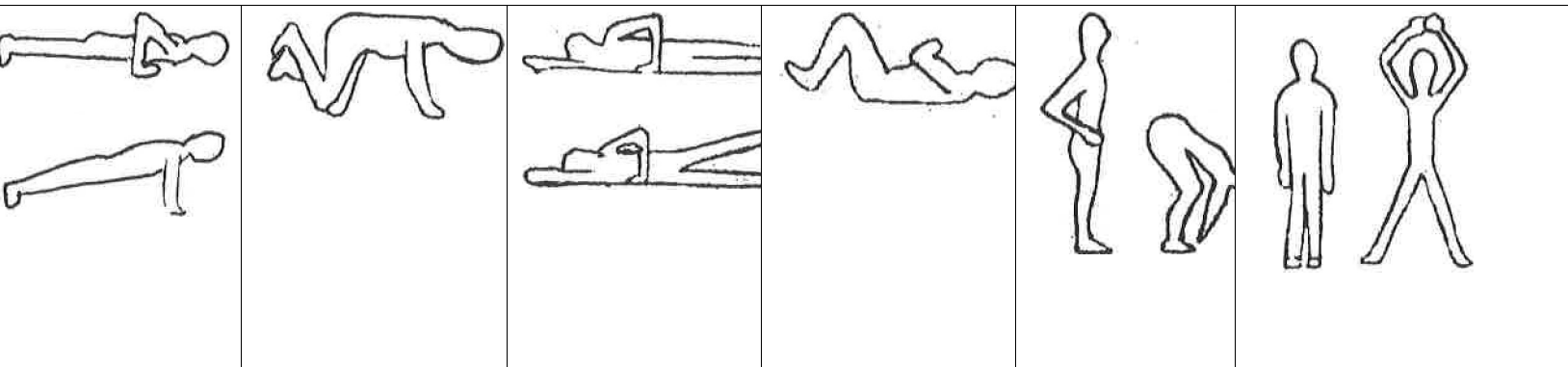
WARM-UP/STRETCH (5-8 min.)

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

Try to relax the muscles being stretched.

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

CONDITION (15-20 min.)





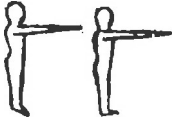




<p>PUSH-UPS</p>	<p>OR KNEE PUSH-UPS</p>	<p>LEG RAISER</p>	<p>ABDOMINAL CURL (SIT-UPS)</p>	<p>TOE TOUCH</p>	<p>JUMPING JACKS</p>
<p>This exercise strains your back, do knee push-ups, See the next frame,) Lie flat on the floor, hands under your shoulders, Keeping the body and legs straight, push up. lower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

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

COOL DOWN (5-8 min.)

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

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



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: ~~2021-15~~ 2022-

-SUPERSEDES: ~~2021-15~~19-28

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

~~Warden/Center Supervisors, Employees involved in Segregation, and Inmates~~

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

~~AD Disciplinary Court Review;~~ **PAGE:** 1 of 6

PAGE: 1 of 876

~~AD Punitive Segregation-Restriction;
AD Step-Down Program; and
SD Prison Rape Elimination Act~~

APPROVED: Original Signed by Dexter Payne

EFFECTIVE DATE: 8/5/2021

I. POLICY

It is the policy of the Arkansas Division of Correction (ADC) to provide safe and secure housing to inmates who require a higher degree of physical control, or who staff find necessary to remove from the general population of the facility. The policy is to limit the use of Restrictive Housing to the shortest period of time possible while maintaining a safe environment within the institutions. Restrictive Housing is a form of incarceration that requires an inmate to be confined to his or her cell for 22 hours a day or longer, regardless of

the inmate's particular barrack's assignment or the reason an inmate is being held in restrictive housing (i.e. subsequent to a mental health order, medical provider's order, punitive days, etc.).

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

II. DEFINITIONS

- A. Administrative Status. Separation from the general population by the classification committee or shift supervisor when the continued presence of the inmate in the general population poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. Inmates pending investigation by the unit or law enforcement, pending trial on a criminal act, pending disciplinary court review, or pending transfer. While this status may be in restrictive housing, it is a temporary status, and a Release Plan is not required while in this status.
- B. Assignment. A decision by the Institutional Classification Committee that RH is appropriate.
- C. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.
- D. Extended Restrictive Housing. ~~Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day and for longer than thirty (30) days for the safe and secure operation of the facility.~~ 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 for thirty (30) days or longer for the safe and secure operation of the facility. A 48-hour relief does not end Extended RH because the inmate is not returned to general population during this time.
- E. Meritorious Good Time. The reduction of an inmate's parole or transfer eligibility date based on good discipline, behavior, work practices, job responsibilities and involvement in rehabilitative activities while under the control and supervision of the Department of Correction.
- F. Placement. Removal of an inmate from general population to a RH Assignment.
- G. Protective Custody. Form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to Protective Custody are not assigned to RH due to this status alone.
- H. Reentry Plan. A pre-release assessment and plan that includes at a minimum a review of parole stipulations and program referrals, transportation to the inmate's closest commercial pick-up point, information on community services available in the area, and information on how to reinstate voting rights upon discharge of their sentence.
- I. Release Plan. The steps the inmate needs to take to be released to general population which may include one or more of the following: a certain number of disciplinary free days, completion of disciplinary sanctions, completion of anger management, thinking errors, and/or a Step-Down Program.
- ~~A. Restrictive Housing (RH).~~ ~~Placement~~ A form of incarceration in which an inmate is required to be confined to his/her cell for 22 hours a day or longer, regardless of the inmate's particular barrack's assignment or the reason an inmate is being held in restrictive housing (i.e., subsequent to a mental health order/physician's order, punitive days, etc.). ~~Placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.~~

~~J.~~

~~B. 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 for thirty (30) days or longer for the safe and secure operation of the facility. A 48-hour relief does not end Extended RH because the inmate is not returned to general population during this time.~~

~~C.K. Restrictive Recreation. A status Assignment allowing the Classification Committee or Warden/Work Release Center Supervisor to assign an inmate to be kept in full restraints during the inmate's scheduled recreation period if his/her actions pose a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility. These actions include but are not limited to tampering with, or blocking, any lock or locking device; tampering or manipulating any recreation enclosure or RH recreation area; running from, avoiding, or otherwise resisting apprehension; aggravated battery to include attempted battery or battery on staff or inmates; and attempts to remove or manipulate restraints.~~

~~D.L. Serious Mental Illness. Psychotic, Bipolar, and Major Depressive Disorders and any other diagnosed mental disorder (excluding substance use disorders) associated with serious behavioral impairment as evidenced by examples of acute decompensation, self-injurious behaviors, and mental health emergencies that require an individualized treatment plan by a qualified mental health professional.~~

~~M. Step-Down Program. A system of review that establishes criteria to prepare an inmate for transition from RH to general population or the community. A classification committee made up of a multidisciplinary team (medical, mental health, security, and others determined by the Warden) will determine which individual inmates enter the program.~~

~~N. Warden. Means warden, superintendent, or work release center supervisor.~~

~~E.~~

~~F. Protective Custody. Form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to Protective Custody are not assigned to RH due to this status alone.~~

~~G. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.~~

~~H. Placement. Removal of an inmate from general population to a RH Assignment.~~

~~Assignment. A decision by the Institutional Classification Committee that RH is appropriate.~~

~~I. Release Plan. The steps the inmate needs to take to be released to general population which may include one or more of the following: a certain number of disciplinary free days, completion of disciplinary sanctions, completion of anger management, thinking errors, and/or a Step-Down Program.~~

~~J. 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.~~

~~K.O. Youthful Inmate. Any inmate under the age of eighteen (18). Note: Refer to the Youthful Inmate Administrative Directive for procedures pertaining to the housing of Youthful Inmates.~~

III. PROCEDURES

A. Initial Placement

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in RH.

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

B. Institutional Classification Committee Procedures for Assignment to RH

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

b. Direct Threat (Safe/Secure Operations)

c. Administrative Review

d. Punitive

e. Disciplinary Court Review (DCR)

f. Investigative Status

g. Protective Custody

h. PREA

i. Quarantine

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

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

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy ~~Assistant~~ Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one (1) of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or
 - c. The case requires more extensive investigation.
5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.
6. Inmates who have been in restrictive housing for longer than thirty (30) days are to maintain the AM Assignment to "Extended Restrictive Housing" regardless of disciplinary court review or punitive status.

DD. Control Precautions and Privileges while in Restrictive Housing

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

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.
- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- ~~d.~~ Inmates will have opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing. ~~Inmates who have out of cell work Assignments are not required to receive the one (1) hour exercise period.~~
- ~~e.~~ ~~If assigned work duties, the job will be within the limits of the inmate's medical classification and restrictions.~~
- ~~d.~~
- ~~f.~~ ~~f.~~ Regularly scheduled meals may be served in cells instead of the chow hall.
- ~~e.~~
- ~~g.~~ ~~g.~~ Chaplains will visit the RH area at least weekly and upon request.
- ~~f.~~
- ~~h.~~ ~~h.~~ Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
- ~~g.~~
- ~~i.~~ ~~i.~~ Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
- ~~h.~~
- ~~i.~~ ~~j.~~ Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include:
 - ~~i.~~ Ice cream;
 - ~~ii.~~ Cups/Tumblers;
 - ~~iii.~~ Razors;
 - ~~iv.~~ Any sharp objects;
 - ~~v.~~ Canned items/drinks;
 - ~~vi.~~ Nail clippers; and
 - ~~i.~~ Others as designated in writing by unit policies.
 - ~~vii.~~

- ~~j. Clothing allowed to male inmates in RH while inside their cells are limited to a t-shirt and boxers. For clothing allowed for females, refer to McPherson Unit policy. Thermal undergarments will be issued when appropriate.~~
- ~~j. Inmates in RH will be issued jumpsuits prior to exiting his/her cell when being escorted outside of the barracks. Jumpsuits will be taken by staff upon return to the inmate's cell. k. Appropriate clothing will be issued. Jumpsuits may replace pants/tops due to strings necessary for pants and other security concerns.~~
- ~~k. _____~~
- ~~l. Canvas shoes will be issued. No shoes with strings will be allowed in RH.~~
- ~~k. _____ l. A reasonable amount of reading material and educational material approved by the Arkansas Educational-Correctional School District Department.~~
- ~~m. _____~~
- ~~l. m. Bedding is to be changed weekly and weekly laundry services are to be provided.~~
- ~~n. _____~~
- ~~m. n. Access to legal materials upon request and in accordance with unit policy.~~
- ~~o. _____~~
- ~~n. o. Access to attorney of record via legal mail and telephone.~~
- ~~p. _____~~
- ~~o. p. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.~~
- ~~q. _____~~
- ~~r. q. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.~~
- ~~tr. -All inmates assigned to Restrictive Housing, excluding those inmates assigned due to protective custody or medical concerns (e.g. quarantine), _____ and thereafter will keep any Meritorious Good Time that they have upon placement but will not earn any more for the duration of their confinement in Restrictive Housing.~~
- ~~s. Any inmate confined to Restrictive Housing prior to _____ may be eligible to receive good time based on their existing classification. However, if an inmate refuses to return to general population, he or she will be issued a disciplinary, will forfeit any good time earned and will be moved to Class IV status.~~

2. Privileges

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

record. We need to specifically state which property they are allowed to have (shirt, pants, boxers, t-shirts).

b.

