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SECRETARIAL DIRECTIVE

SUBJECT: Information Technology Resources Policy

NUMBER: 2021-09

SUPERSEDES: ADC AD's 19-02, 16-14, 18-39, 17-04
 ACC AD's 11-03, 14-20, 17-27 partial,
 & APB AD 18-02

APPLICABILITY: All DOC Employees, Contractors, Volunteers, and others authorized to Utilize DOC Information Technology Systems

REFERENCE: A.C.A. § 25-19-102 (FOIA), 25-34-101, 25-43-105, 25-43-108, 25-43-403

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APPROVED: Original Signed by Secretary Solomon Graves EFFECTIVE DATE: 7/15/2021

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (DOC), 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 guidelines for the acceptable use, security, maintenance, upgrade, repair, and disposal of the various forms of Information technology that are available to DOC employees, contractors, volunteers, and other individuals authorized to utilize that technology.

All supervisors are responsible for enforcing compliance with this policy. Violators will be subject to discipline as governed by the Department's Employee Conduct Standards & Discipline Secretarial Directive. Penalties may progress up to termination of employment, as well as initiation of criminal or civil action if appropriate.

II. **DEFINITIONS:**

- A. **Archive**. A collection of historical records that primarily consists of records that have been selected for permanent or long-term preservation.
- B. **CD/DVD/BRD**. Compact Disc, Digital Versatile Disc, and Blu-ray Disc are optical discs used for music, software, backup, and video storage.
- C. **Chief Technology Officer (CTO)**. The executive-level position tasked with the overall management and administration of Information Technology (IT) personnel, technological resources, programs, equipment, software, and technological issues within the DOC.
- D. **Criminal Justice Information Services Division (CJIS)**. A division of the United States Federal Bureau of Investigation (FBI) tasked with providing data and tools to law enforcement and intelligence organizations.

- E. Communications Equipment/Systems. Includes, but not limited to, standard landline (phones) or Internet VoIP telephones, facsimile machines, electronic mail, network computer/server access, internet, and/or on-line services.
- F. Computer & Electronic Equipment. Includes all personal computers (PC's), terminals, printers, network equipment and other computer-related equipment (smart or cell phones, tablets, media players, smart watches, speakers, laptops, thumb/flash drives, and other devices capable of storing computer files or software).
- G. Copyright. Creative artist's control of original work or intellectual property; the legal right of creative artists or publishers to control the use and reproduction of their original works.
- H. Data and System Security Classification (DIS SS-70-001). A framework applicable to all state agencies, including the DOC, under which data and systems are classified across the two spectrums of (1) data sensitivity and (2) data/system criticality. Once data and systems are classified, appropriate security measures (including personnel Security Clearance) measures can be applied. The data sensitivity levels are briefly summarized below:
 - 1. Level A – Unrestricted. Open public data with no distribution limitations, anonymous access. May be anonymous access via electronic sources.
 - 2. Level B – Sensitive. Public data with limited availability, but which requires a special application to be completed or special processing to be done prior to access.
 - 3. Level C – Very Sensitive. Data only available to internal authorized users. May be protected by federal and state regulations. Intended for use only by individuals who require the Information while performing job functions.
 - 4. Level D – Extremely Sensitive. Data whose disclosure or corruption could be hazardous to life or health.
- I. Degauss. The complete removal of Information from a hard drive, not a specific technology for doing so. To de-magnetize or render the magnetic media or hard drive completely unusable.
- J. De-Manufacturing. End-of-life disposition of electronic devices and computers; includes recovery of hard drives and chips with resale value, the removal of commodities, such as copper, aluminum, and gold for sale to scrap consumers, the removal and hazardous waste disposal of toxins and heavy metals, and the shredding or melting of materials that can be sold and manufactured into new products.
- K. Encryption. The process of converting Information or data into a code designed to prevent unauthorized access.
- L. FOIA. The Arkansas Freedom of Information Act gives Arkansan's access to public records and public meetings, with some exceptions. Under FOIA, the DOC must supply documents that are not exempt immediately if they are readily available. If requested records are in active use or storage, DOC must make every reasonable effort to supply disclosable documents, after redacting Information not disclosable, within three (3) business days.
- M. HDD. Hard Disc Drives refers to storage drives with internal moving components or spinning discs.
- N. Hotspot. An ad hoc wireless access point that is created by a dedicated hardware device or a smartphone that shares the phone's cellular data.
- O. Information. The data, Information, and knowledge created, stored, accessed, or transmitted using computing resources.
- P. License Agreement. A legal contract between two parties known as a licensor and a licensee. In a typical License Agreement, the licensor grants the licensee the right to produce and sell goods, apply a brand name or trademark, or use patented technology owned by the licensor. In exchange, the licensee usually submits to a series of conditions regarding the use of the licensor's property.
- Q. Marketing and Redistribution (M&R). The Marketing and Redistribution Section of the Department of Transformation and Shared Services.

- R. Multi-Factor Authentication. A method of accessing a system where a user is required to know at least two of the three following forms of identification:
1. Something you know such as a traditional ID and Password/Memorized Secret;
 2. Something you have such as an enrolled key fob, cell phone, or email address on a different domain; or
 3. Something you are such as fingerprint, iris pattern, facial structure, voice pattern, etc.
- S. Mobile Devices. A portable, wireless computing device that is small enough to be used while held in the hand. May have an independent connection to the internet or DOC intranet. (i.e., Laptop, Smartphone, Tablet or Music Player).
- T. Offender. Individuals under the custody or supervision of a division of the Department of Corrections, including but not limited to inmates, residents in a community correction center or reentry center, parolees, and probationers.
- U. Password/Memorized Secret. A secret word or string of characters that is used for authentication to prove identity or gain access to a resource, sometimes referred to as an Access Code.
- V. Protected Health Information (PHI). Any Information about health status, provision of health care, or payment for health care that is created or collected by a covered entity or business associate of a covered entity, as defined by the Health Insurance Portability and Accountability Act (HIPPA) and can be linked to a specific individual.
- W. Security Clearance. A process that may include a law enforcement background check and may be combined with some form of biometric identification (e.g., fingerprinting).
- X. Single-Factor Authentication (SFA). A process for securing access to a system, such as a network or website, that identifies the party requesting access through only one category of credentials. The most common example of SFA is Password/Memorized Secret based authentication.
- Y. Solid State Drive (SSD). A storage drive with no moving components, only microchip-based storage.
- Z. Surplus Computer/Electronic Equipment. Computer & Electronic components no longer in use by the DOC and which have residual market value.
- AA. Universal Serial Bus (USB)/External Hard Disc Drive (HDD). HDDs that connect with the use of USB or other external cables and contain moving components or spinning discs.
- BB. Thin Client. A simple (low performance) computer that has been optimized for establishing a remote connection with a server-based computing environment in which the server does most of the work, including launching software programs, performing calculations, and storing data.
- CC. Virtual Private Network (VPN). A technology that provides a secure, encrypted connection from a remote site to the state network for access to state hosted applications.
- DD. Warning Banner. A notice which a user sees or is otherwise referred to at the point of access to a system that outlines the expectations for users regarding acceptable use of a computer system and its resources, data, and network access capabilities.

III. GUIDELINES:

A. General

1. The DOC shall provide its staff with Information technology resources and infrastructure to enable completion of the DOC's operational responsibilities.
2. All Computer & Electronic Equipment in use at DOC facilities and offices are the property of the DOC and are to be used for authorized business only.
3. All purchases and acquisitions of Computer & Electronic Equipment, Communications Equipment/Systems, software, or other related technology items must be approved in writing by the Chief Technology Officer (CTO) or Designee and reported to Inventory Control.

4. Users have no expectation of privacy related to the Information entered, received, or transmitted on DOC equipment. Management has the authority and capability to monitor, track, and record all activities involving DOC equipment. Monitoring is not done to intimidate or harass, but to ensure proper use of computer resources. All Information created by DOC equipment is an asset of the Department.
5. The Secretary may direct Internal Affairs to conduct random security audits of computer resources to ensure compliance with this directive. DOC users must cooperate with Internal Affairs regarding all audit requests.
6. Donated Computer & Electronic Equipment become property of the DOC. Proposed donations must be reported in writing to the CTO for donation approval prior to receipt, in addition to reporting the donation to the Accounting section for proper asset recording per Accounting Control procedure of Accepting Gifts, Grants, and Donations for the DOC.
7. All maintenance, repair, upgrade, and modification of DOC Computer & Electronic Equipment is restricted to authorized DOC IT personnel or vendors only. No other maintenance, repair, upgrade, or modification work may be performed by any other individual without prior written authorization from the CTO or designee.
8. All materials (e.g., hardware, software, files, etc.) created, installed, or stored on DOC computers become the property of the DOC and are subject to being reviewed, read, or removed by management or IT personnel.
9. Any change in the original issued use of any Computer & Electronic Equipment must be reported to the IT Section for review and approval by the CTO or designee. Changes in utilization may require that the equipment be returned to IT to be reconfigured.
10. All computer users are responsible for the proper use and care of the equipment being used as outlined by this Policy. Users and their supervisors are responsible for ensuring that the user has sufficient knowledge to properly operate the hardware and software/applications being used to prevent damage to the equipment or to the integrity or accuracy of the data being accessed. Computers must be kept in a well-ventilated area.
11. Wardens, Area Managers, and those of a higher rank responsible for the supervision of staff shall ensure that the IT Help Desk is notified of changes in users and advise of problems or potential problems with the computers or their physical security.

B. Hardware

1. The placement of all computers and related equipment purchased with DOC funds shall follow the current Information Technology Plan.
2. Approval must be obtained from the CTO or designee prior to relocating computer equipment. Information Technology must be notified for inventory purposes, to obtain Information on cabling, and to avoid downtime due to triggering network port security.

Note: The CTO must approve retention of Computer & Electronic Equipment by an employee changing duty stations.
3. Prior to being installed, computers must be configured with the appropriate DOC operating system image.
4. If Computer & Electronic Equipment is sealed, the seal must not be broken without direction from the IT Section.

C. Software

1. All software purchases must be approved by the CTO or designee to ensure compatibility. Software purchases will also be reviewed to determine how they improve the efficiency and effectiveness of the DOC.
2. Only software properly licensed to the DOC may be utilized on DOC computers. Requests to use shareware, free, or non-licensed software must be made to the IT Section for approval. The IT Section will review the software for a determination as to its usability and security for the purpose requested.
3. Making unauthorized copies of DOC owned software is illegal and prohibited.

IV. COMPUTER SECURITY POLICIES AND STANDARDS:

A. Network & Systems Security Generally

1. The CTO is responsible for developing and implementing DOC computer security policies and standards, subject to approval by the Secretary.
2. Information handled or created by DOC computer systems must be adequately protected against unauthorized disclosure, modification, or destruction. Proper management of computing resources and Information shall be enforced by ensuring appropriate protection and dissemination throughout their life cycles as well as by following all relevant standards, including those established by the Criminal Justice Information Services Division (CJIS), the American Correctional Association (ACA), the National Institute of Standards and Technology, the Division of Information Systems (DIS) the Health Insurance Portability and Accountability Act (HIPPA), and other applicable statutes, rules & policies as required.
3. Computer & Electronic Equipment shall be placed in locations that lessen the possibility of tampering by Offenders, visitors, unauthorized employees, or any other non-authorized individuals.

B. Warning Banner. Warning Banners are required on all DOC access points in accordance with DIS SS-70-003. The Warning Banner shall warn authorized and unauthorized users:

- i. About what is considered proper use of the system;
- ii. That the system may be monitored to detect improper use and other prohibited activity;
- iii. That there is no expectation of privacy while using the system; and
- iv. Of the penalties for noncompliance.

C. Digital Identity. In accordance with DIS Policies on Digital Identity Management and the FBI's CJIS standards, each user authorized to access DOC Information resources will be assigned a unique personal identifier to be used for authentication purposes. Authentication standards include either Single-Factor Authentication (SFA) or Multi-Factor Authentication (MFA). The following additional Information pertains to the standards associated with a digital identity:

- i. Users are assigned an initial user account with an issued Password/Memorized Secret to access the DOC network utilizing the MFA standard. Once logged onto the network, users will be prompted and are required to change to a secret Password/Memorized Secret known only to the user;
- ii. Standard account Password/Memorized Secrets must be changed at least once every ninety (90) days;
- iii. Administrator account Password/Memorized Secrets must be changed every sixty (60) days, or as required by regulation, whichever is sooner;
- iv. Password/Memorized Secrets must be at least eight (8) characters in length and be a mixture of upper alpha, lower alpha, numeric, and special characters;

- v. Password/Memorized Secrets must not be reused within twenty-four (24) Password/Memorized Secret changes or the maximum allowed by the system if it is less than 24; and
- vi. Password/Memorized Secrets must be protected by each user and not given to Offenders, visitors, other staff, contractors, volunteers, or other unauthorized individuals.

D. Endpoint Protection & Virus Scanning. All systems attached to the state network that are capable of supporting Malware Protection Software must have such installed and enabled. DIS shall maintain a list of approved Malware Protection Software. All Malware Protection Software must be monitored by IT staff, the State Cyber Security Office or authorized 3rd party. At a minimum, virus and spyware definitions will be updated weekly or as soon as feasible after a publisher makes such available. IT staff will be responsible for endpoint protection, virus/spyware scanning, and ensuring compliance with all relevant practices.