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one (1) member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.
3. The Warden/Work Release Center Supervisor or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.
5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally, the following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to specific needs of the inmate. This does not apply to court orders for immediate release.
 - b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.
 - c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.
 - d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

FF. Restrictive Recreation

A. Initial Placement:

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

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

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued placement and the steps the inmate must take to be removed from Restrictive Recreation Status.
4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the placement. The Lieutenant or above restriction will begin with the initial placement.
5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status.

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

G. Grievance of Release Plan from Restrictive Housing

1. Inmates may submit a request in writing to the Warden to grieve his or her release plan.

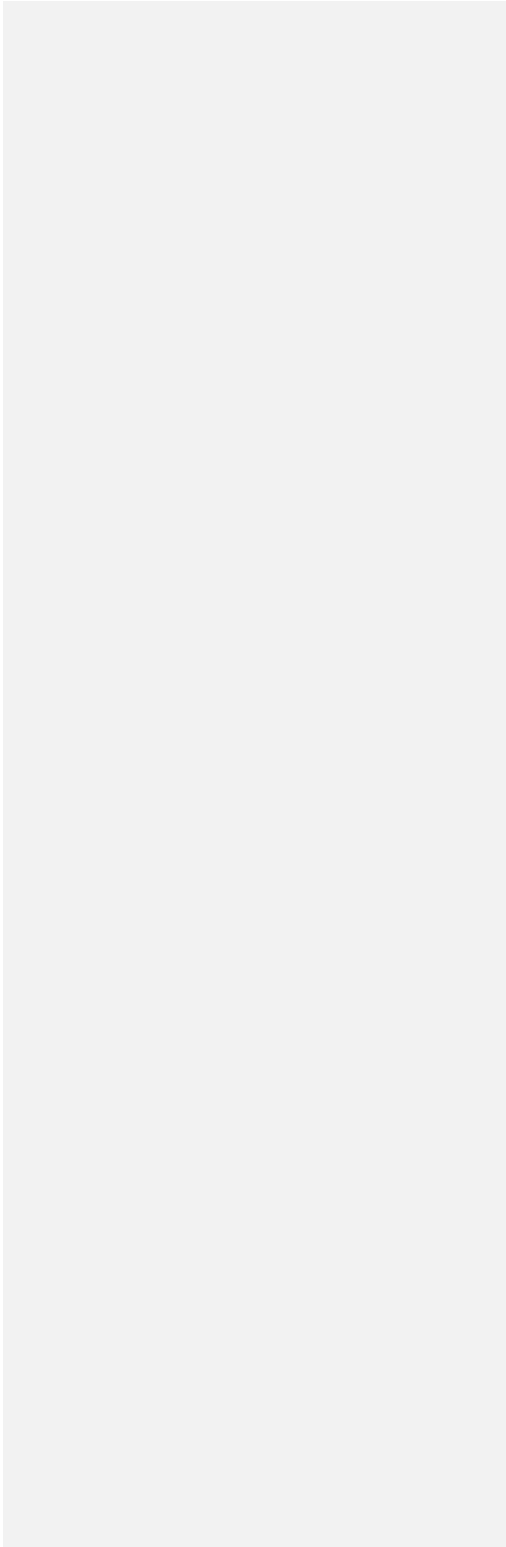
IV. ATTACHMENTS:

- I. Restrictive Housing Placement
- II. Restrictive Recreation Placement
- III. Restrictive Housing Status Review Record of Release Consideration

AD 202~~1~~-15 Restrictive Housing

Page 10 of ~~87~~6

- IV. Restrictive Housing Release Plan
- V. Restrictive Housing Classification Committee Waiver
- VI. Restrictive Housing in Cell Recreation Handout





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

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Pine Bluff, Arkansas 71602
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ARKANSAS DIVISION OF CORRECTION

Attachment I

RESTRICTIVE HOUSING ~~PLACEMENT~~PLACEMENT

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

TO: _____

FROM: _____

DATE: _____

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

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

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

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

SIGNATURE

DATE

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



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

Attachment II

TO: _____

FROM: _____

DATE: _____

Inmate _____ ADC# _____ is/was placed on Restrictive

Recreation on _____ at _____ for the following reason(s):

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

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

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

Warden Signature

Date

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

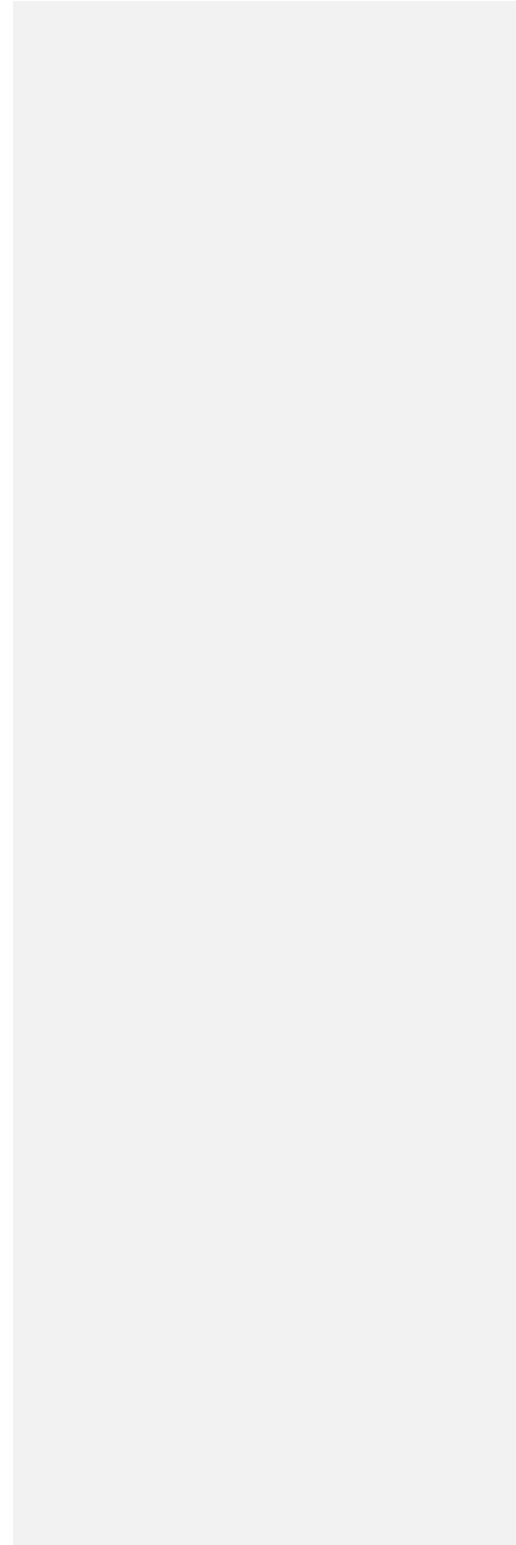
AD 2021-15 Restrictive Housing

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Deputy/Duty Director

Date

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





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ARKANSAS DIVISION OF CORRECTION

Attachment III

RESTRICTIVE HOUSING STATUS REVIEW
RECORD OF RELEASE CONSIDERATION

Facility: _____ 7 Day Review Warden’s Review
 Inmate: _____ 30 Day Review Director’s Review
 ADC #: _____ 60 Day Review Special Consideration

Date of Review _____ Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

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

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

INMATE’S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

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

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

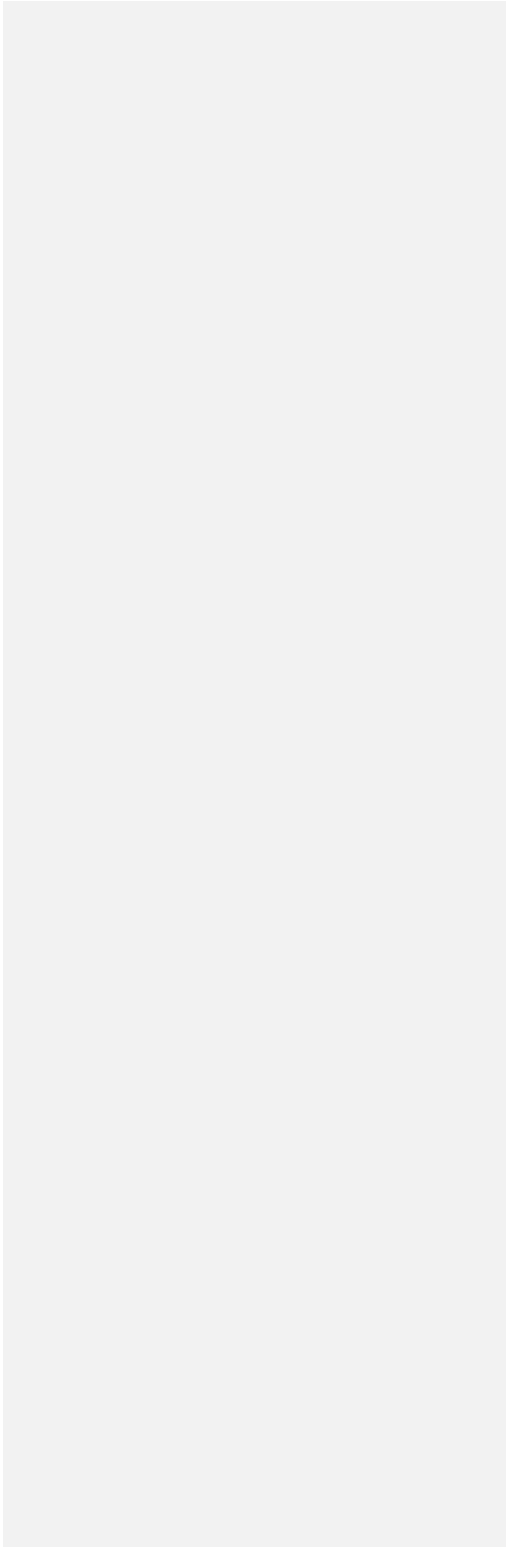
MENTAL HEALTH APPRAISAL REPORT: Completed Yes No

WARDEN'S REVIEW

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

WARDEN OR DESIGNEE SIGNATURE

DATE





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ARKANSAS DIVISION OF CORRECTION Attachment IV

Attachment IV

RESTRICTIVE HOUSING RELEASE PLAN

Facility Name: _____ Date: _____

Inmate Name: _____ ADC Number: _____

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

Classification Committee Member Signature Date

INMATE ACKNOWLEDGEMENT

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

Inmate's Signature Date

WARDEN'S REVIEW

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



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Division of Correction – Director’s Office**

Warden/Deputy Warden's Signature

Date

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ARKANSAS DIVISION OF CORRECTION

Attachment V

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Attachment V

Date of Review: _____

I, Inmate _____, ADC# _____
Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

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

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

RHCC Member Signature: _____

Date: _____

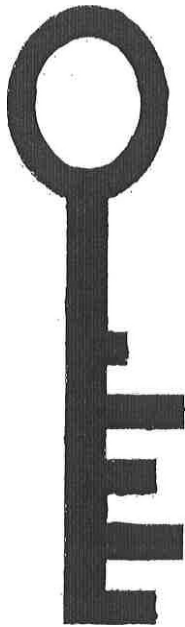
Witness Name (Please print): _____

Witness Signature: _____

Date: _____

Attachment VI

Unlock Your Potential With



EXERCISE

Exercise is a key to:

EMOTIONAL WELL BEING

CARDIOVASCULAR HEALTH

WEIGHT MANAGEMENT

MUSCLE TONING

ENHANCED RELAXATION

Developed By

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

Texas Department of Criminal Justice institutional division

INTRODUCTION





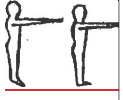
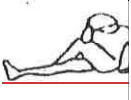

This pamphlet gives a basic in-cell exercise program which will help you maintain strength and endurance, There are three parts of this workout, These include warm-up/stretching, conditioning, and

cool down. IT IS VERY IMPORTANT THAT YOU WORK AT YOUR OWN PACE AND THAT YOU DO NOT PUSH YOURSELF TO THE POINT OF PAIN. It is also a good idea to place your mattress under you to use as padding as this will make you more comfortable and lessen your chance of injury,

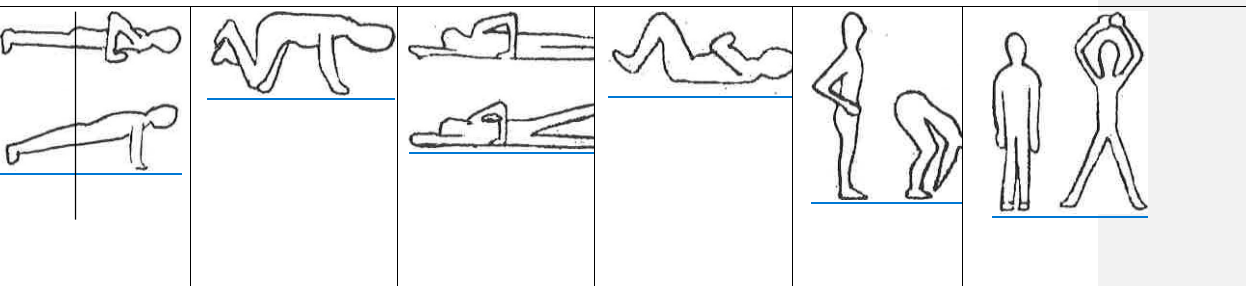
WARM-UP/STRETCH (5-8 min.)

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

Try to relax the muscles being stretched.

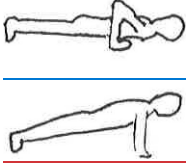
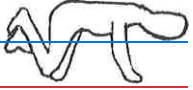
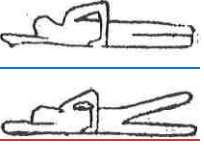
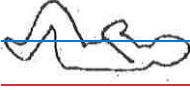
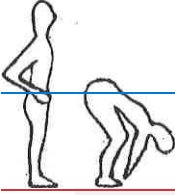
						
Stand erect, balanced on the balls of your feet. Begin walking briskly - around a room will do nicely. The walk is a good warm-up.	CALF/ACHILLES STRETCH Standing three of your foot lengths from the wall, place your forearms on the wall. Place your forehead on the back of your hands. Keeping one leg straight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

CONDITION (15-20 min.)



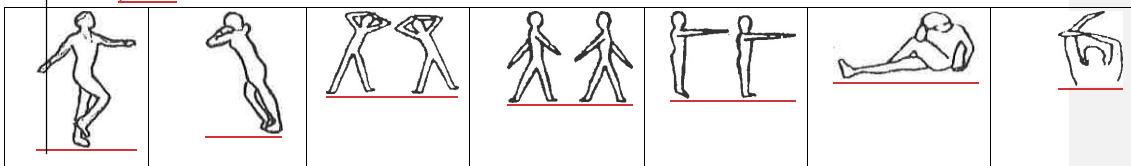
<p><u>PUSH-UPS</u></p> <p>This exercise strains your back, do knee push-ups. See the next frame.) Lie flat on the floor, hands under your shoulders, keeping the body and legs straight, push up, lower your body until your chest almost touches the floor. Repeat 10 times.</p>	<p><u>OR</u> <u>KNEE PUSH-UPS</u></p> <p>Get on your hands and knees, lowering the upper body to the floor by bending the arms, then push back up, (10 times)</p>	<p><u>LEG RAISER</u></p> <p>Lie on your side with your head on your arm. Use your other hand to brace yourself, Keep your leg straight and lift it as far 'IS possible, Do 10 times each side.</p>	<p><u>ABDOMINAL CURL</u> <u>(SIT-UPS)</u></p> <p>Lie on your back with your feet on the floor, knees bent, arms folded across the chest. Raise head and shoulders off the floor about inches and return to the floor, (ten times)</p>	<p><u>TOE TOUCH</u></p> <p>Stand with feet together, arms at side. Keep the knees slightly bent, lean forward and gently stretch hands toward the toes or floor return and repeat, Do 10 times.</p>	<p><u>JUMPING JACKS</u></p> <p>Stand with arms at sides, jump spreading feet to the side and at the same time swing the arms overhead, then swing the arms down and Jump back to the start position. Do 10 times.</p>
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This series of exercises will increase one's strength, flexibility, agility, tone, and endurance. Major muscles can be toned through the conditioning period. Do each set of exercises ten times, and then repeat at your own pace, for a total time of fifteen to twenty minutes.

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

COOL DOWN (5-8 min.)

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



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Count Procedures

NUMBER: 2022-26

SUPERSEDES: 16-50

APPLICABILITY: Institutional Staff

PAGE: 1 of 3

REFERENCE: AR 400 Security, Daily Count/Population Report in eOMIS,
 AD Maintenance of Permanent Security Log

APPROVED: Original signed by Dexter Payne **EFFECTIVE DATE:** 10/13/2022

I. POLICY:

It shall be the policy of the Arkansas Division of Correction (ADC) to set forth a formal and informal system of counts to ensure around-the-clock accountability of all inmates. This system will provide a procedure to physically count each inmate assigned to the facility, as well as a count of inmates on temporary release from the facility.

II. DEFINITIONS:

- A. Count Light. A red light that is used to notify staff and inmates of count time.
- B. Emergency Count. Counts conducted at the discretion of the Warden/Work Release Center Supervisor of all inmates in emergency situations (inmate escape, report of sighting of an inmate in public, etc.)
- C. Formal Count. An official tally of inmates, at designated times where security staff physically observe or account for every inmate in custody of the ADC.
- D. Manual. Involves physically walking and observing the movement and presence, or the absence, of an inmate and providing evidence by production of a count sheet.
- E. Photo Roster Count. A count that is conducted with a roster that includes the name, ADC number, and photos of all assigned inmates to a facility.
- F. Security Rounds. Conducted by security staff, at irregular intervals (at least every 30 minutes) to ensure the well-being and presence of inmates throughout each shift that are made while inmates are working, engaged in daily activities within the housing unit or participating in recreational or other activities.
- G. Shift Supervisor. An Officer in charge of daily unit operations.

III. PROCEDURES

A. Frequency of Counts During Shifts

1. There shall be at least three (3) Formal manual counts (documented in writing) conducted per twelve (12) hour shifts.
2. There shall be at least one (1) Roster count conducted per twelve (12) hour shifts (two (2) each twenty-four (24) hour period).
3. Emergency Counts and unscheduled counts may be scheduled as deemed necessary by the facility Warden/Work Release Center Supervisor or designee.

B. Basic Principles for Counting Inmates

The following principles will be followed when counting inmates:

1. The Shift Supervisor who is responsible for maintaining the master count record should have up-to-the-minute information regarding all inmate housing moves, work assignment changes, hospital admissions, gate passes, court releases, etc.
2. The Shift Supervisor will initiate, supervise, and clear unit counts. The Shift Supervisor will notify the Unit Control Center to announce when the count has begun and when the count has cleared. The Count Light will be turned on and off at facilities that utilize count lights.
3. The Shift Supervisor will print a Photo Roster Count at the beginning of each shift (6:00 a.m. and 6:00 p.m.).
4. All inmates will be counted simultaneously at their assigned location.
5. There will be no movement of inmates until the count is cleared.
6. Officers assigned to specific areas (work supervisors, kitchen, sallyport, etc.) will submit his or her count sheet to the Shift Supervisor.
7. A record of each count must be reflected in all security logs and must state the following:
 - a. Number of inmates present;
 - b. Number of inmates out;
 - c. Beginning Time; and
 - d. End Time.
8. Security rounds shall be made by employees supervising inmates to verify that all inmates are present.
9. While counting, officers must not allow any distractions except for an emergency.
10. Officers must ensure that he or she observes a living person before counting the inmate as present.
11. Officers counting inmates in any assigned area will remain there until the count is verified as correct and has cleared.