E. Personnel Security

- i. The CTO shall implement an ongoing security training program that communicates the IT security policy to each user and promotes understanding of the importance of IT security. The training shall convey that IT security is to the benefit of the DOC and all its employees, and that all employees are responsible for IT security.
- ii. The CTO will ensure current records of individuals authorized to access sensitive Information are maintained. Users who have access to privileged or sensitive Information shall not disclose that Information to any source except to authorized individuals and shall not disclose the Information for a purpose other than conducting approved DOC business.
- iii. Human Resources and contracted vendors shall notify the DOC IT Helpdesk via email at DOC.it.helpdesk@arkansas.gov when a user's employment is terminated so appropriate actions can be taken to secure the DOC network.
- iv. The CTO will ensure that operations and maintenance personnel, such as vendors and other service providers, only have appropriate access to IT resources that are necessary to complete the job.

F. Physical Security

- i. The CTO shall establish appropriate physical security safeguards and access controls to prevent unauthorized access to areas containing computer system hardware, network equipment, backup media, and other devices or physical elements required for proper operation of DOC computer systems.
- ii. At a minimum, Offender accessible computers, Thin Clients, or other computing equipment shall not be installed or located in an office/area with a network accessible cable, computer, or other networked communications related equipment not designed and secured for Offender use.
- iii. Offenders are prohibited from using any DOC computer that is connected to the State network or Internet unless authorized in writing by the appropriate Division Director. In such cases, device configurations must be secured per IT specifications. Access shall be restricted, secured, and used only for the project or purpose specifically authorized.
- iv. Users shall be alert to and notify the IT Helpdesk of any attempts to compromise DOC systems or Information by unauthorized parties.
- v. Mobile computing devices such as laptops, smartphones, tablets, flash drives, etc. must be secured from access by unauthorized users. This may be accomplished through the utilization of Password/Memorized Secrets, passcodes, biometric locks, Encryption, or device management tools.
- vi. DOC personnel shall not store or transport any confidential Information on non-encrypted external storage media or devices.

- vii. Computers, terminals, or other devices that provide access to business records or sensitive data shall be configured to automatically lock the system after a maximum of fifteen (15) minutes of inactivity.
- viii. Equipment not owned by the DOC such as personal computers, software, electronic devices, or peripherals (including, but not limited to, smart watches, cellular phones, laptops, tablets, speakers, thumb drives, etc.) shall not be brought within a DOC correctional or residential facility, unless authorized by a Deputy Division Director or higher, or by a Warden during an emergency situation. A Warden may approve a vendor to bring a personal computer or electronic device necessary for that vendor to provide their service. The utilization of personal computers & electronic equipment by employees of the DOC's contract medical provider will be regulated by the Deputy Director for Health & Correctional Programs (Division of Correction) or the Deputy Director of Residential Services (Division of Community Correction). Personal devices shall not be installed, connected, or otherwise integrated with any DOC computer equipment without prior written approval from the appropriate Division Director or the Secretary or designee.
- ix. Where feasible, computer displays should face away from windows and doors to minimize the possibility of Information being viewed by unauthorized persons. Doors to offices containing computers are to be locked when the user is absent, if practical. If unable to close and lock a door, users must ensure computers are not accessible by others upon leaving their office.

G. Disaster Recovery

- i. The IT Section shall maintain internal policies and procedures that cover Disaster Recovery and Data Security.
- ii. These policies must include procedures governing off site backups, data retention periods, and testing of all systems.

V. INFORMATION TECHNOLOGY USAGE

1. Appropriate network and user account guidelines include but are not limited to:

- a. DOC personnel will only access computer accounts that have been authorized for their use. Users must identify computing work with their own names or other personal identifier such that responsibility for the work can be determined and users can be contacted in unusual situations.
- b. Network and application user accounts and Password/Memorized Secrets shall never be shared.
- c. DOC personnel will utilize accounts only for authorized purposes. This policy does not prevent informal communication, but accounts must not be used for private consulting or personal gain.

2. Examples of Appropriate and Inappropriate Usage

- a. Appropriate Usage.** In general, appropriate uses of technology may include but are not necessarily limited to:
 - i. Accessing the Intranet or Internet for work related research and Information gathering that may be necessary to complete job tasks;
 - ii. Utilizing applications that accomplish tasks and fulfill job functions; and
 - iii. Facilitating communication and collaboration between staff and/or other appropriate entities.
- b. Inappropriate Usage.** The following list provides general uses which are prohibited with respect to the privilege of using the Information technology resources of the DOC:
 - i. Interfering with the security or operation of computer systems, the efficiency of computer systems, or restricting or inhibiting other users from using the system;

- ii. Vandalizing equipment, software, or hardware;
- iii. Attempting to alter or gain access to unauthorized files or systems;
- iv. Downloading or copying Copyrighted material or files, including music, to state computer systems;
- v. Using technology in a way that interferes with an employee's assigned duties or otherwise inhibits DOC productivity;
- vi. Using technology in a way that violates or infringes on the rights of any other person, including the right to privacy. Examples include publishing or displaying any Information or material that is slanderous, defamatory, false, abusive, pornographic, sexually oriented, obscene, inaccurate, profane, threatening racially offensive, otherwise biased, discriminatory, or illegal;
- vii. Knowingly transmitting material, Information, or software in violation of any local, state, or federal law;
- viii. Conducting any unapproved solicitation or public relations activities;
- ix. Conducting any political activity;
 - x. Conducting any unauthorized purchases or any unapproved business activity on behalf of the DOC;
 - xi. Soliciting the performance of any activity that is prohibited by law;
 - xii. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive;
 - xiii. Viewing, downloading, or sending pornographic or other obscene materials;
 - xiv. Visiting or participating in social media or chat rooms not designed for professional interactions specifically related to one's job;
 - xv. Using the system for the purpose of criminal intent, or any illegal purpose; or any purpose which violates policy;
 - xvi. Using or attempting to use unauthorized computer resources, monitoring tools, network programs/testers, packet sniffers, remote access devices, key stroke recognition technology, or remote-control equipment and software;
- xvii. Masking or otherwise falsifying the user's identity;
- xviii. Establishing unauthorized network services; or
- xix. Otherwise using state property in a manner that would cause public embarrassment to the DOC, or any other state agency, department, or division.

3. Privacy of Information

- a. The DOC reserves the right to monitor and log all network activity with or without notice, including email and all website communications, and therefore, users should have no expectation of privacy in the use of these resources. The DOC will not monitor email transmissions on a regular basis; however, the construction, repair, administration, and maintenance of electronic messaging systems may result in random monitoring of transmitted or stored messages.
- b. Messages may be accessed and monitored during investigations into suspected violations of policy or law.
- c. Supervisors or Managers may obtain access to data (including email) under their employee's control when necessary to conduct DOC business.
- d. Any electronic record (including email) that serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the DOC may be considered

public record and subject to FOIA. Access to electronic records including email will be in accordance with FOIA guidelines.

4. Electronic Mail (Email). Email is considered a network activity. As such, it is subject to all policies regarding the acceptable and unacceptable use of Information Technology, to include the Encryption of sensitive Information. It is not confidential, unless specifically protected by statute or administrative rule.

a. Purpose

Electronic mail is provided to support open communication and the exchange of Information between staff and other authorized users that have access to a network. This communication allows for the collaboration of ideas and the sharing of Information.

b. Guidelines

1. DOC personnel assigned an email account are responsible for using their account in accordance with established guidelines and in a manner that does not interfere with their duties.
2. Electronic mail or Email is available for use on the DOC network or on a state issued mobile device using multi-factor authentication. Email access on personal devices is subject to approval by the Chief Technology Officer or Chief of Staff. Conducting state business on an approved personal device will subject work-related information on the device to FOIA requests.
3. Electronic mail accounts must include an Email Signature to identify the sender by name, position, division, facility, or office assigned, email address, and telephone number. If a telephone number is not assigned to your position, the facility or office main number shall be included. A fax number shall also be included if one is utilized for your position. Email signatures must also include the DOC Confidentiality Notice.
4. Email Signatures must not include any verbiage that is not expressly approved by this policy, such as images (except for the approved DOC logo), tag lines, quotes, inspirational messages, or other such extraneous statements. Exceptions are not permitted unless approved by the CTO or Designee or the Secretary or Designee. Below is an example of an approved Email Signature content:

John Doe
Parole and Probation Officer
Arkansas Department of Corrections
Division of Community Correction
Area 13/Camden
John.Doe@arkansas.gov
P: xxx-xxx-xxxx
C: xxx-xxx-xxxx
F: xxx-xxx-xxxx

5. Confidentiality Notice: This email message and any attachments are the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private Information. It is for the intended recipient only. If an addressing or transmission error has misdirected this email, please notify the author by replying to it. If you are not the intended recipient, you may not use, disclose, distribute, copy, print, or rely on this email.

c. Specifically prohibited in the use of email is:

1. Use of cursive or hard to read fonts;
2. Use of font color other than blue or black;

3. Any activity covered by inappropriate use statements or other prohibitions as identified in this policy;
 4. Knowingly sending, forwarding, or opening chain letters, viruses, hoaxes, etc.;
 5. Knowingly sending, forwarding, or opening executable files (.exe) or other attachments unrelated to specific work activities;
 6. Use of abusive or profane language;
 7. Any use that reflects an unprofessional image or poorly on the DOC or the State of Arkansas; and
 8. Photos, images, clips, inspirational messages, and backgrounds other than plain white.
- d. Email Storage.** System storage limits are determined per assigned account. Users shall receive system notices when server storage limits are approaching maximum capacity. Messages no longer needed must be periodically purged from the user's mailbox. Messages requiring retention must be kept and maintained for future inquiries. DIS retains all emails according to the Arkansas General Records Retention Schedule. All emails within the retention period are available through e-discovery for FOIA requests, investigations, and audits.

5. Internet/Intranet Guidelines

- A. General.** Through access to the Internet/Intranet, DOC personnel can utilize the many research and resource tools available online. These tools can aid in preparing reports or projects required by the DOC. All DOC network users who are authorized network users may access the Internet. However, web filtering software may restrict access to certain websites. Access to these sites is subject to approval by the appropriate Division Director or the Secretary and is dependent upon the business need.
- B. Appropriate Usage of Internet/Intranet Access.** DOC personnel shall not abuse internet/intranet access and are responsible for making sure they use this access correctly and wisely. Personnel should not allow use of the Internet/Intranet to interfere with their job duties.
- 1. Examples of Appropriate internet/intranet usage includes but is not limited to:**
- a. Accessing and distributing Information that is in direct support of the business of the DOC;
 - b. Providing and simplifying communications with other state agencies, entities, and citizens of Arkansas;
 - c. Communicating Information related to professional development or to remain current on topics of general DOC interest;
 - d. Announcing new laws, rules, or policies;
 - e. Encouraging collaborative projects and sharing of resources;
 - f. Accessing on-line services in the performance of official business; and
 - g. Subscribing to any non-governmental or non-correctional outside services, in the performance of official business.
- 2. Examples of Inappropriate Internet/Intranet usage includes, but is not limited to:**
- a. Viewing, downloading, or sending pornographic or other obscene materials;
 - b. Browsing or "surfing" the Internet for Information not related to official business;
 - c. Streaming unauthorized Audio/Video including music, movies, or other such content unrelated to work;
 - d. Furthering purposes that violate agency policy or local, state, or federal law;

- e. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services;
- f. Disseminating or printing Copyrighted materials (including articles and software) in violation of applicable Copyright laws; and
- g. Otherwise reducing productivity of the DOC.

6. Wireless Security

A. All technology, including wireless and related technology, must adhere to the DIS Wireless Security Standard SS-70-010, as well as the State Security Policy defined by ACA § 25-4-105 et. seq. including, but not limited to, the following:

1. General Requirements. All wireless infrastructure devices that are housed within DOC locations, connect to the DOC network, or otherwise provide access to sensitive Information must:

- a. Abide by all applicable standards specified by DIS;
- b. Be installed, supported, and maintained by the IT Section or an IT approved contracted vendor;
- c. Use approved authentication protocols and infrastructure;
- d. Use approved Encryption protocols; and
- e. Maintain a hardware address (i.e., MAC address) that can be registered and tracked.

2. Security. All configuration parameters, such as Service Set Identifier (SSID), keys, Password/Memorized Secrets, etc. of Wi-Fi access points or bridges that can be changed from default manufacturer settings shall be changed from the default. SSID broadcast must be disabled. Where applicable, the new security setting should be complex. Open or unsecured wireless networks shall not be installed or available in any DOC location.

3. Wireless Managed Networks may exist on the DOC network if the following requirements are met:

- a. An appropriate Warning Banner must be presented to authorized and unauthorized users of the managed wireless environment;
- b. Wireless users must be given the opportunity to view any appropriate acceptable use policy as a part of user authentication;
- c. The SSID must be changed to one which appropriately identifies the wireless managed network;
- d. Appropriate audit logs containing IP address, login id, and logon/logoff date and time stamps must be maintained based on the Arkansas General Records Retention Schedule; and
- e. Systems or applications which contain data that is categorized by DIS Data and System Security Classification Policy as being Level B – Sensitive, Level C – Very Sensitive, or Level D – Extremely Sensitive must have appropriate access controls (firewall rules, router access control lists, and similar measures) that disallow wireless users from directly accessing the system or application. Users of a managed wireless environment which require access to these systems or applications must use appropriate technology such as encrypted VPN, SSL/TLS, encrypted web pages, or similar authenticated and encrypted technologies to access these resources.