12. Each count must be made accurately and promptly. If there is any doubt to the accuracy of the count, a recount must be conducted.
 13. Inmates shall not participate in the preparation, manual counting, or collection of documents pertaining to the count process.
 14. If a count cannot be cleared within thirty (30) minutes, the Warden/Work Release Center Supervisor must notify the appropriate Deputy Director.
- C. Basic Principles for Documenting Inmate Counts. The following principles will be followed when documenting inmate counts:
1. The master count record shall be placed in the daily folder/permanent security log.
 2. All counts should be entered into and reconciled against the electronic offender file by the Shift Supervisor.
 3. A daily master count record will be maintained listing any inmates away from the facility by staff designated by the Warden such as the following:
 - a. Unit Classification Officer;
 - b. Unit Shift Supervisor;
 - c. Unit Count Room Supervisor; and
 - d. Sallyport Officer.
 4. All master count records must be reviewed daily by the Unit's Chief of Security and witnessed by the Shift Supervisor.
 5. The Warden/Work Release Center Supervisor must be familiar with the count procedures at their Unit.



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www.adc.arkansas.gov



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

6814 Princeton Pike
Pine Bluff, Arkansas 71602

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

NUMBER: ~~2022-1216-50~~ **SUPERSEDES:** ~~13-12416-50~~

APPLICABILITY: ~~Institutional Staff~~ **PAGE:** ~~1 of 3~~

REFERENCE: ~~AR 400 – Security, Daily Count/Population Report in eOMIS, AD Maintenance of Permanent Security Log, PAGE: 1 of 3~~

APPROVED: ~~Original Signed by Wendy Kelley~~
EFFECTIVE DATE:
~~10/07/2016~~

I. POLICY:

H.I.

It shall be the policy of the Arkansas ~~Department~~ Division of Correction (ADC) to set forth a formal and informal system of counts to ensure around-the-clock accountability of all inmates. This system will provide a ~~system procedure~~ to physically count each inmates assigned to the facility, as well as a count of ~~those inmates~~ on temporary release from the facility.

II. DEFINITIONS:

~~Roster Count. A count with a roster of the name and photos of all assigned inmates.~~

- ~~A. Count Light. A Red light that is used to notify staff and inmates of count time. The light is turned on when count begins and turned off when count ends.~~
- ~~B. Emergency Count. Counts conducted at the discretion of the Wardens/Work Release Center Supervisors that has been approved by the appropriate Deputy Director of all inmates in emergency situations (inmate escape, reporting of sighting of an inmate in public, etc.)~~
- ~~C. Formal Count. An official tally of inmates, at designated times where security staff physically observe and count or account for every inmate in custody of the ADC.~~
- ~~D. Manual. Involves physically walking and observing the movement and presence, or the absence, of an inmate and providing evidence by production of a count sheet.~~
- ~~A. Photo Roster Count. A count that is conducted with a roster that includes the name, ADC number, and photos of all assigned inmates to a facility.~~
- ~~E.~~
- ~~B. Informal Checks Security Rounds count. Security checks/rounds eConducted by security staff, at irregular intervals (at least every 30 minutes) to ensure the well-being and presence of inmates throughout each shift that are made while inmates are working, engaged in daily activities within the housing unit or participating in recreational or other activities.~~
- ~~F.~~
- ~~G. Shift Supervisor. An Officer in charge of daily unit operations. Barracks checks conducted at irregular intervals to ensure the well-being and presence of the inmates throughout each shift.~~

III. PROCEDURES:

A. Frequency of Counts During Shifts

B.A.

- ~~1. There shall be At least three (3) Fformal mManual counts (documented in writing) will be conducted per twelve (12) hour shifts, and two (2) conducted per eight (8) hour shifts.~~
- ~~2. There shall be at least one (1) Rroster count will be conducted per twelve (12) hour shifts (two (2) each twenty-four (24) hour period).~~
- ~~1-32. Emergency Counts and Aunscheduled additional counts may be scheduled as deemed necessary by the facility Warden/Center Supervisor Work Release Center Supervisor or designee.~~

B. Basic Principles for Counting Inmates

The following principles will be followed when counting inmates:

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1. ~~The Shift Supervisor's or designee (Count Room Sergeant) or person who is responsible for maintaining the master count record should have up-to-the-minute information regarding all inmate housing moves, work assignment changes, hospital admissions, gate passes, court releases, etc.~~
2. ~~The Shift Supervisor's or designee will initiate, supervise, and clear unit counts. The Shift Supervisor will notify the Unit Control Center to announce to all appropriate staff when the count has begun and when the count has cleared. The Count Light will be turned on and off at facilities with this equipment count lights that utilize count lights.~~
3. ~~The Shift Supervisor will print a Photo Roster Count at the beginning of each shift (6:00 a.m. and 6:00 p.m.).~~
4. ~~Barracks. The Relieving Officer will be briefed by the On-Duty Officer before he or she takes control of the barracks.~~
4. ~~At the beginning of each shift or change of post assignment, the Relieving barracks Officer for the 6:00 a.m. count and the 6:00 p.m. count will provide~~
 - a. ~~a Photo Roster Count sheet to verify the inmates in the barracks with the inmates on the roster.~~
 - b. ~~The Officers will make clearlegible check marks by the inmate's name and photo depicting the verification of their count and add the numbers for inmates in and inmates out on the count sheets.~~
 - c. ~~The Photo Roster Count must be signed by the On-Duty Officer and the Relieving Officer. must give the relieving officer the barrack roster with a list stating the inmates who are in the barracks, and inmates who are out of the barracks. The relieving officer must perform a count to verify this information is correct before he or she can relieve the officer from control of the barracks.~~
- 2.5. ~~All inmates will be counted simultaneously. Each inmate will be counted at their specified assigned location.~~
3. ~~There will be no movement of inmates until the count is cleared.~~

~~4.6.~~

~~7. Officers assigned to specific areas (barracks, work supervisors, kitchen, etc.) will submit his or her count sheet to the Shift Supervisor's designee.~~

~~5. Any staff accounting for an inmate's location (e.g. inmate held at sallyport) must submit a count sheet to the staff conducting the count.~~

~~8.~~

~~9. The officer assigned to specific areas will communicate the count to a designated officer. A record of each count must be reflected in all security logs and must state the following:~~

- ~~a. Number of inmates present;~~
- ~~b. Number of inmates out; absent~~
- ~~c. Beginning Time; and~~
- ~~d. Ending Time.~~

~~6. The designated officer will notify the appropriate staff when count has begun and when the count is cleared.~~

~~7. Informal checks Security rounds shall be made by employees supervising inmates to verify that all inmates are present. Typically, counts of this kind are made while inmates are working, engaged in daily activities within the housing unit or participating in recreational or other activities.~~

~~8.10.~~

~~9.11. While counting, officers must not allow any distractions (e.g. inmates walking around barracks, inmates talking loud), thing, with the exception of for an emergency, to distract them.~~

~~10.12. Officers must ensure that they he or she observes sees a living individual person before counting the inmate as present. Flashlights may be issued from the unit control center to be used during night counts.~~

~~11.13. Officers counting inmates in any assigned-particul ar-area will remain there until the count is is cleared and-verified as correct and hasis cleared.~~

~~12.14. Each count must be made accurately and promptly. If there is any doubt as to the correcttness-accuracy of the count, then-a recount must be conducted.~~

~~13. Inmates are shall not to participate in the preparation, manual counting, or collection of documents pertaining to the count process. documentation of the count process.~~

~~14.15.~~

~~15.16.~~ If a count cannot be cleared within thirty (30) minutes, the Warden/Work Release Center Supervisor ~~will~~ must notify the appropriate Deputy/Assistant Director.

~~C.~~ C. Basic Principles for Documenting Inmate Counts

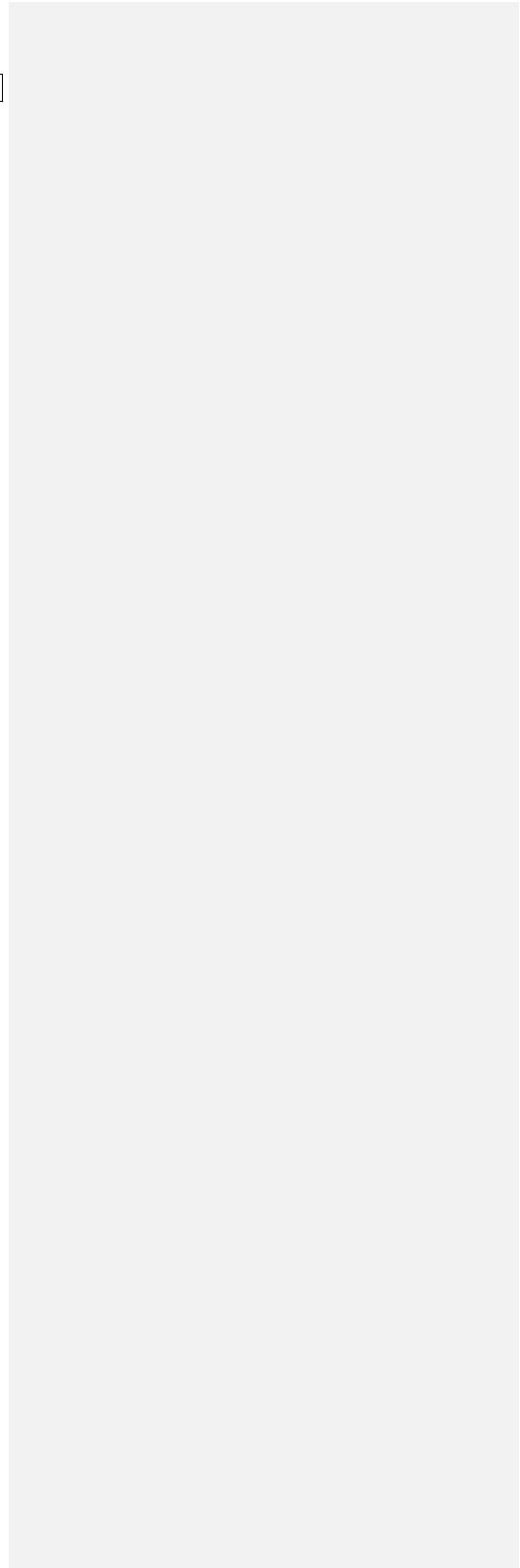
~~D.C.~~ D.C. The following principles will be followed when documenting inmate counts:

1. The master count record shall be placed in the daily folder/permanent y's security folder/permanent log.
2. ~~All counts should be entered into and reconciled against the electronic Offender record System/offender file by the Shift Supervisor's designee. All counts should be entered into and reconciled against electronic Offender Management Information System (eOMIS) by Shift Supervisor's designee. System.~~
3. A daily master count record will be maintained ~~of listing any~~ inmates away from the facility by the:
 - ~~— Warden;~~
 - ~~— Deputy Warden;~~
 - a. Unit Classification Officer;
 - b. Unit Shift Supervisor; or designee; and
 - c. Unit Count Room Supervisor; and
 - d. Sallyport Officer.
 - ~~— Deputy Warden;~~
 - ~~— Warden;~~
4. All master count records must be reviewed daily by the Unit's Chief of Security and witnessed by the Shift Supervisor, and witnessed by the shift supervisor.
3. ~~The Warden/-Work Release Center Supervisor must be familiar with the count procedures at their Unit.~~
4.

~~III.~~ III. REFERENCE:

~~Daily Count/Population Report in eOMIS.~~

5.





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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2022-27

SUPERSEDES: 2022-25

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

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

PAGE: 1 of 8

APPROVED: Original Signed by Director Dexter Payne

EFFECTIVE DATE: 11/1/2022

I. POLICY

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

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

II. DEFINITIONS

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

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

III. PROCEDURES

A. Initial Placement

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

B. Institutional Classification Committee Procedures for Assignment to RH

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

- b. Direct Threat (Safe/Secure Operations)
 - c. Administrative Review
 - d. Punitive
 - e. Disciplinary Court Review (DCR)
 - f. Investigative Status
 - g. Protective Custody
 - h. PREA
 - i. Quarantine
11. If the Warden or designee decides to move an inmate from RH, but the inmate refuses to leave, the inmate will be moved to Extended RH on the 31st day, unless the RH sanction has expired. The inmate shall be written a major disciplinary for failure or refusal to leave RH and return to population. An incident report must be completed to start the RH sanction over again.

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

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one (1) of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or
 - c. The case requires more extensive investigation.
5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.
6. Inmates who have been in restrictive housing for longer than thirty (30) days are to maintain the AM Assignment to "Extended Restrictive Housing" regardless of disciplinary court review or punitive status.

D. Control Precautions and Privileges while in Restrictive Housing

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

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.

- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- d. Inmates will have opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing.
- e. Regularly scheduled meals may be served in cells instead of the chow hall.
- f. Chaplains will visit the RH area at least weekly and upon request.
- g. Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
- h. Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
- i. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include:
 - i. Ice cream;
 - ii. Cups/Tumblers;
 - iii. Razors;
 - iv. Any sharp objects;
 - v. Canned items/drinks;
 - vi. Nail clippers; and
 - vii. Others as designated in writing by unit policies.
- j. Clothing allowed to male inmates in RH while inside their cells are limited to a t-shirt and boxers. For clothing allowed for females, refer to McPherson Unit policy and Hawkins Unit Policy. Thermal undergarments will be issued when appropriate.
- k. Inmates in RH will be issued jumpsuits prior to exiting his/her cell when being escorted outside of the barracks. Jumpsuits will be taken by staff upon return to the inmate's cell.
- l. Canvas shoes will be issued. No shoes with strings will be allowed in RH.
- m. Inmates will only be allowed laundry bags with Velcro closures. No strings allowed.
- n. A reasonable amount of reading material and educational material approved by the Arkansas Correctional School District.
- o. Bedding is to be changed weekly and weekly laundry services are to be provided.
- p. Access to legal materials upon request and in accordance with unit policy.
- q. Access to attorney of record via legal mail and telephone.
- r. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.
- s. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as

determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.

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

2. Privileges

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

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one (1) member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.
3. The Warden or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.
5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally, the following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry

Plan will be tailored to specific needs of the inmate. This does not apply to court orders for immediate release.

- b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.
- c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.
- d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

F. Restrictive Recreation

A. Initial Placement

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

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

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued placement and the steps the inmate must take to be removed from Restrictive Recreation Status.
4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the placement. The Lieutenant or above restriction will begin with the initial placement.
5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status

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

IV. ATTACHMENTS:

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING PLACEMENT

Attachment I

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

TO: _____

FROM: _____

DATE: _____

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

Administrative Status (Temporary):

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

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

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

SIGNATURE

DATE

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE RECREATION PLACEMENT

Attachment II

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

TO: _____

FROM: _____

DATE: _____

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

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

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

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

Warden Signature

Date

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

Deputy/Duty Director

Date

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING STATUS REVIEW RECORD OF RELEASE CONSIDERATION

Facility: _____
 Inmate: _____
 ADC #: _____

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

Date of Review _____

Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

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

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

INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

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

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

MENTAL HEALTH APPRAISAL REPORT: Completed Yes No

WARDEN'S REVIEW

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

WARDEN OR DESIGNEE SIGNATURE

DATE



ARKANSAS DIVISION OF CORRECTION Attachment IV

RESTRICTIVE HOUSING RELEASE PLAN

Facility Name: _____ Date: _____

Inmate Name: _____ ADC Number: _____

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

Classification Committee Member Signature

Date

INMATE ACKNOWLEDGEMENT

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

Inmate's Signature

Date

WARDEN'S REVIEW

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

Warden or Designee's Signature

Date



ARKANSAS DIVISION OF CORRECTION

Attachment V

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Date of Review: _____

I, Inmate _____, ADC# _____
 Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

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

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

RHCC Member Signature: _____

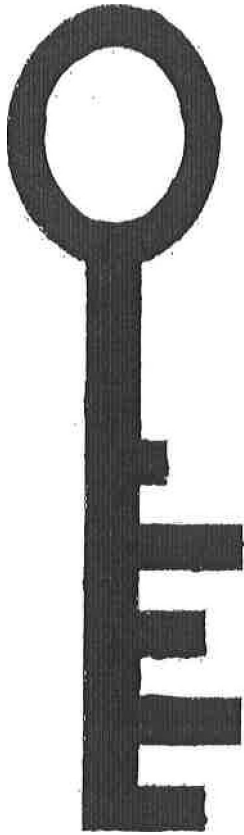
Date: _____

Witness Name (Please print): _____

Witness Signature: _____

Date: _____

Unlock Your Potential With



EXERCISE

Exercise is a key to:

EMOTIONAL WELL BEING

CARDIOVASCULAR HEALTH

WEIGHT MANAGEMENT

MUSCLE TONING

ENHANCED RELAXATION

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








INTRODUCTION

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

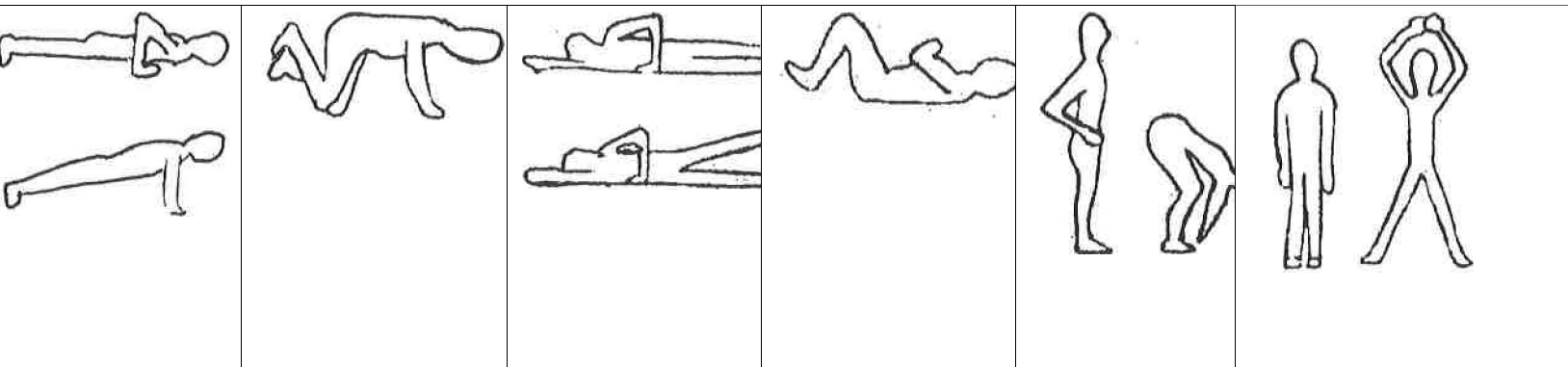
WARM-UP/STRETCH (5-8 min.)

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

Try to relax the muscles being stretched.

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

CONDITION (15-20 min.)





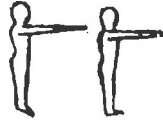




<p>PUSH-UPS</p> <p>This exercise strains your back, do knee push-ups, See the next frame,) Lie flat on the floor, hands under your shoulders, Keeping the body and legs straight, push up. lower your body until your chest almost touches the floor. Repeat 10 times.</p>	<p>OR KNEE PUSH-UPS</p> <p>Get on your hands and knees, lowering the upper body to the floor by bending the arms, then push back up. (10 times)</p>	<p>LEG RAISER</p> <p>Lie on your side with your head on your arm. Use your other hand to brace yourself, Keep your leg straight and lift it as far 'IS possible, Do 10 times each side,</p>	<p>ABDOMINAL CURL (SIT-UPS)</p> <p>Lie on your back with your feet on the floor, knees bent, arms folded across the chest. Raise head and shoulders off the floor about Inches and return to the floor, (ten times)</p>	<p>TOE TOUCH</p> <p>Stand with feet together, arms at side, Keep the knees slightly bent, lean forward and gently stretch hands toward the toes or floor return and repeat, Do 10 times.</p>	<p>JUMPING JACKS</p> <p>Stand with arms at sides, jump spreading feet to the side and at the same time swing the arms overhead, then swing the arms down and Jump back to the start position. Do 10 times.</p>
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This series of exercises will increase one's strength, flexibility, agility, tone, and endurance. Major muscles can be toned through the conditioning period. Do each set of exercises ten times, and then repeat at your own pace, for a total time of fifteen to twenty minutes.