4. Use of Wireless Networking in a non-Hotspot environment must adhere to the following:

- a. The SSID must not contain Information relative to agency location, mission, or name, except for open wireless networks. Wi-Fi equipment shall be configured for infrastructure mode only.
- b. All wireless transmissions between DOC's managed wireless access point or bridge and clients shall be encrypted utilizing the Wifi Protected Access (WPA2) protocol at a minimum to

- prevent unauthorized access to the state network. Wired Encryption Protocols (WEP) and WPA shall not be utilized.
- c. Wirelessly transmitted data and credentials granting access to state resources are subject to DIS Policy, Remote Access, as well as any other applicable standards.
 - d. Routine searches for and disabling of rogue Wi-Fi access points to the state network must be completed.
 - e. Bluetooth wireless devices must be secured to the maximum extent possible between the devices involved.

VI. COPYRIGHT GUIDELINES

A. Purpose of Software Availability. The DOC shall provide utility and application software to enhance the efficiency and productivity of its employees. DOC personnel and other authorized users must honor Copyright laws regarding protected commercial software used by the DOC.

B. Compliance with Copyright Laws

1. Copyright laws do not allow a person to store copies of a program on multiple machines, distribute copies to others, or to alter the content of the software unless permission has been granted under the License Agreement.
2. Upon written approval by the CTO or designee or the appropriate division director or designee, users may download Copyrighted materials, but its use must be strictly within the agreement as posted by the author or current Copyright law.
3. Unauthorized use of Copyrighted materials or another person's original work/material is considered Copyright infringement.
4. All personnel and authorized users that utilize software owned by DOC or the state must abide by the limitations included in the Copyright and License Agreements entered into with the software providers.

C. Virtual Private Network (VPN) Guidelines

1. **Authorization.** Users must be granted authorization by the Secretary, the appropriate division director, or their designee to utilize VPN access to the state network. The IT Section will then provide access and configuration instructions to this resource in accordance with the authorization.
2. **Use of VPN Service**
 - a. It is the responsibility of those with VPN privileges to ensure that their VPN connection is not shared with unauthorized users. The VPN must be disconnected when it is not in use by an authorized user for the state network resources.
 - b. All computers must use the required endpoint protection software under the state tenant and have all current security-related operating system patches. Equipment and Software must be configured to comply with DOC and state security policies. It is understood that equipment used for VPN services are an extension of the DOC network.
 - c. VPN privileges may be revoked at any time, for any reason and for any length of time, including permanently.
 - d. A VPN is a "user managed" service. This means that the user is responsible for procuring internet service for remote use unless approval has been provided for a DOC provided Hot Spot.
 - e. VPN services are to be used solely for DOC business support purposes. All users are subject to auditing of VPN usage. Violations of VPN use may result in loss of certain privileges, services and/or disciplinary action.

VII. MOBILE DEVICES

A. Applicability. Mobile Devices include, but are not limited to, a variety of devices and accompanying media that fit the following classifications:

1. Mobile/Cellular Phones;
2. Smartphones;
3. Laptop/Notebook/PCs;
4. Tablet devices capable of storing agency data and connecting to an unmanaged network;
5. Backup Tapes;
6. MP4 Players;
7. Smartwatches; and
8. Recording Devices.

B. All DOC-issued Mobile Devices and their content remain the property of the DOC and are subject to regular audit and monitoring. All communications made on DOC-issued Mobile Devices may be subject to FOIA requests. Personal Mobile Devices authorized to be used for DOC business will be monitored by Device Management Software approved by the DOC. Personal Mobile Devices may not be used for DOC business nor granted access to the state network unless approved by the Secretary or designee or the appropriate Division Director, after consulting with the CTO or designee to ensure all security protocols are implemented.

C. Mobile Device Security Requirements. The IT section is responsible for configuration and issuance of all DOC Mobile Devices. The IT Help Desk shall be notified when a position that has an assigned mobile device has been vacated. Mobile Devices are assigned to a position number and shall stay with the position unless approval has been provided by the appropriate Division Director, CTO, Secretary or Secretary Designee. The mobile device shall not be reissued without assistance from IT to ensure proper configuration. DOC Mobile Devices are required to have the following:

1. Encryption;
2. A Password/Memorized Secret four (4) digits or longer in length;
3. The assigned user's state email account setup on the device, if applicable;
4. Protection by a firewall, except in instances where firewall technology is not available;
5. A Password/Memorized Secret established for encrypted backups of the device;
6. Apple Devices purchased by the DOC shall be enrolled in Apple's Business Manager Program. The Apple ID assigned upon enrollment must be configured with the employee's state email address or state alias address;
7. Applicable Mobile Devices must be enrolled and configured within the DOC's Mobile Device Management System (MDM); and
8. Location Services must be enabled on the device (if available).

D. Appropriate Use of Mobile Devices

1. It is the responsibility of Mobile Device end users to adhere to all DOC policies and procedures established for standard Information technology devices and network usage. Mobile Device use is considered an extension of the DOC network.
2. All Mobile Devices used to conduct DOC business shall adhere to all security protocols and should be utilized appropriately, responsibly, and ethically.
3. All end users of Mobile Devices must use reasonable physical security measures. Mobile Devices must be protected by a strong Password/Memorized Secret. Password/Memorized Secrets should never be shared. All DOC data stored on the Mobile Device must be encrypted using approved Encryption techniques.

4. The IT section will follow procedures to permanently remove data from DOC-owned devices once their use is no longer required.
5. In the event of a lost or stolen mobile device, the end user must notify their Supervisor immediately who will then notify the IT Help Desk. The device shall be remotely wiped of all DOC-owned data. If recovered, notification of the recovery shall be made to the Supervisor.
6. Devices are subject to any building restrictions on use or possession of devices at those locations.

E. Inappropriate Use of Mobile Devices

1. Mobile Devices may not be provided to Offenders for use, configuration, training, education, troubleshooting, or for any other reason excluding vendor provided Tablet devices designed and secured for Offender use.
2. The use of Mobile Devices to bypass any security configurations of DOC or state networks, applications, and databases will be deemed as an intrusion attempt. IT personnel will notify the appropriate supervisor for determination of appropriate action based on the Employee Conduct Standards and Discipline directive.
3. Mobile Devices may not be used to modify or reconfigure DOC owned hardware and/or software. This includes any reconfiguration without appropriate management approval.
4. Mobile Devices may not be used in a manner that violates DOC policy, procedure, or any applicable local, state, or federal laws.
5. Calls to state-issued Mobile Devices shall not be forwarded to a personal device unless approved by appropriate Division Director or Designee.

VIII. REMOVEABLE MEDIA

A. Purpose. Removable media are a well-known avenue for data loss and a source of malware infections. This policy section is to define standards, procedures, and restrictions for end users who have a legitimate business requirement to connect portable removable media to any DOC network or related technology resources. The purpose is to also minimize the risk, loss, or exposure of sensitive information maintained by the DOC and to reduce the risk of acquiring malware infections. This removable media section applies to, but is not limited to, all devices and accompanying media that fit the following device classifications:

1. Portable USB-based memory sticks, also known as flash drives, thumb drives, jump drives or key drives.
2. Memory cards in SD, CompactFlash, Memory Stick, or any related flash-based supplemental storage media.
3. USB card readers that allow connectivity to a PC.
4. Portable MP3 and MPEG-playing music and media player-type devices such as iPods with internal flash or hard drive-based memory that support a data storage function.
5. External hard drives.

B. Procedure. DOC staff may only use DOC authorized removable media for work-related functions. Sensitive information generally should not be stored on removable media. If this is required for DOC work, the media device must be encrypted and placed only on officially registered removable media devices. Employees, contractors, and temporary staff permanently erase DOC specific data from such devices once their use is no longer required. All users agree to immediately report to his/her manager and IT any incident or suspected incidents of unauthorized data access, data loss, and/or disclosure of DOC resources, databases, networks, etc.

Department owned devices shall be encrypted and will be available for issuance by the IT department. Only encrypted devices shall be used with DOC equipment.

- C. **Enforcement.** Removeable media that has not been encrypted by DOC IT staff and registered for use on the DOC network shall be refused connection by server policies.

IV. EOMIS GUIDELINES

- A. **Purpose.** The electronic Offender Management Information System (eOMIS) is a web-based application used to electronically track Offender sentence, institutional, and community supervision records including, educational, physical health, mental health, dental, pharmacy, lab, consults, sex Offender assessments, Parole Board events, crime lab DNA verification, county jail backlog, Offender clemency and pardon applications, and other added modules developed to effectively maintain Offender Information.
- B. **User Account Compliance.** The State of Arkansas and the DOC considers all Information and electronic data contained in the eOMIS to be confidential and sensitive in nature. All Information obtained from eOMIS is to be treated as confidential. Access to and use of such Information or data is subject to legitimate business needs and shall only be authorized for employees whose normal job duties require such access. At no time is such Information to be emailed or otherwise disseminated to unauthorized individuals, or individuals who are not approved by the DOC to view this Information. Authorization includes CJIS online certification with a finger-print based background check. Exhibiting malicious intent or a lack of confidentiality, professionalism, or integrity in the access or dissemination of eOMIS Information may result in an employee being found in violation of this policy and subject to disciplinary action, up to and including termination in addition to referral for possible criminal prosecution.
- C. **Release of Information.** eOMIS Information considered available for the public shall be released by authorized DOC personnel only or made available to the public on the DOC website.

X. OFFENDER USE OF DOC INFORMATION TECHNOLOGY

- A. **Generally.** The DOC provides Offenders access to certain approved Information Technology resources and equipment when deemed appropriate. Offenders have no expectation of privacy during use or access to these resources. All Offender use of equipment and resources shall be monitored and audited to ensure usage compliance. Each area with equipment and resources for Offender usage must have a Program Supervisor, who is responsible for monitoring Offender usage. The Program Supervisor should routinely check the files on computers to ensure files are not password protected and no unauthorized content is on the computer, etc. If the Program Supervisor suspects unauthorized activity or content, he/she should notify the Warden and IT for a computer audit. The same protocol should be followed with Thin Clients but IT can audit remotely if needed.
- B. **Security and Labeling.** Computer & Electronic Equipment provided for Offender use shall be appropriately secured and labeled by the Program Supervisor. Labels must include the Program Name and language indicating that the computer is for Offender use. The label must be affixed to the monitor and computer cage.:
- C. **Offenders may only be permitted access to computer or electronic computing devices:**
1. With a purpose approved by the appropriate Division Director;
 2. Secured for Offender use by the IT Section (i.e., Thin Clients);
 3. Assigned for a job, program, or for educational purpose;
 4. That are properly labeled for Offender use;
 5. That are vendor secured; or
 6. That are purchased by an Offender through a DOC approved program/vendor, or through Offender or family leases.
- D. **Offenders shall not be permitted access to:**
1. Computer hardware on the state network issued for staff, volunteers, contractors, etc.;
 2. Email or other network resources;
 3. Computers with access to Offender records maintained within eOMIS, ACIC/NCIC, AFIS or similar databases;
 4. Printed reports with Offender records;

5. Mobile Devices not designed for Offender use;
6. Flash drives or other removable media; or
7. Any DOC business or personnel records.

XI. DISPOSAL/RECYCLING OF COMPUTER, ELECTRONICS, AND MEDIA:

- A. Generally.** Once Computer & Electronic Equipment is no longer able to support any functions within DOC, it will be marked as surplus, and readied for disposal. This condition may be the result of:
1. The PC (e.g., processor, memory, disks, etc.) is unable to run any necessary programs;
 2. Aged hardware for which there is no viable replacement;
 3. Failure of the hardware which results in the cost of repair exceeding the value of the system; or other conditions which make the operational usefulness of the equipment unable to support any DOC processing needs.
- B. Computer & Electronic Equipment Recycling.** DOC Asset Technicians are responsible for maintaining inventory control documentation of equipment purchased for DOC use. The inventory will contain the current location of the equipment and area of assignment until it is removed from DOC inventory.
1. All Computer & Electronic Equipment no longer in active service within the DOC shall be returned to the IT Section for reassignment or disposal.
 2. After Computer & Electronic Equipment has been returned to the IT Section, it may:
 - a. Be reassigned to other DOC personnel who need the equipment;
 - b. Be used in a training classroom or reserved for other training requirements;
 - c. Be held to maintain a back stock of used computer hardware and electronics to be used for parts harvesting for the repair, maintenance, and upgrade of other computers in use by the DOC. The back stock, should not exceed ten percent (10%) of the number of Computer & Electronic Equipment in active use within the DOC; or
 - d. Readied for Disposal.
- C. Surplus Computer & Electronic Equipment Handling.** Before Computer & Electronic Equipment is disposed of in any manner, the IT Section will ensure that the hard drives are removed from the system for separate destruction. Computer equipment that has been designated as surplus will be cleared of data, and otherwise prepared for disposal within ninety (90) days of being marked as surplus.
- D. Surplus Computer & Electronics Equipment Disposal Methods.** At the end of the useful life of DOC Computer & Electronics Equipment, the IT Section will ready the equipment for disposal. Equipment will be inventoried to include Brand Name, Model Name and/or Number, Inventory Number, and Serial Number and placed in an outside storage container. When the container has been filled, the inventory list and disposal request forms will be submitted to the Accounting Section for disposal processing. The DOC may dispose of surplus computer equipment by any of the following methods:
1. Turn in to M&R for removal from the DOC inventory according to state procedures;
 2. If equipment is refused by M&R, it may be sold to an outside commercial equipment recycler;
 3. Other methods as approved by the DOC Accounting Section and in accordance with the Arkansas State Computer and Electronic Solid Waste Management guidelines; or
 4. If all other means of recycling fail, then equipment may be disposed of in an approved landfill according to state and county regulations.
- E. Media Sanitization and Data Loss Prevention.** Recycled and Failed Hard Disc Drives will be Sanitized in accordance with NIST 800-88 (Guidelines for Media Sanitization) with the following categorizations:

1. Server, Shared Storage, Management Staff, and Video. These drives have been used for the listed purposes and have a very high probability of containing Level C – Very Sensitive data. These drives will not be repurposed in less sensitive, general operations or equipment.
 2. General Staff and General Use Drives. These drives are used in standard computers for daily operations and are likely to store Level B - Sensitive data. These drives may be formatted and repurposed in other operations or equipment.
 3. HDD and USB/External HDD Media. These drives will be sanitized by either Purge or Purge and Destroy methods, as described below:
 - a. Purging will be accomplished by IT staff using the Degaussing machine located in the IT Warehouse.
 - b. Purge and Destroy will be accomplished by IT staff using the Degaussing machine in the IT Warehouse and then physically removing the disc platters from the HDD.
 4. SDD and USB/External Jump Drives. These drives will be sanitized by the following Purge and Pulverize method:
 - a. Purge and Pulverize will be accomplished by IT staff using the Degaussing machine in the IT Warehouse and then bending the device or physically destroying it.
 5. Legacy Storage/Floppy Discs and Tape Drives. These drives will be sanitized by the Purge and Incinerate method by using the Degaussing machine in the IT Warehouse and then sending the devices to an incinerator for destruction.
 6. CD/DVD/BRD. These devices will be shredded by IT staff using a device with specific disc shredding capabilities.
- F. Distribution of Revenues.** Distribution of revenues from any equipment sales will be in accordance with the Arkansas Computer and Electronic Solid Waste Management Act A.C.A. 25-34-101 et seq.