COOL DOWN (5-8 min.)

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

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



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2022-~~27~~25

SUPERSEDES: 202~~1~~-~~2~~15

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

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

PAGE: 1 of 7

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 10/13/2022

I. POLICY

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

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

II. DEFINITIONS

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

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

III. PROCEDURES

A. Initial Placement

1. Upon the determination that the inmate poses a direct threat to the safety of persons or a clear threat to the safe and secure operations of the facility, the Chief Security Officer on duty (shift supervisor) may place the inmate in RH.

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

B. Institutional Classification Committee Procedures for Assignment to RH

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

- e. Disciplinary Court Review (DCR)
- f. Investigative Status
- g. Protective Custody
- h. PREA
- i. Quarantine

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

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

1. Pending trial on a criminal act; Placement is not to exceed three (3) business days following a court decision;
2. Pending DCR; Placement is not to exceed fourteen (14) days. If the disciplinary action is dismissed prior to a disciplinary hearing, the inmate must be released from DCR status and appropriately reassigned;
3. Pending transfer to another unit; Placement is not to exceed three (3) business days absent approval from the appropriate Deputy Director; or
4. Pending investigation by unit staff, Internal Affairs, or Arkansas State Police not to exceed three (3) business days which may be extended by the Warden or designee. The extension approved by the Warden or Deputy Warden may not exceed five (5) working days per extension. If there are more than four (4) extensions, they must have the approval of the Director. Extensions can only be made for one (1) of the following reasons:
 - a. An inmate who is suspected of having information which would aid in the resolution of the investigation is unavailable for interview by appropriate authorities;
 - b. Awaiting information, documents and/or decisions which would aid in the resolution of the investigation, from appropriate authorities; or
 - c. The case requires more extensive investigation.
5. For inmates on Administrative Status, these procedures will be followed except that this status is temporary, and a Release Plan is not necessary while in this status.
6. Inmates who have been in restrictive housing for longer than thirty (30) days are to maintain the AM Assignment to “Extended Restrictive Housing” regardless of disciplinary court review or punitive status.

D. Control Precautions and Privileges while in Restrictive Housing

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

1. Control Precautions

- a. The inmate will be housed in a separate area of the institution determined by the Warden.
- b. Inmates will receive regular mail privileges as inmates housed in population.
- c. Visits may be in a separate visiting room and will be conducted in the presence of an officer.
- d. Inmates will have opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities may be available to

- exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing.
- e. Regularly scheduled meals may be served in cells instead of the chow hall.
 - f. Chaplains will visit the RH area at least weekly and upon request.
 - g. Although no razors will be allowed, inmates will have the opportunity to groom facial hair and shower a minimum of three (3) times per week. Barbering and hair care services should be available on the same basis as general population except that no razors will be allowed. Exceptions to the schedule are permitted when found necessary by the shift supervisor on duty. All exceptions will be recorded in the log and justified in writing.
 - h. Requests for medical, dental, or mental health services are the same as general population. The requests can be through sick call/health services request or by staff for medical emergencies. Inmates in RH are provided medication as prescribed.
 - i. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include:
 - i. Ice cream;
 - ii. Cups/Tumblers;
 - iii. Razors;
 - iv. Any sharp objects;
 - v. Canned items/drinks;
 - vi. Nail clippers; and
 - vii. Others as designated in writing by unit policies.
 - j. Clothing allowed to male inmates in RH while inside their cells are limited to a t-shirt and boxers. For clothing allowed for females, refer to McPherson Unit policy and Hawkins Unit Policy. Thermal undergarments will be issued when appropriate.
 - k. Inmates in RH will be issued jumpsuits prior to exiting his/her cell when being escorted outside of the barracks. Jumpsuits will be taken by staff upon return to the inmate's cell.
 - l. Canvas shoes will be issued. No shoes with strings will be allowed in RH.
 - m. Inmates will only be allowed laundry bags with Velcro closures/straps. No strings allowed.
 - n. A reasonable amount of reading material and educational material approved by the Arkansas Correctional School District.
 - o. Bedding is to be changed weekly and weekly laundry services are to be provided.
 - p. Access to legal materials upon request and in accordance with unit policy.
 - q. Access to attorney of record via legal mail and telephone.
 - r. Inmates leaving or entering the RH unit must be thoroughly searched. Those on RH status shall be escorted by two (2) officers and will be in restraints to and from their destination.
 - s. RH inmates are personally observed by a correctional officer twice per hour, but no more than forty (40) minutes apart, on an irregular schedule. Inmates who are mentally disordered or who demonstrate unusual, bizarre, or self-injurious behavior receive more frequent observation as determined by a qualified mental health professional (minimal to constant); suicidal inmates are under continuous observation (directly or by monitored camera) while on treatment precautions. Observation shall be documented in a log.

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

2. Privileges

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

E. Review of RH Status

1. The Classification Committee or authorized staff must review the status of every inmate assigned to RH classification every seven (7) days for the first sixty (60) days, and every thirty (30) days thereafter to determine if the reason(s) for Assignment continues to exist. At every other thirty (30) day review, the inmate will be personally interviewed by the Classification Committee or authorized staff. All reviews will be documented utilizing the appropriate segregation form, and all refusals by inmates will be signed by the inmate and at least one (1) member of the classification committee who confirmed the refusal by speaking with the inmate. Any inmate who advises the classification member that he/she did not refuse will be assigned to the next regularly scheduled classification meeting.
2. A mental health practitioner/provider completes a mental health appraisal and prepares a written report on all inmates placed in RH within seven (7) days of Placement. If confinement continues beyond thirty (30) days, a behavioral health assessment by a mental health practitioner/provider is completed at least every thirty (30) days for inmates with a diagnosed behavioral health disorder and more frequently if clinically indicated. For inmates without a diagnosed behavioral health disorder, an assessment is completed every ninety (90) days and more frequently if clinically indicated. The evaluation will be conducted in a confidential area.
3. The Warden or designee will review all committee recommendations for possible transfer to general population within five (5) days.
4. No inmate shall remain in RH for more than one (1) year unless the Warden has personally interviewed him/her at the end of the year and approves the Assignment. At the end of the second and each additional year that an inmate remains in RH, the Warden and the Deputy Director shall personally interview the inmate and determine whether the Assignment is necessary and appropriate.
5. The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.
6. Inmates assigned to RH have the opportunity to participate in the Step-Down Program to assist with reintegration of the inmate into general population in accordance with his/her Release Plan or to the community in accordance with his/her Reentry Plan.
7. The ADC will attempt to ensure that inmates are not released directly into the community from RH or Extended RH. In the event that the release of an inmate directly from RH into the community is imminent, the Unit Warden or designee will document the justification and receive approval from the appropriate Deputy Director. Additionally, the following must be met:
 - a. Classification shall verify that a Reentry Plan is in the Division's electronic Offender Management Information System (eOMIS) at least one-hundred twenty (120) days prior to release. The Reentry Plan will be tailored to specific needs of the inmate. This does not apply to court orders for immediate release.
 - b. Notice is required of release to local law enforcement where the inmate intends to reside, and/or local law enforcement where the ADC releases the inmate from custody.

- c. Notify releasing inmate of applicable community resources as part of the Reentry Plan.
- d. Victim Information and Notification Everyday (VINE) is made to those victims who have current information in VINE or eOMIS.

F. Restrictive Recreation

A. Initial Placement

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

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

1. The inmate will be allowed to appear before the Classification Committee to make any relevant statements, and to present related documentary evidence. An inmate's refusal to appear before the committee will be documented in writing.
2. Continued placement will be made by majority vote of the committee.
3. The inmate will be advised in writing of the reasons for continued placement and the steps the inmate must take to be removed from Restrictive Recreation Status.
4. The inmate will be on staff restricted movement of a Lieutenant or above for the duration of the placement. The Lieutenant or above restriction will begin with the initial placement.
5. The Restrictive Recreation Status will be documented in the Case Notes Section of the inmate's electronic record and a Restrictive Recreation Precaution will also be entered. A handout on in-cell exercise shall be provided to the inmate upon request.
6. All decisions of the Classification Committee will be subject to review and approval or disapproval by the Warden or his/her designee.

C. Review of Restricted Recreation Status

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

IV. ATTACHMENTS:

- I. Restrictive Housing Placement
- II. Restrictive Recreation Placement
- III. Restrictive Housing Status Review Record of Release Consideration
- IV. Restrictive Housing Release Plan

- V. Restrictive Housing Classification Committee Waiver
- VI. Restrictive Housing in Cell Recreation Handout



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING PLACEMENT

Attachment I

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

TO: _____

FROM: _____

DATE: _____

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

Administrative Status (Temporary):

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

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

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

SIGNATURE

DATE

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE RECREATION PLACEMENT

Attachment II

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

TO: _____

FROM: _____

DATE: _____

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

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

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

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

Warden Signature

Date

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

Deputy/Duty Director

Date

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



ARKANSAS DIVISION OF CORRECTION

RESTRICTIVE HOUSING STATUS REVIEW RECORD OF RELEASE CONSIDERATION

Facility: _____
 Inmate: _____
 ADC #: _____

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

Date of Review _____ Date of Initial Assignment _____

REASON FOR INITIAL ASSIGNMENT

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

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

INMATE'S STATEMENT CONCERNING RELEASE OR CONTINUED SEGREGATION

ACTION/REASON

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

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

MENTAL HEALTH APPRAISAL REPORT: Completed Yes No

WARDEN'S REVIEW

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

WARDEN OR DESIGNEE SIGNATURE

DATE



ARKANSAS DIVISION OF CORRECTION Attachment IV

RESTRICTIVE HOUSING RELEASE PLAN

Facility Name: _____ Date: _____

Inmate Name: _____ ADC Number: _____

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

 Classification Committee Member Signature Date

INMATE ACKNOWLEDGEMENT

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

 Inmate's Signature Date

WARDEN'S REVIEW

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

 Warden or Designee's Signature Date



ARKANSAS DIVISION OF CORRECTION

Attachment V

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Date of Review: _____

I, Inmate _____, ADC# _____
 Hereby waive or refuse to appear before the RH Classification Committee (RHCC).