VIII. ATTACHMENT:

Use of Information Technology Resources Consent Form



USE OF INFORMATION TECHNOLOGY RESOURCES CONSENT FORM

Employee Name: _____ Date: _____ AASIS # _____

I have read this Information Technology Resources Policy and agree to comply with all its terms and conditions.

The Arkansas Department of Corrections (DOC) provides access to technology resources and equipment as an instrument to complete job tasks.

I understand that the agency will not monitor e-mail transmissions, internet, or mobile device usage on a regular basis; however, through the construction, repair, performance of annual audits, and operations and maintenance, occasional monitoring may result in the random observation of user activity.

No Expectation of Privacy: By using DOC Technology Resources and Equipment, I waive all rights to privacy that I may have for such use. I agree that in order to ensure compliance with this policy, DOC representatives may monitor my use of the DOC technology resources including but not limited to email, email Archives, data or record Archives, voice transmissions, video transmissions, digital images, instant messages, email accessed from agency owned technology resources and equipment, mobile device usage, and application usage. I also understand that monitoring of Archives may occur even after my employment with the agency has ended.

The DOC makes no warranties of any kind, whether express or implied, for the service that is the subject of this policy. In addition, the DOC is not responsible for any damage(s) whatsoever which an employee may suffer arising from or related to their use of any agency electronic Information resources. Users must recognize that the use of DOC electronic Information resources is a privilege and that the policies implementing usage are requirements that mandate adherence.

Employee Signature: _____ Date: _____

Forward this form to the employee's HR representative for filing.



OFFICE OF THE SECRETARY

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SECRETARIAL DIRECTIVE

SUBJECT: Procurement/Purchasing/Disposition and Contracting Guidelines

NUMBER: 2021-10

SUPERSEDES: ADC AD 18-02
 ACC AD 18-08

APPLICABILITY: All DOC Employees

REFERENCE: AR 118 Procurement and Disposition Activities;
 A.C.A. §§ 25-43-105, 25-43-108, and 25-43-403.

PAGE: 1 of 4

APPROVED: Original Signed by Solomon Graves **EFFECTIVE DATE:** 7/30/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department, in addition to administering the personal property, fixtures, contracts and assignable leases of the Department. The purpose of this directive is to establish Procurement and Contracting Guidelines to comply with all applicable state and federal laws, administrative rules issued by the Board of Corrections (Board) and procedures governing Procurement and Disposition of Commodities and services. This policy, and any substantive revision, must be approved by the Board prior to adoption.

II. DEFINITIONS:

- A. **Procurement.** Purchasing, buying, renting, leasing, contracting, or otherwise obtaining any Commodities or services.
- B. **Disposition.** Disposal, sale, or transfer of surplus Commodities.
- C. **Emergency Procurements.** Acquisition of Commodities or services of which, if not immediately initiated, will endanger human life or health, DOC property, or the functional capability of the DOC.
- D. **Sole Source Procurements.** Acquisition of Commodities or services that by virtue of specifications, are available from a single source.
- E. **Vehicle.** Applies to Vehicles that would require state licensure if they were to be used on state highways. All-terrain vehicles (ATVs) are not subject to requirements as specified in this policy.
- F. **Capital Equipment.** Equipment with a value of \$5,000 or more than can be moved from place to place. Example: washer, dryer, oven, etc.
- G. **Commodities.** Any tangible good or product that can be bought or sold. Example: shoes, mattress, office supplies, cleaning supplies, etc.
- H. **Natural Resources.** Materials or substances that occur in nature and can be used for economic gain. Example: trees, or land.

- I. Professional Services. Service that requires professional licensure. Example: architectural services, dietetics, etc.
- J. Technical Services. Services that include a commodity. Example: Pest control service, waste disposal service, reentry housing, transitional housing, etc.

III. ADMINISTRATION:

- A. The Chief Financial Officer will maintain a Procurement Section as a Shared Service within the DOC. The Procurement section will administer the Procurement and Disposition of all Commodities and Services as consistent with the provisions of this directive.
- B. The Procurement section will establish Procurement liaisons for each division and other operational areas within the DOC. The liaisons will serve as the initial point of contact for any issue related to the Procurement or Disposition of Commodities and Services.

IV. GUIDELINES:

A. Procurement of Commodities and Services

1. Procedures for Procurement and receiving of Commodities and Services are governed by applicable state and federal laws and policies of agencies with authority to administer these activities.
2. Procurements within approved operating budgets for various divisions, which are not subject to other authorizations, do not impact other divisions, or are otherwise restricted by policy, will be authorized by the appropriate Division Director or designee.
3. Emergency Procurements must be approved by the appropriate Division Director.
4. The sole source purchase of equipment requires approval of the Secretary of Corrections. Sole source purchase of equipment exceeding \$50,000 also requires approval of the Board.
5. In the event there is a farm equipment item available for purchase at auction, advanced approval for Sole Source Procurement must be obtained from the Office of State Procurement and the Board of Correction Farm Liaison prior to submitting a bid. If the bid is successful, details of the purchase will be provided in the following monthly report to the Board.
6. Procurement of Capital Equipment items from all fund sources requires approval of the appropriate Division Director. However, the Division Director may delegate their approval authority for Procurement of specific Capital Equipment items or specific dollar amounts. Capital Equipment Procurement in excess of \$10,000 must also be approved by the Secretary and the Board.
7. Inmate Welfare Fund merchandise for resale may be procured by the Warden. Other Procurements from the Inmate Welfare Fund require the following approvals:
 - a. Procurements of \$1,000 or less require prior approval of the applicable Warden and the Chief Financial Officer.
 - b. Procurements of more than \$1,000 but less than \$10,000 also require the approval of the Director of Division of Correction or designee.
 - c. Procurements of \$10,000 or more also require the approval of the Secretary and the Board.
8. Procurements from the Paws in Prison Fund shall be limited to operational support of the program and require the following approvals:
 - a. Procurements of \$1,000 or less require prior approval of the DOC Communications Director who supervises the program.
 - b. Procurements of more than \$1,000 but less than \$10,000 require approval of the Director of the Division of Correction.
 - c. Procurements of \$10,000 or more also require approval of the Secretary and the Board.

9. Procurements from the Resident Services Cash Fund of merchandise for resale and food items may be procured by the Center Supervisor. Other Procurements from the Resident Services Cash Fund require the following approvals:
 - a. Purchases less than \$10,000 require the approval of the Division Director and the Division Deputy Director of Residential Services.
 - b. Purchases of \$10,000 or more also require approval of the Secretary and the Board.
 10. Procurement of Commodities and Services required for authorized construction or renovation projects shall be approved by the Division Director or designee.
 11. Procurement of Vehicles requires approval of the Department of Finance and Administration (DFA). Upon the recommendation of the Division Director, the Secretary must sign and approve the Vehicle request form which is forwarded to the DFA for final approval. DFA guidelines for Vehicle Procurement can be found in the latest version of the State of Arkansas Vehicle Use and Management Handbook.
- B. Prohibition.** The utilization of Split Procurement to avoid the approval thresholds will be considered a violation of this Directive.

V. Disposition of Commodities:

- A. Disposition of Commodities and Natural Resources shall be governed by applicable state and federal laws, guidelines, and procedures. Accordingly:
 1. Sales of industry produced Commodities and services and farm produced Commodities are governed by applicable state and federal laws, guidelines, and procedures.
 2. The sale or Disposition of buildings, goods, land, and sales exceeding \$50,000 require the approval of the Secretary and the Board. The demolition of any building requires the Division Director, Secretary, and the Board regardless of the building's value.

VI. Leases

- A. Leases of equipment, offices, storage space, land for agricultural operations, and buildings to house inmates shall be governed by applicable state and federal laws, procedures, and guidelines.
- B. Approvals
 1. Lease of offices, equipment, and storage space
 - a. Leases of office, storage space and equipment require approval of the Division Director; however, if a new lease will exceed \$50,000 or an existing lease agreement will increase by more than 5% per year, the approval of the Secretary and the Board is also required.
 - b. Lease of office space resulting in relocation of staff requires the approval of the Secretary and the Board.
 - c. Lease of land or buildings for agricultural operations, or to house offenders requires the approval of the Division Director, the Secretary, and the Board.
 - d. Leases over \$10,000 per year requires approval of the appropriate Division Director.
 2. Lease of farm equipment
 - a. Pursuant to A.C.A. § 19-11-221, the Board shall on an annual basis or more frequently if deemed necessary, shall determine if it is in the best interest of the State to lease or purchase farm machinery and equipment. If leasing is determined to be the better option, contracts for leased farm equipment and machinery may be awarded for an initial period of 2 years with the option to renew for 2 additional years; however, the total contract term shall not be more than 5 years.
 - b. On an annual basis, the Division of Correction's Agricultural Administrator will present an itemized list/cost of leased farm machinery and equipment to the Board for approval.

VII. Procurement of Land, Buildings, Construction or Renovation Projects:

- A. Procurement of land, buildings, construction and/or renovation projects shall be governed by applicable state and federal laws, guidelines, and procedures. In addition, the following approvals are required:
1. Procurement of land, buildings, construction and/or renovation under \$50,000 requires approval of the appropriate Division Director.
 2. Procurement of land, buildings, construction and/or renovation projects \$50,000 and greater requires approval of the Secretary and the Board.

VIII. Contracts:

- A. Contracts for Commodities or Services shall be governed by applicable state and federal law, guidelines, policies, and procedures. Amendments that adjust the amount of fees, the percentages of the total amounts to be paid or the scope of services or that increase the cost per offender per day contract bid rate previously approved require the same approvals as initially required. In addition, the following approvals are required:
1. Professional and/or Consultant Services. Contracts for Professional and/or Consultant Services require approval of the Secretary. Contracts for \$50,000 or greater, inclusive of amendments, further require approval of the Board.
 2. Architectural and/or Engineering Services. Contracts for architectural and/or engineering services for new construction require Board selection and approval of contractor. Selection and approval may be based on Board participation on an interview committee or on recommendation of the appropriate Division Director and the Secretary. Amendments that increase or decrease the percentage of the total contract amount to be paid to the contractor require approval of the Board.
- B. All contracts for medical, legal, and operation of private facilities require review by the DOC's Legal Division prior to consideration of the Board.
1. Medical Services. The Secretary will submit all contracts for medical services which require Board selection and approval. Amendments that affect the scope of services, the per inmate per day contract rate exceeding the contract bid rate previously approved, the method of calculation of compensation, and other adjustments to fees to be paid require approval of the Board.
 2. Legal Services. The Secretary will submit contracts for outside legal services to the Board for approval.
 3. Private Facility Operation Services. The Secretary will submit contracts for the operation of residential, Community Correction or prison facilities to the Board for approval of contractor. Amendments that affect the scope of services, the per inmate per day contract rate exceeding the contract bid rate previously approved, the method of calculation of compensation and other adjustments to fees to be paid require approval of the Board. This requirement does not apply to the selection of transitional housing or reentry facilities.
- C. Should an emergency, or time-sensitive situation necessitate immediate Procurement of Commodities or services that require approval of the Board as outlined herein, the Secretary's Office will contact the Board Chairman for the Chairman's emergency approval or to request a special meeting for Board consideration and approval.

IX. Reports

The Secretary shall provide a monthly report to the Board listing new or renewed contracts of \$10,000 or more pertaining to the Division of Correction, Division of Community Correction, or the Correctional School District.



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SECRETARIAL DIRECTIVE

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SUBJECT: Public Relations and Release of Information

NUMBER: 2021-

SUPERSEDES: SD 2021-06

APPLICABILITY: All Employees of the Arkansas Department of Corrections

REFERENCE: A.C.A. § 12-27-113, 12-27-145, 25-19-105, 25-43-103, 25-43-105, 25-43-108, 25-43-403, AR 007
Legislative Liaison and/or Inquiries; AR 011 News Media Interviews and Correspondence; AR
7.4 Public Release of Offender Information; and SD Social Media Policy

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PAGE: 1 of 6

APPROVED:

EFFECTIVE DATE:

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 procedures for the administration of public relations and release of Offender information. These procedures will ensure that the public, News Media, and other law enforcement organizations are informed of the various programs, services, and events within the DOC. Such procedures shall ensure the integrity and proper use of Offender records and that all notifications of public meetings of the DOC boards and commissions are consistent with state law. It is the policy of the DOC to ensure that all applicable provisions of federal and state law or rules are observed with respect to public meetings and Public Records.