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

Inmate Name (Please print): _____

Inmate Signature: _____

Date: _____

RHCC Member Name (Please print): _____

RHCC Member Signature: _____

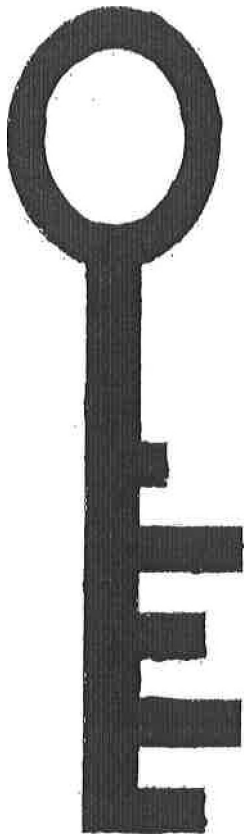
Date: _____

Witness Name (Please print): _____

Witness Signature: _____

Date: _____

Unlock Your Potential With



EXERCISE

Exercise is a key to:

EMOTIONAL WELL BEING

CARDIOVASCULAR HEALTH

WEIGHT MANAGEMENT

MUSCLE TONING

ENHANCED RELAXATION

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






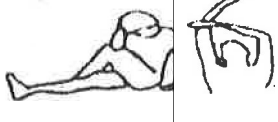

INTRODUCTION

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

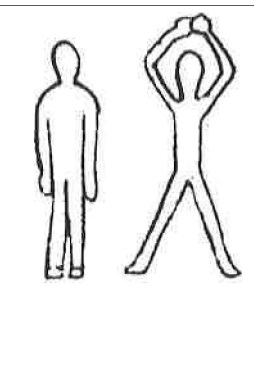
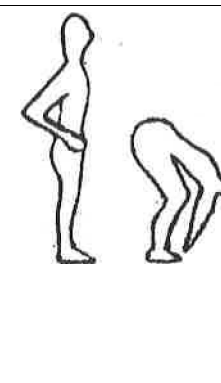
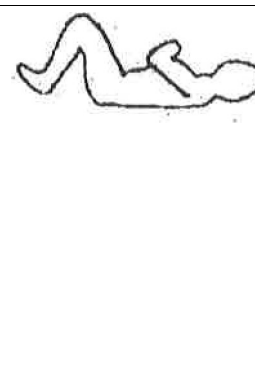
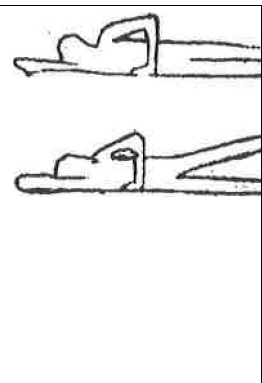
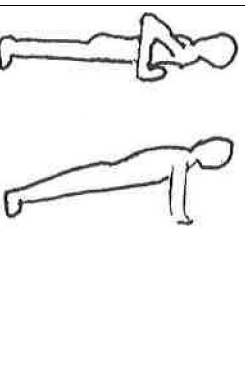
WARM-UP/STRETCH (5-8 min.)

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

Try to relax the muscles being stretched.

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

CONDITION (15-20 min.)





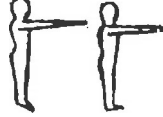




<p>PUSH-UPS</p> <p>This exercise strains your back, do knee push-ups, See the next frame,) Lie flat on the floor, hands under your shoulders, Keeping the body and legs straight, push up. lower your body until your chest almost touches the floor. Repeat 10 times.</p>	<p>OR KNEE PUSH-UPS</p> <p>Get on your hands and knees, lowering the upper body to the floor by bending the arms, then push back up. (10 times)</p>	<p>LEG RAISER</p> <p>Lie on your side with your head on your arm. Use your other hand to brace yourself, Keep your leg straight and lift it as far 'IS possible, Do 10 times each side,</p>	<p>ABDOMINAL CURL (SIT-UPS)</p> <p>Lie on your back with your feet on the floor, knees bent, arms folded across the chest. Raise head and shoulders off the floor about Inches and return to the floor, (ten times)</p>	<p>TOE TOUCH</p> <p>Stand with feet together, arms at side, Keep the knees slightly bent, lean forward and gently stretch hands toward the toes or floor return and repeat, Do 10 times.</p>	<p>JUMPING JACKS</p> <p>Stand with arms at sides, jump spreading feet to the side and at the same time swing the arms overhead, then swing the arms down and Jump back to the start position. Do 10 times.</p>
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This series of exercises will increase one's strength, flexibility, agility, tone, and endurance. Major muscles can be toned through the conditioning period. Do each set of exercises ten times, and then repeat at your own pace, for a total time of fifteen to twenty minutes.

COOL DOWN (5-8 min.)

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

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



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Correctional Officer Training, Basic Training, Rehires

NUMBER: 2022-28

SUPERSEDES: 16-26

APPLICABILITY: Training Academy Staff, Unit Human Resource Managers/
 Training Officers, and New or Rehired Correctional Officers

REFERENCE: AR 013 Staff Training, Employment SD, Employee Orientation and Training SD, AD Hazardous Duty Pay/Maximum Security Incentive Pay

PAGE: 1 of 3

APPROVED: Original Signed by Dexter Payne

EFFECTIVE DATE: 12/22/2022

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to provide Basic Correctional Officer Training (BCOT) to employees who are hired into security positions within the ADC. This training shall consist of correctional security training in accordance with ACA and ADC standards. The ADC will recognize previous training received by new and rehired correctional officers while ensuring that established Arkansas training standards are met.

II. DEFINITIONS:

- A. Basic Correctional Officer Training (BCOT). Basic Training is two-hundred forty (240) hours of pre-service requirements meeting accreditation standards of the American Correctional Association, as well as other training as required by the ADC.
- B. Cadet. New or rehired employees who are currently enrolled in BCOT class.
- C. Essential Job Functions. The fundamental duties of a job or position; the responsibilities or tasks a person holding the job absolutely must be able to do.
- D. Field Training Officer (FTO). Correctional Officers who are selected by the Warden, or the Work Release Center Supervisor, who provide on the job training to newly hired security staff that are cadets in BCOT, new officers during their critical week after graduating BCOT, non-security staff that are required to attend BCOT.
- E. Hazardous Duty Pay. An amount up to 10 percent (10%) of the annual salary authorized by law to any eligible employee physically performing duties and responsibilities of and occupying an authorized position.

- F. Mentor. Someone who may have been through the FTO certification program and should have at least one (1) year experience and chosen by the Shift Supervisor as someone who is deemed to have good work ethics and is a leader.
- G. Rehire. For the purpose of this policy, a person who previously worked in a security position for the ADC.

III. PROCEDURES:

- A. Unit Human Resources (HR) Managers will be responsible for ensuring the pre-screening application process is completed, the eligibility of all Correctional Officers and that proper verification of the prior training and/or certification are obtained. All new hires must attend and successfully complete all elements of BCOT.
- B. Employees will receive hazardous duty pay while enrolled in BCOT. Cadets will be given six (6) months from date of hire, and five (5) attempts to qualify with firearms during, or after BCOT training. Firearms training will be held at the employee's assigned Unit. A cadet will only be issued firearms for training purposes until he/she has successfully qualified on required weapons. Failure to complete all BCOT requirements (academics and firearms) will result in termination. If a cadet cannot successfully complete all BCOT requirements, and has not missed more than three (3) days, the cadet may be recycled to the next scheduled BCOT class at the Superintendent/Warden and the Training Academy Administrator's discretion.
- C. Training received at the unit prior to BCOT from the Unit Training Officer does not count towards the 240 hours required for completion of BCOT.
- D. Verification of Previous Training and Employment
1. The Unit HR Office will review Rehire applications and related previous work history to determine the reason(s) the employee terminated employment with the ADC. Potential Rehire applicants will only be considered for employment at the last unit of assignment if less than one (1) year from termination date, however if the termination date is one (1) year or longer, the applicant may be considered for employment at other units/facilities.
 2. Unit HR Managers will obtain confirmation from the unit of last assignment on employment dates and completion of BCOT and complete required documentation. Once completed, the hiring packet will be sent to the Central Human Resources Office.
 3. In applicable cases, rehired Correctional Officers will be given credit for verified prior BCOT based on the following criteria:
 - a. If time since leaving ADC is less than one (1) year
 - i. Participate in the pre-screening application process;
 - ii. Must be updated on applicable Administrative Rules (AR), Administrative Directives (AD), Secretarial Directives (SD), and other ADC or unit policies by the Unit Training Officer or designee;
 - iii. Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated; and
 - iv. Is not required to take the BCOT or rehire exam.
 - b. If time since leaving ADC has been between one (1) to two (2) years:
 - i. Participate in the pre-screening application process;
 - ii. Take the written exam;

- iii. If passing score is obtained, the rehire must be updated on applicable AR's, SD's, AD's and other ADC or unit policies by the Unit Training Officer or designee.
 - iv. Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated.
 - v. If failing score is received, the rehire must attend BCOT.
- c. If time since leaving ADC has been over two (2) years:
- i. Participate in the pre-screening application process; and
 - ii. Attend the first available BCOT.

E. The Written Exam

1. Will be developed by the ADC Training Academy.
2. Will be given and graded by Training Academy Personnel.
3. A rehire must score 70% to pass.
4. Training Academy personnel will notify the Unit HR Manager of the test results.

F. Division AR's, AD's, Post Orders and Other Policies. Upon completion of the review of the AR's, AD's and other ADC and unit policies, the employee will sign an acknowledgement form on the policies reviewed. The Unit HR Manager will confirm the contents of the review with his/her signature and forward the original to the Central Human Resources Office.

G. Pre-Employment Screenings. Pre-employment screenings, as may be required by ADC policy or procedure, will be conducted prior to final review and approval of selectee. Such screenings may include, but not be limited to a test for drugs, physical assessments, tuberculosis, comprehensive criminal background investigations, maltreatment registry checks, traffic violation record, and assessment of the ability to perform essential job functions.

H. On-the-Job Training (OJT)

1. OJT includes a booklet of instructional modules called the Unit OJT Training Manual to train cadets by using specific objectives and topics presented in the module.
2. After BCOT training, the employee will be required to complete at least forty (40) hours of On-the-Job Training (OJT) with a Field Training Officer (FTO) before being placed on a post or assignment alone.
3. On the final day of OJT, the Post Orientation Modules Check-Off List is to be signed by the Cadet, the Unit Trainer, and the Chief of Security. This form is to be maintained at the Unit of assignment in the Cadets personnel file.
4. After completion of the BCOT program, Cadets are sworn in as Correctional Officers, and will remain in an OJT status at their assigned unit for at least forty (40) hours. The OJT status will be based upon the unit's policy and ensures the newly sworn Correctional Officer will be assigned to a post with either a FTO or a Mentor during this time frame.