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II. KEY TERMS:

- A. Freedom of Information Act (FOIA). Pursuant to A.C.A. § 25-19-105, the FOIA gives Arkansans access to Public Records and public meetings, with some exceptions.
B. News Media. Properly credentialed representatives of local, national, and international news organizations that have a mission of delivering news to the general public, and do not have a primary purpose of commercial production or entertainment. This may include but is not limited to, representatives of general circulation newspapers, magazines, online media outlets, news services, and radio stations and television networks holding a Federal Communication Commission license.
C. Offender. Inmates, parolees, probationers, or residents in the custody of a DOC facility or under supervision of the DOC.
D. Offender Record. A full and complete record in written or electronic form regarding each person committed to the custody or supervision of the DOC. An Offender Record includes but is not limited to: a photograph of the convicted person; the offense and sentence for any conviction for which the Offender is incarcerated or under supervision; the Offender's criminal history; medical and mental health information and records; and all other records which identify and relate directly to that Offender. Electronic transmissions and recordings that chronicle the activities and conversations of Offenders are part of the Offender Record.
E. Public Record. Any writing, sound or video that reflects the performance or lack of performance of an official function, not otherwise exempted from disclosure.
F. Special Event. Any activity not held in the normal course or day to day operations of a facility or program.

III. PROCEDURES:**A. Facility and Program Areas Accessible to News Media Representatives**

1. All News Media tours must be requested and approved in advance by the Communications Director. The Communications Director must always accompany News Media organizations or designate an alternate escort.
 - a. Upon approval, the Department Headquarters, the Division of Correction Central Office, and the Administration Annex East Buildings are accessible to News Media representatives for a tour, if touring will not adversely affect the daily operations and Offenders will not be present.
 - b. Upon approval of the appropriate Division Director, News Media may tour the DOC's Correctional facilities, Parole and Probation Offices, Reentry and Residential facilities. The Secretary must be notified when tours are approved.
2. The appropriate Division Director may give permission for the limited use of cameras. The recording of Offenders is prohibited except when prior authorization has been granted by the appropriate Division Director. Under special circumstances, including open houses and legislative tours, the Division Director may grant permission to take pictures in housing areas. The Secretary must be notified when permission is granted.

B. Contact Person for the General Public and News Media

1. The Communications Director is the designated point of contact for requests and inquiries from the News Media and the public, with the exception of general inquiries to the Arkansas Parole Board (APB).
2. All News Media or general public inquiries (excluding general inquiries regarding APB) must be forwarded to the Communications Director. Media responses made by the APB will be coordinated by the DOC's Communication Director.
3. During declared emergencies and critical incidents, staff may be designated to assist the Public Information Office in the release of authorized information.
4. All records maintained by DOC employees within the scope of their employment are presumed to be Public Records pending review of the record, to determine if any exemptions may apply that would prevent disclosure.

C. News Media Visits and Interviews

1. Before being photographed or interviewed for promotional or News Media purposes, an Offender must sign the Offender Consent for Photograph/Interview Form (attachment). The form must be witnessed by a DOC staff member.
2. News Media requests for Offender visits will be handled as follows:
 - a. Representatives of News Media organizations who wish to conduct an in-person interview with an Offender incarcerated in the one of the DOC Divisions shall submit their requests in writing to the Communications Director;
 - b. Any News Media visit can be denied, canceled or restricted by the Secretary, Division Directors, the Communications Director, the Warden or Center Supervisors if there are security concerns based on present circumstances or concerns regarding subject matter, including, but not limited to: pending appeals or legal matters related to the Offender's criminal conviction; institutional adjustment; and/or re-victimization if a victim(s) has been registered in the electronic Offender Management Information System (eOMIS) by the DOC Victim Services Coordinator or designee;
 - c. All requests for in-person interviews must be reviewed by the Communications Director, who will then forward the request and a recommendation to the appropriate Division Director. The Division Director will decide whether to approve the request. If a Division Director approves, the request will be submitted to the Secretary for final approval. **Denials by Division Directors can be appealed to the Secretary. The Secretary's decision is final;**
 - d. News Media representatives denied a media visit, must follow the process of a regular visitor to speak with an Offender, if the Offender sends that person an application to be processed.

Commented [TW1]: Do we need this sentence since the Secretary makes the final decision to approve or deny all requests?

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D. Public Meetings/Special Events

1. Boards and Commissions will notify the Public Information Office of public meetings and coordinate to ensure all proper meeting notifications are made.
2. The Communications Director must be notified by the Warden, Center Supervisor, Program Administrator, or designee before scheduling a Special Event. When Special Events occur, the Communications Director may notify the News Media. This notification will outline any photo opportunities for the event.

E. Media Advisories and Community Engagement

1. The Communications Director will issue media advisories when required by law or DOC policy or when beneficial to highlight a Special Event or advance the public's knowledge of the DOC. All press releases must be approved by the Secretary or Chief of Staff and the appropriate Division Director prior to release.
2. All publications prepared by the DOC that advance the public's knowledge of the various programs, services, and events within the DOC, will be made available to the public through the DOC's public website or social media pages. The DOC uses social media to make the public aware of events, critical incidents, updates regarding institutional emergencies and career opportunities within the DOC.
3. Examples of such publications include newsletters, monthly reports, annual reports, and informational brochures. To assist in developing public awareness and transparency, the Communications Director may identify publications and reports which should follow a consistent style.
4. The Communications Director is responsible for receiving and responding to interview requests and questions from the News Media. The Communications Director will work with the Secretary, or Chief of Staff, and other appropriate DOC leadership to consider requests, and determine the most appropriate response.

F. Release of Offender Information

1. All requests for Offender Records, excluding requests related to litigation (subpoenas, court orders, discovery, etc.) must be coordinated through the Public Information Office. Any request received at DOC facilities/offices should be forwarded to the Public Information Office. Requests from a member of the Board of Corrections or their staff should be answered by the DOC employee receiving the request.
2. Under FOIA, the DOC must supply documents that are not exempt immediately if they are readily available. If requested records are in active use or storage, the DOC must make every reasonable effort to supply disclosable documents, after redacting information not disclosable, within three (3) business days (unless a longer timeframe is agreed to in advance with the requestor). Pursuant to guidance contained within Arkansas Attorney General Opinion No. 2015-095, disclosable records within the eOMIS are considered to be in storage.

IV. DISCLOSABLE AND UNDISCLOSABLE INFORMATION FOR OFFENDERS:**A. Division of Community Correction (ACC)**

1. Offender Records must not be released or disclosed to the public, Offenders, or their attorneys except as provided by this Secretarial Directive, administrative rules, state, and federal laws, or by court order.
2. The following are NOT permitted:
 - a. Disclosure of the location of an Offender housed in an ACC facility where individuals are participating in drug and alcohol or mental health programs.
 - b. Allowing access to or providing an Offender with another Offender's records or any information contained therein;
 - c. Disclosure of Offender medical, or mental health information, except to authorized contacts;
 - d. Disclosure of Offender identification numbers for Offenders on probation and parole; and
 - e. Disclosure of information by anyone besides the Communications Director or his/her designee.

3. Offender Records that are disclosable while housed in an ACC facility:
 - a. Offender's name, aliases, Offender identification number, photograph, physical description, date of birth, date of death, age, race, and gender;
 - b. Dates of confinement;
 - c. Facilities of confinement, work assignments, and program participation (unless it involves drug and alcohol or mental health program participation);
 - d. Current offenses, sentences, sentence dates, counties of conviction, case numbers, total time to serve, parole/transfer eligibility date, movements, and behavior;
 - e. Prior confinement, offenses, sentences, sentence dates, counties of conviction, case numbers, movements, behavior, and parole/clemency history, including dates of release and dates of return to ACC or ADC;
 - f. Current & previous detainers;
 - g. Furlough history; and
 - h. Escape history.
4. Offenders on probation or parole disclosable information:
 - a. Offender's name, aliases, photograph, physical description, date of birth, date of death, age, race and gender;
 - b. Dates of supervision;
 - c. Office of supervision and program completion while under supervision (unless it involves drug and alcohol or mental health program participation);
 - d. Current Supervision: offenses, sentences, sentence dates, counties of conviction, case numbers, total time to serve on supervision, revocation history, transfers, adherence to conditions of release and behavior;
 - e. Prior supervision: offenses, sentences, sentence dates, counties of conviction, case numbers, transfers, adherence to conditions of release, clemency history, including dates of release and dates of return to ACC or ADC;
 - f. Detainers;
 - g. Furloughs; and
 - h. Escape history.
5. In addition to information listed in the previous section, the ACC is required by Arkansas law to post on its public website the following records of parolees and probationers who have absconded supervision or have an active warrant issued for evading supervision:
 - a. Any suspended sentences and their terms, if known;
 - b. A complete summary of felony convictions and sentences to the extent known by ACC;
 - c. Risk Assessments scores completed after April 1, 2015, including the name of the state agency conducting the assessment, the date conducted and the level of the assessment;
 - d. Any known aliases of the Offender;
 - e. Most recent photograph.
 - f. Any in-state or out-of-state orders of protection or no-contact orders known to ACC;
 - g. All major disciplinary violations and the date of their disposition that occurred while the Offender was incarcerated;
 - h. Any programs completed and their dates while under ACC supervision;
 - i. A list of previous revocation offenses while on probation or parole and date of revocation; and

- j. Any court-generated records posted will be electronic copies of the actual court documents. If included in the documents, victim information must be redacted prior to posting on the public website.
6. Information additional to the section above from an Offender's record may be released to or viewed by the following:
 - a. Criminal justice agencies, social service and other governmental authorities unless state or federal law prohibits such disclosure;
 - b. Authorized personnel for research purposes; and
 - c. An employee of the Bureau of Legislative Research in accordance with and subject to the limitations of A.C.A. § 12-27-113 (e)(5).
 7. Access to an Offender's own record may be granted, or information from the record may be released to the Offender and/or his attorney as needed to resolve legitimate questions about the accuracy of information in the record or as required by the rules of discovery in pending litigation. The names of confidential informants and other sensitive or confidential information, the disclosure of which might cause harm to any person, are exempt from disclosure except pursuant to court order.
 8. The record's review request should be made in writing and should be acted upon within three (3) days. The Offender must state with particularity the information or parts of the case record to which access is requested, and the Offender's request must be supported by a showing of compelling need. The decision of the Center Supervisor or Area Manager or his/her designee to grant or deny the Offender's request is final. An Offender cannot have access to the records of another Offender. The record custodian must closely supervise the offender during the record review and may limit the review to thirty (30) minutes. Offender reviews can be limited to one (1) review, per three (3) month period.

B. Division of Correction (ADC)

1. Disclosure or inspection of information contained in Offender Records is prohibited unless authorized by this Secretarial Directive or by court order.
2. The following are NOT permitted:
 - a. Allowing access to or providing an Offender with another Offender's records or any information contained therein;
 - b. Disclosure of information related to the location of an Offender transferred under an Interstate Compact Agreement;
 - c. Disclosure of inmate medical, or mental health information, except to authorized contacts; and
 - d. Disclosure of information by anyone besides the Communications Director or his/her designee.
3. Except as authorized by Act 1265 of 2015 (Ark. Code Ann. § 12-27-145), only the following information from an Offender Record may be released to the general public:
 - a. Offender's name, aliases, Offender identification number, photograph, physical description, date of birth, age, race, and gender;
 - b. Dates of incarceration;
 - c. Facilities of confinement, work assignments, and program participation (unless it involves drug and/or alcohol program participation);
 - d. The following information regarding current incarceration: offenses, sentences, sentence dates, counties of conviction, case numbers, total time to serve, parole/transfer eligibility date, movements, and behavior;
 - e. The following information regarding prior incarcerations: offenses, sentences, sentence dates, counties of conviction, case numbers, movements, behavior, and parole/clemency history, including dates of release and dates of return to ADC; and
 - f. Detainers.

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4. Information additional to the section above from an inmate's record may be released to or viewed by the following:
 - a. Criminal justice agencies, social service and other governmental authorities unless state or federal law prohibits such disclosure;
 - b. Authorized personnel for research purposes; and
 - c. An employee of the Bureau of Legislative Research in accordance with and subject to the limitations of A.C.A. § 12-27-113 (e)(5).
5. Access to an Offender's own record may be granted, or information from the record may be released to the Offender and/or his attorney as needed to resolve legitimate questions about the accuracy of information in the record or as required by the rules of discovery in pending litigation. The names of confidential informants and other sensitive or confidential information, the disclosure of which might cause harm to any person, are exempt from disclosure except pursuant to court order.
6. Upon the death of an inmate, access to that inmate's medical or mental health information or records may be granted to a person designated by the inmate to have access to such records in accordance with policies and procedures adopted by the DOC, or as required by state or federal law.
7. An inmate will not be permitted to peruse his/her file at will. A request for access to the institutional file or information contained therein must be made in writing to the Warden or his/her designee; an inmate must list the information or parts of the file to which access is requested; and the inmate's request must be supported by a showing of compelling need. The decision of the Warden or his/her designee to grant or deny the inmate's request shall be final.

C. Arkansas Parole Board (APB)

1. The APB may restrict the release of hearing information or records consistent with state and federal laws or rules. Such restrictions will be communicated by the APB Chair, or a designee of the Chair, to the Communications Director.
 - a. No employee may release APB Public Records to inmates, media, or the general public unless authorized by APB policy or in writing by the Chair or the Board Administrator.
 - b. All requests for APB records and responses will be coordinated through the Board Administrator, who should be contacted immediately upon receipt of a request.
 - c. The Board Administrator shall make the Communications Director aware of Public Record/FOIA requests.

V. ATTACHMENT:

Offender Consent for Photograph/Interview Form

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¶



DEPARTMENT OF CORRECTIONS
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: (501)-537-3958
DOC.ARKANSAS.GOV

OFFENDER CONSENT FOR PHOTOGRAPH/INTERVIEW FORM

THE UNDERSIGNED DOES HEREBY CONSENT TO BE PHOTOGRAPHED AND/OR INTERVIEWED BY:

FOR THE EXCLUSIVE PURPOSE OF:

The photographs may include filming of any kind, and the interview may include a recording thereof. The undersigned consents and authorizes that any such photographs or interview material may be utilized by:

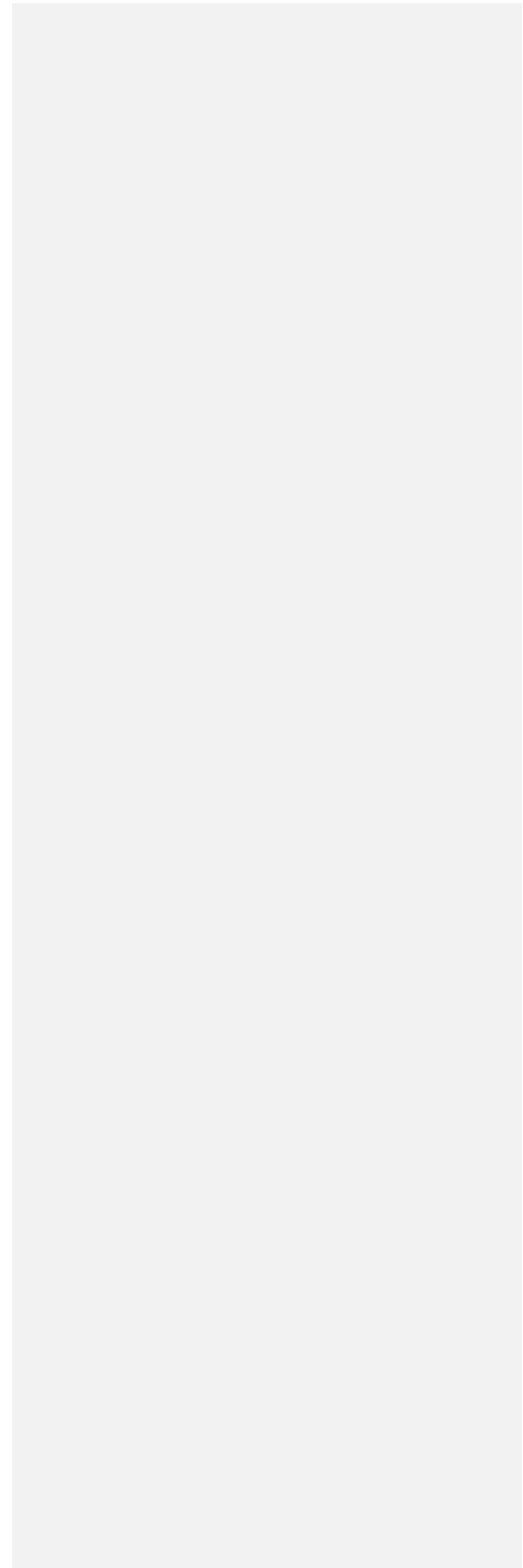
FOR THE AFOREMENTIONED PURPOSE.

Furthermore, the undersigned does hereby release and does hold harmless the Department of Corrections, its agents, and employees, from any, and all claims based on the use of said material. The above consent is given by me freely and voluntarily without any promises, threats, or duress.

Offender First & Last Name _____
PRINTED DOC # _____

Signature: _____ Date: _____

Witnessed by: _____ Date: _____





OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: 501-537-3958
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SECRETARIAL DIRECTIVE

SUBJECT: Public Relations and Release of Information

NUMBER: 2021-12

SUPERSEDES: SD 2021-06

APPLICABILITY: All Employees of the Arkansas Department of Corrections

REFERENCE: A.C.A. § 12-27-113, 12-27-145, 25-19-105, 25-43-103, 25-43-105, 25-43-108, 25-43-403, AR 007 Legislative Liaison and/or Inquiries; AR 011 News Media Interviews and Correspondence; AR 7.4 Public Release of Offender Information; and SD Social Media Policy

PAGE: 1 of 6

APPROVED: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 8/20/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 procedures for the administration of public relations and release of Offender information. These procedures will ensure that the public, News Media, and other law enforcement organizations are informed of the various programs, services, and events within the DOC. Such procedures shall ensure the integrity and proper use of Offender records and that all notifications of public meetings of the DOC boards and commissions are consistent with state law. It is the policy of the DOC to ensure that all applicable provisions of federal and state law or rules are observed with respect to public meetings and Public Records.

II. KEY TERMS:

- A. Freedom of Information Act (FOIA). Pursuant to A.C.A. § 25-19-105, the FOIA gives Arkansans access to Public Records and public meetings, with some exceptions.
- B. News Media. Properly credentialed representatives of local, national, and international news organizations that have a mission of delivering news to the general public, and do not have a primary purpose of commercial production or entertainment. This may include but is not limited to, representatives of general circulation newspapers, magazines, online media outlets, news services, and radio stations and television networks holding a Federal Communication Commission license.
- C. Offender. Inmates, parolees, probationers, or residents in the custody of a DOC facility or under supervision of the DOC.
- D. Offender Record. A full and complete record in written or electronic form regarding each person committed to the custody or supervision of the DOC. An Offender Record includes but is not limited to: a photograph of the convicted person; the offense and sentence for any conviction for which the Offender is incarcerated or under supervision; the Offender's criminal history; medical and mental health information and records; and all other records which identify and relate directly to that Offender. Electronic transmissions and recordings that chronicle the activities and conversations of Offenders are part of the Offender Record.
- E. Public Record. Any writing, sound or video that reflects the performance or lack of performance of an official function, not otherwise exempted from disclosure.
- F. Special Event. Any activity not held in the normal course or day to day operations of a facility or program.

III. PROCEDURES:

A. Facility and Program Areas Accessible to News Media Representatives

1. All News Media tours must be requested and approved in advance by the Communications Director. The Communications Director must always accompany News Media organizations or designate an alternate escort.
 - a. Upon approval, the Department Headquarters, the Division of Correction Central Office, and the Administration Annex East Buildings are accessible to News Media representatives for a tour, if touring will not adversely affect the daily operations and Offenders will not be present.
 - b. Upon approval of the appropriate Division Director, News Media may tour the DOC's Correctional facilities, Parole and Probation Offices, Reentry and Residential facilities. The Secretary must be notified when tours are approved.
2. The appropriate Division Director may give permission for the limited use of cameras. The recording of Offenders is prohibited except when prior authorization has been granted by the appropriate Division Director. Under special circumstances, including open houses and legislative tours, the Division Director may grant permission to take pictures in housing areas. The Secretary must be notified when permission is granted.

B. Contact Person for the General Public and News Media

1. The Communications Director is the designated point of contact for requests and inquiries from the News Media and the public, with the exception of general inquiries to the Arkansas Parole Board (APB).
2. All News Media or general public inquiries (excluding general inquiries regarding APB) must be forwarded to the Communications Director. Media responses made by the APB will be coordinated by the DOC's Communication Director.
3. During declared emergencies and critical incidents, staff may be designated to assist the Public Information Office in the release of authorized information.
4. All records maintained by DOC employees within the scope of their employment are presumed to be Public Records pending review of the record, to determine if any exemptions may apply that would prevent disclosure.

C. News Media Visits and Interviews

1. Before being photographed or interviewed for promotional or News Media purposes, an Offender must sign the Offender Consent for Photograph/Interview Form (attachment). The form must be witnessed by a DOC staff member.
2. News Media requests for Offender visits will be handled as follows:
 - a. Representatives of News Media organizations who wish to conduct an in-person interview with an Offender incarcerated in the one of the DOC Divisions shall submit their requests in writing to the Communications Director;
 - b. Any News Media visit can be denied, canceled or restricted by the Secretary, Division Directors, the Communications Director, the Warden or Center Supervisors if there are security concerns based on present circumstances or concerns regarding subject matter, including, but not limited to: pending appeals or legal matters related to the Offender's criminal conviction; institutional adjustment; and/or re-victimization if a victim(s) has been registered in the electronic Offender Management Information System (eOMIS) by the DOC Victim Services Coordinator or designee;
 - c. All requests for in-person interviews must be reviewed by the Communications Director, who will then forward the request and a recommendation to the appropriate Division Director. The Division Director will decide whether to approve the request. If a Division Director approves, the request will be submitted to the Secretary for final approval. Denials by Division Directors can be appealed to the Secretary. The Secretary's decision is final;
 - d. News Media representatives denied a media visit, must follow the process of a regular visitor to speak with an Offender, if the Offender sends that person an application to be processed.

D. Public Meetings/Special Events

1. Boards and Commissions will notify the Public Information Office of public meetings and coordinate to ensure all proper meeting notifications are made.
2. The Communications Director must be notified by the Warden, Center Supervisor, Program Administrator, or designee before scheduling a Special Event. When Special Events occur, the Communications Director may notify the News Media. This notification will outline any photo opportunities for the event.

E. Media Advisories and Community Engagement

1. The Communications Director will issue media advisories when required by law or DOC policy or when beneficial to highlight a Special Event or advance the public's knowledge of the DOC. All press releases must be approved by the Secretary or Chief of Staff and the appropriate Division Director prior to release.
2. All publications prepared by the DOC that advance the public's knowledge of the various programs, services, and events within the DOC, will be made available to the public through the DOC's public website or social media pages. The DOC uses social media to make the public aware of events, critical incidents, updates regarding institutional emergencies and career opportunities within the DOC.
3. Examples of such publications include newsletters, monthly reports, annual reports, and informational brochures. To assist in developing public awareness and transparency, the Communications Director may identify publications and reports which should follow a consistent style.
4. The Communications Director is responsible for receiving and responding to interview requests and questions from the News Media. The Communications Director will work with the Secretary, or Chief of Staff, and other appropriate DOC leadership to consider requests, and determine the most appropriate response.

F. Release of Offender Information

1. All requests for Offender Records, excluding requests related to litigation (subpoenas, court orders, discovery, etc.) must be coordinated through the Public Information Office. Any request received at DOC facilities/offices should be forwarded to the Public Information Office. Requests from a member of the Board of Corrections or their staff should be answered by the DOC employee receiving the request.
2. Under FOIA, the DOC must supply documents that are not exempt immediately if they are readily available. If requested records are in active use or storage, the DOC must make every reasonable effort to supply disclosable documents, after redacting information not disclosable, within three (3) business days (unless a longer timeframe is agreed to in advance with the requestor). Pursuant to guidance contained within Arkansas Attorney General Opinion No. 2015-095, disclosable records within the eOMIS are considered to be in storage.

IV. DISCLOSABLE AND UNDISCLOSABLE INFORMATION FOR OFFENDERS:**A. Division of Community Correction (ACC)**

1. Offender Records must not be released or disclosed to the public, Offenders, or their attorneys except as provided by this Secretarial Directive, administrative rules, state, and federal laws, or by court order.
2. The following are NOT permitted:
 - a. Disclosure of the location of an Offender housed in an ACC facility where individuals are participating in drug and alcohol or mental health programs.
 - b. Allowing access to or providing an Offender with another Offender's records or any information contained therein;
 - c. Disclosure of Offender medical, or mental health information, except to authorized contacts;
 - d. Disclosure of Offender identification numbers for Offenders on probation and parole; and
 - e. Disclosure of information by anyone besides the Communications Director or his/her designee.