PO Box 8707
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Fax: 870-267-6244
www.adc.arkansas.gov



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

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

SUBJECT: Correctional Officer Training, Basic Training, Rehires

NUMBER: ~~2022-2x16-26~~

SUPERSEDES: ~~14-1016-26~~

APPLICABILITY: -Training Academy Staff, _____
 _____ Unit Human Resource Managers/
 _____ Training Officers, and
 _____ New or Rehired Correctional Officers

PAGE: -1 of 4

REFERENCE: -AR 013 –Staff Training, Employment SD, AD Employee Orientation and Training SD,

ing Applicants with a Felony Record ADAD Hazardous Duty Pay/Maximum Security Incentive Pay -

PAGE: 1 of 4

APPROVED: Original Signed by Wendy Kelley

EFFECTIVE DATE:

8/1/2016

I. POLICY:

It is the policy of the Arkansas ~~Department~~ Division of Correction (ADC) to provide Basic Correctional Officer Training (BCOT) to employees who are hired into security positions within the ADC. This training shall consist of correctional security training in accordance with ACA and ADC standards. The ADC will ~~to~~ recognize ~~the~~ previous training received by new and rehired ~~C~~ correctional officers ~~being hired by the Department of Correction ADC~~ while ensuring that ~~the~~ Correctional Officers meet established Arkansas training standards are met.

II. DEFINITIONS:

~~A.~~

~~A.~~

~~A. Basic Correctional Officer Training (BCOT).— Basic Training as defined by the Arkansas Department Division of Correction Training Academy is two-hundred forty (240) hours of pre-service requirements meeting accreditation standards of the American Correctional Association, as well as other training as required by the Department ADC.~~

~~B.~~

~~B. Cadet. New or rehired employees Personnel who are currently enrolled inactively going through initial training in BCOT class.~~

~~C.~~

~~B. Essential Job Functions. The fundamental duties of a job or position; the. The responsibilities or tasks a person holding the job absolutely must be able to do.~~

~~D. Field -Training Officer (FTO). —Correctional Officers who are selected by the Warden, or the AWork Release Center Supervisor,s who provide on the job training to newly hired security staff that are cadets in BCOT, new officers during their critical week after graduating BCOTtion, and non-security staff that are required to attend BCOT.~~

~~B. _____ - C.~~

~~E. Hazardous Duty Pay. An amount up to 10 percent (10%) of the annual salary authorized by law to any eligible employee physically performing duties and responsibilities of and occupying an authorized position.~~

~~F. _____ Mentor. A mentor is sSomeone who may havehas or has not been through the FTO certification program and should have at least one (1) year experience and chosen by the Shift Supervisor as someone who is deemed to have good work ethics and is a leader.~~

~~G. D. New Hire. — For the purpose of this policy, Any new Correctional Officer hired who has not successfully completed the Arkansas Department of CorrectionADC Basic Correctional Officer Training Classes or is waiting to attend Basic Correctional Officer Training.~~

~~GH. C. — E. — Rehire. For the purpose of this policy, —A a Correctional Officerperson who previously worked in a security position for the Arkansas Department of Correction.ADC.~~

III. III. PROCEDURES:

~~— The Unit Human /Local HResources (HR) Managers Unit Human Resource Managers will be responsible for -eensuring the pre-screening application process is completed, the eligibility of all Correctional Officers and that proper verification of the prior training and/or certification are obtained.~~

~~A. -All new hires must attend and successfully complete all elements of Basic TrainingBCOT.~~

~~B. —Until an eEmployees completely certifies as a Correctional Officer, they will not receive hazardous duty pay while enrolled in BCOT. —Cadets will be given six (6) months from date of hire, and five (5) attempts to qualify with firearms during, or after BCOT training. Firearms training will be held at the employee’s assigned Unit. A cadet will only be issued firearms for training purposes until he/she has successfully qualified on required weapons. —Cadets will be given six (6) months from date of hire to qualify with firearms.— Failure to complete all Basic Correctional Officer TrainingCOT requirements (academicallyacademics and firearms), —which includes firearms,—will result in termination. If a cadet cannot successfully complete all BCOT~~

requirements, and has not missed more than three (3) days, the cadet may be recycled to the next scheduled BCOT class at the Superintendent/Warden and the Training Academy Administrator/warden's discretion.

~~A. Training received at the unit prior to BCOT from the Unit Training Officer does not count towards the 240 hours required for completion of BCOT. A cadet/officer will only be issued firearms for training purposes until they qualify with a passing score.~~

~~B.C.~~

~~DB.~~ Verification of Previous Training and Employment

~~1. The Central Unit Human Resources Office will review Rehire applications and related previous work history to determine the reason(s) the eEmployee terminated employment with the ADC. Potential Rehire aApplicants will only be considered for employment at the last unit of assignment if less than one (1) year from termination date, however if the termination date is one (1) year or longer, the applicant may be considered for employment at other units/facilities.~~

~~2. Unit HR Managers will obtain confirmation from the unit of last assignment on employment dates and completion of the BCOT and complete required documentation. Once completed, the hiring packet will be sent to the Central Human Resources Office. and document the Laserfiche.~~

~~3. In applicable cases, rehired Correctional Officers will be given credit for verified prior BCOT based on the following criteria:~~

~~—~~

~~a. Unit/Local HR ManagersUnit Human Resource Managers will obtain confirmation from the unit of last assignment on employment dates and completion of the Basic Correctional TrainingBCOT and document the Laserfiche file in writing.~~

~~b.~~

~~A. Rehires:~~

~~—~~

~~— In applicable cases, rehired Correctional Officers will be given credit for verified prior Basic Correctional Officer TrainingBCOT based on the following criteria:~~

~~a. 1. If time since leaving ADC is less than one (1) year~~

~~i. ParticipateParticipate iion in the pre-screening application process;~~

~~—Is not required to take the BCOT or rehirewritten exam;~~

~~ii. Must be updated on applicable Administrative Rules (AR), Administrative Directives (AD), Secretarial Directives (SD), and other ADC or unit policies by the Unit Training Officer or designee; and.~~

~~iii. Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated; and~~

~~iv. Is not required to take the BCOT or rehire exam.~~

~~—B.—b. If time since leaving ADC has been between one (1) to two (2) years:~~

~~i. Participate in the pre-screening application process;.~~

~~ii. Take the written exam;.~~

~~If failing score is received, the rehire must attend BCOT.~~

iii. If passing score is obtained, the rehire must be updated on applicable AR's, SD's, AD's and other ADC or unit policies by the Unit Training Officer or designee.

iv. Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated.

i.v. If failing score is received, the rehire must attend BCOT.

c.

~~Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated.~~

If time since leaving ADC has been over two (2) years:

i. Participate in the pre-screening application process; and:

ii. Attend the first available BCOT.

EC.

~~Time since Leaving ADC — Test or Training Requirements~~

~~Less than one (1) year — Participate in pre-screening application process.~~

~~No Basic Correctional Officer Training BCOT or exam; must be updated on applicable Administrative Rules R's (ARs), Administrative Directive (ADs)'s and other departmental ADC or unit policies by the Unit Training Officer or designee. Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated.~~

~~One (1) year to Two (2) years — Participate in pre-screening application process.~~

~~—Take the written exam.~~

~~If passing score is obtained, the rehire must be updated on applicable AR's, AD's and other departmental ADC or unit policies by the Unit Training Officer or designee. Shall meet all firearms training and qualification requirements during the first six (6) months of employment or be terminated.~~

~~If failing score is received, the rehire must attend Basic Training BCOT.~~

~~Over Two (2) years — Participate in the pre-screening application process.~~

~~Attend the first available Basic Correctional Training Class BCOT.~~

The Written Exam:

1. wWill be developed by the ADC Training Academy.;
2. Wwill be given and graded by ~~the~~ Training Academy Personnel.;

3. ~~A~~ rehire must score 70% to pass; ~~and~~
4. ~~The~~ Training Academy ~~personnel~~ will notify the ~~Unit /Local HR Manager~~ ~~Unit Human Resource Manager~~ of the test results.

~~FD. Department/Division~~ AR's, AD's, Post Orders and Other Policies.

Upon completion of the review of the AR's, AD's and other ~~departmental-ADC~~ and unit policies, the employee will sign an acknowledgement form on the policies reviewed. ~~The~~ ~~Unit/Local HR Manager~~ ~~Unit Human Resource Manager~~ will confirm the contents of the review with his/her signature and forward the original to the ~~Central~~ Human Resources Office.

~~GE. Pre-Employment Screenings.~~

Pre-employment screenings, as may be required by ~~department-ADC~~ policy or procedure, will be conducted prior to final review and approval of selectee. Such screenings may include, but not be limited to a test for drugs, physical assessments, tuberculosis, ~~comprehensive criminal~~ background investigations, ~~maltreatment registry checks, traffic violation record, employment reference checks,~~ and ~~the assessment of the~~ ability to perform essential job functions.

~~HF. — On-the-Job Training (OJT)~~

1. ~~OJT includes a booklet of instructional modules, called the Unit OJT Training Manual to train cadets by using specific objectives and topics presented in the module.~~
2. ~~After BCOT training, the employee will be required to complete at least forty (40) hours of On-the-Job Training (OJT) with a ~~n-experienced-Field Training~~ ~~oOfficer (FTO)~~ before being placed on a post or assignment ~~by themselves alone.~~~~
1. ~~On the final day of OJT, the Post Orientation Modules Check-Off List is to be signed by the Cadet, the Unit Trainer, and the Chief of Security. This form is to be maintained at the Unit ~~of assignment in~~ the Cadets personnel file.~~

3.

—

~~After completion of the BCOT program, Cadets are sworn in as Correctional Officers, and will remain in an OJT status at their assigned unit for at least forty (40) hours. The OJT status will be based upon the unit's policy and ~~i~~ensures the newly sworn Correctional Officer will be assigned to a post with either a ~~n-FTO~~ or a Mentor during this time frame. :~~

2.

3. IV. ~~REFERENCES:~~

~~Employment AD~~

~~Hiring Applicants with a Felony Record AD~~

4.