3. Offender Records that are disclosable while housed in an ACC facility:
 - a. Offender's name, aliases, Offender identification number, photograph, physical description, date of birth, date of death, age, race, and gender;
 - b. Dates of confinement;
 - c. Facilities of confinement, work assignments, and program participation (unless it involves drug and alcohol or mental health program participation);
 - d. Current offenses, sentences, sentence dates, counties of conviction, case numbers, total time to serve, parole/transfer eligibility date, movements, and behavior;
 - e. Prior confinement, offenses, sentences, sentence dates, counties of conviction, case numbers, movements, behavior, and parole/clemency history, including dates of release and dates of return to ACC or ADC;
 - f. Current & previous detainers;
 - g. Furlough history; and
 - h. Escape history.
4. Offenders on probation or parole disclosable information:
 - a. Offender's name, aliases, photograph, physical description, date of birth, date of death, age, race and gender;
 - b. Dates of supervision;
 - c. Office of supervision and program completion while under supervision (unless it involves drug and alcohol or mental health program participation);
 - d. Current Supervision: offenses, sentences, sentence dates, counties of conviction, case numbers, total time to serve on supervision, revocation history, transfers, adherence to conditions of release and behavior;
 - e. Prior supervision: offenses, sentences, sentence dates, counties of conviction, case numbers, transfers, adherence to conditions of release, clemency history, including dates of release and dates of return to ACC or ADC;
 - f. Detainers;
 - g. Furloughs; and
 - h. Escape history.
5. In addition to information listed in the previous section, the ACC is required by Arkansas law to post on its public website the following records of parolees and probationers who have absconded supervision or have an active warrant issued for evading supervision:
 - a. Any suspended sentences and their terms, if known;
 - b. A complete summary of felony convictions and sentences to the extent known by ACC;
 - c. Risk Assessments scores completed after April 1, 2015, including the name of the state agency conducting the assessment, the date conducted and the level of the assessment;
 - d. Any known aliases of the Offender;
 - e. Most recent photograph.
 - f. Any in-state or out-of-state orders of protection or no-contact orders known to ACC;
 - g. All major disciplinary violations and the date of their disposition that occurred while the Offender was incarcerated;
 - h. Any programs completed and their dates while under ACC supervision;
 - i. A list of previous revocation offenses while on probation or parole and date of revocation; and

- j. Any court-generated records posted will be electronic copies of the actual court documents. If included in the documents, victim information must be redacted prior to posting on the public website.
6. Information additional to the section above from an Offender's record may be released to or viewed by the following:
 - a. Criminal justice agencies, social service and other governmental authorities unless state or federal law prohibits such disclosure;
 - b. Authorized personnel for research purposes; and
 - c. An employee of the Bureau of Legislative Research in accordance with and subject to the limitations of A.C.A. § 12-27-113 (e)(5).
7. Access to an Offender's own record may be granted, or information from the record may be released to the Offender and/or his attorney as needed to resolve legitimate questions about the accuracy of information in the record or as required by the rules of discovery in pending litigation. The names of confidential informants and other sensitive or confidential information, the disclosure of which might cause harm to any person, are exempt from disclosure except pursuant to court order.
8. The record's review request should be made in writing and should be acted upon within three (3) days. The Offender must state with specificity the information or parts of the case record to which access is requested, and the Offender's request must be supported by a showing of compelling need. The decision of the Center Supervisor or Area Manager or his/her designee to grant or deny the Offender's request is final. An Offender cannot have access to the records of another Offender. The record custodian must directly supervise the Offender during the record review and may limit the review to thirty (30) minutes. Offender reviews can be limited to one (1) review, per three (3) month period.

B. Division of Correction (ADC)

1. Disclosure or inspection of information contained in Offender Records is prohibited unless authorized by this Secretarial Directive or by court order.
2. The following are NOT permitted:
 - a. Allowing access to or providing an Offender with another Offender's records or any information contained therein;
 - b. Disclosure of information related to the location of an Offender transferred under an Interstate Compact Agreement;
 - c. Disclosure of inmate medical, or mental health information, except to authorized contacts; and
 - d. Disclosure of information by anyone besides the Communications Director or his/her designee.
3. Except as authorized by Act 1265 of 2015 (Ark. Code Ann. § 12-27-145), only the following information from an Offender Record may be released to the general public:
 - a. Offender's name, aliases, Offender identification number, photograph, physical description, date of birth, age, race, and gender;
 - b. Dates of incarceration;
 - c. Facilities of confinement, work assignments, and program participation (unless it involves drug and/or alcohol program participation);
 - d. The following information regarding current incarceration: offenses, sentences, sentence dates, counties of conviction, case numbers, total time to serve, parole/transfer eligibility date, movements, and behavior;
 - e. The following information regarding prior incarcerations: offenses, sentences, sentence dates, counties of conviction, case numbers, movements, behavior, and parole/clemency history, including dates of release and dates of return to ADC; and
 - f. Detainers.

4. Information additional to the section above from an inmate's record may be released to or viewed by the following:
 - a. Criminal justice agencies, social service and other governmental authorities unless state or federal law prohibits such disclosure;
 - b. Authorized personnel for research purposes; and
 - c. An employee of the Bureau of Legislative Research in accordance with and subject to the limitations of A.C.A. § 12-27-113 (e)(5).
5. Access to an Offender's own record may be granted, or information from the record may be released to the Offender and/or his attorney as needed to resolve legitimate questions about the accuracy of information in the record or as required by the rules of discovery in pending litigation. The names of confidential informants and other sensitive or confidential information, the disclosure of which might cause harm to any person, are exempt from disclosure except pursuant to court order.
6. Upon the death of an inmate, access to that inmate's medical or mental health information or records may be granted to a person designated by the inmate to have access to such records in accordance with policies and procedures adopted by the DOC, or as required by state or federal law.
7. An inmate will not be permitted to peruse his/her file at will. A request for access to the institutional file or information contained therein must be made in writing to the Warden or his/her designee; an inmate must list the information or parts of the file to which access is requested; and the inmate's request must be supported by a showing of compelling need. The decision of the Warden or his/her designee to grant or deny the inmate's request shall be final.

C. Arkansas Parole Board (APB)

1. The APB may restrict the release of hearing information or records consistent with state and federal laws or rules. Such restrictions will be communicated by the APB Chair, or a designee of the Chair, to the Communications Director.
 - a. No employee may release APB Public Records to inmates, media, or the general public unless authorized by APB policy or in writing by the Chair or the Board Administrator.
 - b. All requests for APB records and responses will be coordinated through the Board Administrator, who should be contacted immediately upon receipt of a request.
 - c. The Board Administrator shall make the Communications Director aware of Public Record/FOIA requests.

V. ATTACHMENT:

Offender Consent for Photograph/Interview Form



DEPARTMENT OF CORRECTIONS
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: (501)-537-3958
DOC.ARKANSAS.GOV

OFFENDER CONSENT FOR PHOTOGRAPH/INTERVIEW FORM

THE UNDERSIGNED DOES HEREBY CONSENT TO BE PHOTOGRAPHED AND/OR INTERVIEWED BY:

FOR THE EXCLUSIVE PURPOSE OF:

The photographs may include filming of any kind, and the interview may include a recording thereof. The undersigned consents and authorizes that any such photographs or interview material may be utilized by:

FOR THE AFOREMENTIONED PURPOSE.

Furthermore, the undersigned does hereby release and does hold harmless the Department of Corrections, its agents, and employees, from any, and all claims based on the use of said material. The above consent is given by me freely and voluntarily without any promises, threats, or duress.

Offender First & Last Name _____
PRINTED DOC #

Signature: _____ Date: _____

Witnessed by: _____ Date: _____



OFFICE OF THE SECRETARY

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Phone: (501) 683-3309 | Fax: (501) 537-3958
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SECRETARIAL DIRECTIVE

SUBJECT: Department Website

NUMBER: 2021-13

SUPERSEDES: ADC AD 18-09
ACC AD 16-17 (partial)

APPLICABILITY: All employees of the Department of Corrections

REFERENCE: A.C.A. §§ 12-1-102, 12-27-145, 16-90-1101, 16-90-1114, 25-43-105, 25-43-108, and 25-43-403
AR 009 Public & Community Relations; AR 804 Inmate Records; and
AR 7.4 Public Release of Offender Information

PAGE: 1 of 3

APPROVED: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 8/20/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the DOC. The purpose of this directive is to establish a policy to allow convenient public access to a website with information about DOC operations and information about its offenders. The information that will be available for public access is related to DOC programs, services, and events; in addition to information related to an offender's criminal history, offense(s), sentencing and institutional behavior.

II. PROCEDURES:

A. Agency Operations. The DOC's public website shall include information related to the DOC's operations to include at a minimum:

1. Current strategic plans, missions, goals, or other similar information;
2. Current Organizational Charts for the Divisions;
3. The contact information for each:
 - a. Correctional Facility;
 - b. Residential Center;
 - c. Probation and Parole Office; and
 - d. Administrative Locations
4. Pertinent information for facility visitors;
5. Information on services available for victims (Victim Services);
6. A link to currently available job openings and instructions for applicants;
7. A prominent display of available online services;
8. Research studies and reports required to be posted by A.C.A. § 12-1-102; for the ADC, ACC, and the APB;
9. Division Policies;

10. Administrative Rules;
11. Link to State Calendar; and
12. Public Notices.

B. Offender Records for the Division of Correction (ADC). The ADC is required by A.C.A. § 12-27-145 to post and maintain on its public website the following inmate records:

1. The offense and sentence for any conviction for which the inmate is incarcerated, including:
 - a. Whether the inmate is subject to a suspended sentence, if known;
 - b. The terms of the suspended sentence, if applicable;
2. The disciplinary record for each inmate:
 - a. For the purpose of this listing, the term “disciplinary record” means a list of each major disciplinary violation and the date of the violation occurring after July 1, 2015, for which the inmate has been found guilty;
 - b. The disciplinary record for each inmate during the time the inmate is being considered for parole. For the purpose of this listing, the term “disciplinary record” means a list of all disciplinaries and the date of the disciplinaries for which the inmate has been found guilty, regardless of the date;
3. The risk assessment scores (except scores completed as part of mental health treatment) for each inmate completed after April 1, 2015. The risk assessment listing shall include the name of the state agency that completed the risk assessment, the date the risk assessment was conducted, and the level of assessment; and a general explanation of how risk assessments are scored.
4. The inmate’s custody and classification level;
5. Any known aliases of the inmate;
6. A current photograph of the inmate;
7. A description of the inmate’s scars, marks, and tattoos on file;
8. To the extent that the information is available, the following information shall be provided:
 - a. A complete felony conviction summary for the inmate;
 - b. The existence of any order of protection, no contact order, or other order from an in-state or out-of-state court that prohibits contact or communication with another person by the inmate;
 - c. All detainers for the inmate, filed with the ADC, and their current status;
 - d. A list of inmates currently sentenced to death;
 - e. A list of current escapees, to include their most recent photograph and instructions for reporting information on their whereabouts;
 - f. Any programs (except drug or mental health treatment programs) completed by the inmate while in custody; and
 - g. The inmate's parole or transfer eligibility date or date he/she is to be released from incarceration as well as a general explanation of how an offender’s parole or transfer eligibility date is calculated, including an explanation of good time credits.

C. Offender Records-Division of Community Correction (ACC) Facility. The ACC is required by A.C.A. § 12-27-145 to post on its public website the following records of parolees and probationers who have absconded supervision or have an active warrant issued for evading supervision.

1. Offender’s name, aliases, tracking number, photograph, physical description, date of birth, date of death, age, race, and gender.
2. Any suspended sentences and their terms, if known.
3. A complete summary of felony convictions and sentences to the extent known by ACC.
4. Risk Assessments scores completed after April 1, 2015, including the name of the state agency conducting the assessment, the date conducted and the level of the assessment.
5. Any known aliases of the offender.

6. Most recent photograph.
7. Any in-state or out-of-state orders of protection or no-contact orders known to ACC.
8. All major disciplinary violations and the date of their disposition that occurred while the offender was incarcerated.
9. Any programs completed and their dates while under ACC supervision.
10. A list of previous revocation offenses while on probation or parole and date of revocation.
11. Any court-generated records posted will be electronic copies of the actual court documents. If included in the documents, victim information will be redacted prior to posting on the public website.

D. Arkansas Parole Board (APB). The APB is required by A.C.A. § 12-27-145 to post on its public website the following information concerning an inmate who is being considered for parole no less than six (6) months before his or her transfer-eligibility or parole-eligibility date, or the date the Board determines eligibility for parole or transfer if the inmate is past his or her transfer-eligibility or parole-eligibility date:

1. The name of the inmate;
2. The Division of Correction identification number of the inmate;
3. A current photograph of the inmate;
4. The projected hearing date of the inmate;
5. The number of times, if any, probation or parole has been revoked from the inmate; and
6. A link to information required to be posted about the inmate by the Division of Correction.

The information required to be posted on the Board's website:

1. Shall be consistently updated as required to be the most current information available to the Board;
2. Shall instruct a victim of a crime as defined by A.C.A. §§ 16-90-1101 or 16-90-1114 on how to contact the Board and provide information on the inmate; and
3. May be removed when the inmate has been either granted or denied parole.

E. Hosting. The DOC's public website shall be hosted through the Arkansas government web portal.

F. Maintenance

1. Webmaster

- a. The DOC's Communications Director is the Department's Webmaster and is responsible for the maintenance of the public website. However, the Communications Director may delegate functions related to this role to subordinate staff.
- b. The Communications Director, or their designee, will consult with the Department's Information Technology Office on issues related to the maintenance of the DOC's public website.
- c. The Communications Director shall seek, and receive, the approval of the Secretary or a Division Director (or their designees) prior to authorizing any of the following actions:
 - i. Adding content to the website not specifically authorized by this directive; or
 - ii. Making substantive changes to the design and layout of the website.

2. Feedback

- a. The Communications Director shall implement updates to the DOC website as requested by the Secretary or designee, or a Division Director or designee.
- b. The Communications Director shall seek the input of the DOC Leadership team on issues related to the content, form, and function of the Department's public website as needed.
- c. The website shall contain a method for members of the general public to contact the webmaster with issues related to the content, form, and function of the website.



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SECRETARIAL DIRECTIVE

SUBJECT: Incident Notification Procedures

NUMBER: 2021- SUPERSEDES: 2020-07

APPLICABILITY: All Department of Corrections Employees

REFERENCE: Ark. Code Ann. §§ 25-43-105, 25-43-108, 25-43-403; AR 005 Reporting of Incidents; AR 011 News Media, Interviews, and Correspondence

PAGE: 1 of 3

ISSUED BY: EFFECTIVE DATE:

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. The Secretary shall exercise direction, control, and supervision over the immediate notification of serious incidents within the DOC. As used in this Secretarial Directive, the term "offender" applies to inmates, parolees, and probationers; in addition to residents in a community correction center or reentry center.

II. PROCEDURES:

- A. The divisions within the DOC will establish operational policies, and incident notification checklists, which provide for the notification of incidents. The Division Directors shall establish specific procedures for the immediate notification of serious incidents, occurrences of illnesses covered in a declared public health emergency, and the notification of incidents determined to not require immediate notification.
B. The immediate notification of serious incidents shall provide for the notification to the Governor's Office, Board of Corrections, and the Office of the Secretary.
1. The notification requirements for the Governor's Office contained within this Secretarial Directive are in addition to the minimum notification requirements contained in the Governor's Incident Notification Matrix (Attachment) to be made by the Secretary or the Chief of Staff. The requirements in the Governors Incident Notification Matrix are applicable to all entities within the Department.
2. The Chair of the Board of Corrections, the appropriate Board liaison, and the Assistant to the Board will be contacted regarding any serious incident. Upon notification to the Chair, the Chair will advise of the appropriate method of notifying remaining Board Members and Board staff (i.e. phone call, text message, or email).

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- 3. The individuals within the Office of the Secretary requiring immediate notification are as follows:
 - a. The Secretary;
 - b. Chief of Staff;
 - c. Communications Director; and
 - d. Internal Affairs Administrator

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- 4. The Internal Affairs Administrator will be notified first on incidents involving suspected criminal activity. After consulting with the Secretary and appropriate Division Director, the Internal Affairs Administrator will notify local law enforcement; including State Police or the County Sheriff where the incident occurred.

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C. For use in the development of operational policies, the term “serious incident” refers to, at a minimum, those incidents involving:

- 1. Death or the serious injury of an offender, employee, contract employee, or visitor in a DOC facility or office (not suspected to be due to natural causes);
- 2. Escapes from correctional facilities and centers, to include walkaways from reentry centers;
- 3. Work stoppages;
- 4. Use of lethal force by an employee in the line of duty;
- 5. Discharge of a state-issued firearm, at any time other than in training, by an employee;
- 6. Suspected criminal activity within a DOC facility or office;
- 7. An employee’s arrest on felony charges;
- 8. Hostage situations involving employees or offenders;
- 9. Riots or mass disturbances involving offenders on or off DOC leased or owned property (involves six (6) or more offenders);
- 10. Chemical spills injuring, or potentially injuring, employees and offenders;
- 11. Natural disasters or fires damaging DOC leased or owned property;
- 12. Any incident on DOC property requiring outside assistance from first responders (law enforcement or firefighters);
- 13. Any felony criminal activity by an offender on furlough, or community work assignment, or otherwise off DOC property, such as Act 309 assignment, Work Release job assignment, or Reentry Center;
- 14. An incident, not of a routine nature, worthy of media notification, or upon media inquiry; and
- 15. Occurrences of an illness covered in a declared public health emergency.

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D. For purposes of notification for serious incidents involving suspected criminal activity within a DOC facility or office, or by an offender otherwise off DOC property, immediate notification will commence if at any point during an investigation, findings indicate the allegations or activity may arise to a criminal level. If findings indicate allegations are wholly unsubstantiated, immediate notification is not required.

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E. The Communications Director will have primary responsibility for any communication with the news media regarding incidents. The Chief of Staff will communicate with the media in the absence of the Communications Director. Incidents will be reported to the news media only after contact has been made with the Board of Corrections, the Governor's Office, the Secretary, and other officials as required by operational policy.

F. When referenced in this directive, or any other operational policy, the notification of a serious incident will be made by telephone call, unless otherwise noted.

G. Each division within the DOC will review their existing operational policies and procedures and make any adjustment necessary for those policies and procedures to reflect the requirements of this Directive.

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III. **ATTACHMENT:**

Governor's Incident Notification Matrix

Attachment

GOVERNOR'S INCIDENT NOTIFICATION MATRIX

	IMMEDIATE VIA PHONE	IMMEDIATE VIA TEXT	4 HOUR VIA EMAIL	12 HOUR VIA EMAIL
Facility Riot or Mass Disturbance	X			
Death of Inmate/Resident				X
State Employee Arrested on Felony Charges*				X
Executive Branch loss or compromise of Personal identifiable information (PII)*		X		X
Death of State Employee in Line of Duty*		X		
FOIA Request with anticipated media or public interest*			X	
Cyber Attack with loss, or the compromising of data*		X		
Damage to state property in excess of \$100K* <i>Notification will also be made to the Arkansas Insurance Department</i>				X
Environmental Damage of Media Interest*			X	
Other Event with High Media Interest*		X		
Note: Immediate and 4 Hour Notifications will be made by either the Secretary or Chief of Staff (when authorized by the Secretary). Notifications will be made to the Governor's Chief of Staff and to the Department's Liaison.				

This notification matrix was approved by the Governor on September 25, 2019.

* Applicable to ALL entities within the Department of Corrections.

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SECRETARIAL DIRECTIVE

SUBJECT: Incident Notification Procedures

NUMBER: 2021-14

SUPERSEDES: 2020-07

APPLICABILITY: All Employees

REFERENCE: Ark. Code Ann. §§ 25-43-105, 25-43-108; 25-43-403; 25-43-405; AR 005 Reporting of Incidents; AR 011 News Media, Interviews, and Correspondence

PAGE: 1 of 3

ISSUED BY: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 8/20/2021

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. The Secretary shall exercise direction, control, and supervision over the immediate notification of serious incidents within the Department. As used in this Secretarial Directive, the term “offender” applies to inmates, parolees, and probationers; in addition to residents in a community correction center or reentry center.

II. **PROCEDURES:**

- A. The divisions within the DOC will establish operational policies, and incident notification checklists, which provide for the notification of incidents. The Division Directors shall establish specific procedures for the immediate notification of serious incidents, occurrences of illnesses covered in a declared public health emergency, and the notification of incidents determined to not require immediate notification.
- B. The immediate notification of serious incidents shall provide for the notification to the Governor’s Office, Board of Corrections, and the Office of the Secretary.
 1. The notification requirements for the Governor’s Office contained within this Secretarial Directive are in addition to the minimum notification requirements contained in the Governor’s Incident Notification Matrix (Attachment) to be made by the Secretary or the Chief of Staff. **The requirements in the Governors Incident Notification Matrix are applicable to all entities within the Department.**
 2. The Chair of the Board of Corrections, the appropriate Board liaison, and the Assistant to the Board will be contacted regarding any serious incident. Upon notification to the Chair, the Chair will advise of the appropriate method of notifying remaining Board Members and Board staff (i.e. phone call, text message, or email).

3. The individuals within the Office of the Secretary requiring immediate notification are as follows:
 - a. The Secretary;
 - b. Chief of Staff;
 - c. Communications Director; and
 - d. Internal Affairs Administrator

The Internal Affairs Administrator will be notified first on incidents involving suspected criminal activity. After consulting with the Secretary and appropriate Division Director, the Internal Affairs Administrator will notify local law enforcement; including State Police or the County Sheriff where the incident occurred.

- C. For use in the development of operational policies, the term “serious incident” refers to, at a minimum, those incidents involving:
 1. Death or the serious injury of an offender, employee, contract employee, or visitor in a Department facility or office (not suspected to be due to natural causes);
 - a. Division of Correction: Deaths by natural causes will be reported during a work day or the next work day with the exception of notification to the Medical Services Administrator, or designee, the Internal Affairs Administrator or designee, the Chaplain, and the Communications Director, who are to be notified immediately upon the death of any inmate.
 - b. Division of Community Correction: Resident deaths, regardless of cause, will be reported to the Center Supervisor, the Internal Affairs Administrator designee, Medical Services Administrator, Chaplain, County Coroner, Arkansas State Police, the Chief Law Enforcement Officer of the County or Municipality, State Crime Lab, Medical Examiner’s office, and the County Prosecuting Attorney’s office.
 2. Escapes from correctional facilities and centers, to include walkaways from reentry centers;
 3. Work stoppages;
 4. Use of lethal force by an employee in the line of duty;
 5. Discharge of a state-issued firearm, at any time other than in training, by an employee;
 6. Suspected criminal activity within a Department facility or office;
 7. An employee’s arrest on felony charges;
 8. Hostage situations involving employees or offenders;
 9. Riots or mass disturbances involving offenders on or off Department leased or owned property (involves six or more offenders);
 10. Chemical spills injuring, or potentially injuring, employees and offenders;
 11. Natural disasters or fires damaging Department leased or owned property;

12. Any incident on Department property requiring outside assistance from first responders (law enforcement or firefighters) other than routine law enforcement activities such as serving an outstanding warrant;
 13. Any felony criminal activity by an offender in the custody of the Department but on furlough, or community work assignment, or otherwise off Department property; such as Act 309 assignment, Work Release job assignment, or Reentry Center;
 14. An incident, not of a routine nature, worthy of media notification, or upon media inquiry; and
 15. Occurrences of an illness covered in a declared public health emergency.
- D. For purposes of notification for serious incidents involving suspected criminal activity within a Department facility or office, or by an offender in the custody of the Department but otherwise off of Department property, immediate notification will commence if at any point during an investigation, findings indicate the allegations or activity are likely to arise to a criminal level. If findings indicate allegations are unsubstantiated, immediate notification is not required.
- E. The Communications Director will have primary responsibility for any communication with the news media regarding incidents. The Chief of Staff will communicate with the media in the absence of the Communications Director. Incidents will be reported to the news media only after contact has been made with the Board of Corrections, the Governor's Office, the Secretary, and other officials as required by the Secretarial Directive on Public Relations and Release of Information.
- F. When referenced in this directive, or any other operational policy, the notification of a serious incident will be made by telephone call, unless otherwise noted.
- G. Divisions are encouraged to utilize multidisciplinary Critical Incident Review Committees in order to examine staff performance or the adequacy of policy and procedures related to an incident.
1. Division Directors will notify the Secretary prior to the formation of a Critical Incident Committee.
 2. Division Directors will provide a copy of all reports and recommendations from a Critical Incident Committee to the Secretary or Designee. The Secretary may, at his or her discretion, appoint a member of their staff to any Critical Incident Committee.
- H. The Board of Corrections, or the staff of its Compliance Division, at their discretion shall be entitled to any records pertaining to incidents occurring within the Department.

III. **ATTACHMENT:**

Governor's Incident Notification Matrix

Attachment

GOVERNOR'S INCIDENT NOTIFICATION MATRIX

	IMMEDIATE VIA PHONE	IMMEDIATE VIA TEXT	4 HOUR VIA EMAIL	12 HOUR VIA EMAIL
Facility Riot or Mass Disturbance	X			
Death of Inmate/Resident				X
State Employee Arrested on Felony Charges*				X
Executive Branch loss or compromise of Personal identifiable information (PII)*		X		X
Death of State Employee in Line of Duty*		X		
FOI Request with anticipated media or public interest*			X	
Cyber Attack with loss, or the compromising of data*		X		
Damage to state property in excess of \$100K* <i>Notification will also be made to the Arkansas Insurance Department</i>				X
Environmental Damage of Media Interest*			X	
Other Event with High Media Interest*		X		
Note: Immediate and 4 Hour Notifications will be made by either the Secretary or Chief of Staff (when authorized by the Secretary). Notifications will be made to the Governor's Chief of Staff and to the Department's Liaison.				

This notification matrix was approved by the Governor on September 25, 2019.

* Applicable to ALL entities within the Department of Corrections.



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SECRETARIAL DIRECTIVE

SUBJECT: Dress Code for Uniformed Personnel

NUMBER: 2021- _____ **SUPERSEDES:** ~~2021-04~~

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APPLICABILITY: All DOC 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, and 25-43-403~~;
 AR 201- Uniforms **PAGE:** 1 of 10

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I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department and to ensure that Uniformed Personnel implement standardized grooming and attire standards commensurate with employment in a professional criminal justice organization.

II. **PURPOSE:**

This policy sets out clear grooming and attire standards for the Uniformed Personnel of the DOC. 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:**

1. **Offensive Tattoo.** A 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 DOC.
2. **Uniformed Personnel.** Correctional officers, parole/probation officers, parole/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. **Uniform Standards**

1. DOC 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. Shirrtails must be tucked inside of the pants when the uniform is worn, both on-duty and off-duty, unless the employee is pregnant.
 - d. When boots are worn, pant legs must be outside of the boot.
2. When personnel are in uniform, whether on-duty or off-duty, they must present an appearance and attitude of professionalism which mirrors a positive image of the DOC. 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; or
 - h. Engaging in any activity that is unbecoming of the DOC image.
3. Uniformed Personnel must keep uniforms clean and serviceable.
4. Uniformed Personnel will 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 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 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. A Warden, 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 personnel must 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 may authorize exceptions to this prohibition. Such exceptions must be reported in writing to the Office of the Secretary.

B. Uniform Assignments

1. 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 left breast), the DOC logo (left sleeve), and rank insignia affixed at the point of each collar; and
 - b. Navy blue pants.
2. Food service personnel will wear:
- a. A heather blue polo-style shirt affixed with an embroidered badge (centered left breast), the DOC logo (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.
3. Parole/Probation Officers and Training personnel assigned to the Division of Community Correction will wear:
- a. A gray polo-style short-sleeve shirt affixed with an embroidered badge (centered on left breast) and the DOC logo (left sleeve);
 - b. Desert khaki pants; and
 - c. Only Parole or Probation Agents will have rank insignia affixed on the point of each collar.
4. Exceptions to the Standard Uniforms:
- a. Division of Community Correction 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. Division of Correction Hospital Correctional Officers:
 - i. 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 officers must wear an authorized badge while on duty in the community performing DOC 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.
 - c. 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.
- d. 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 DOC 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.
- e. Internal Affairs Investigators:
 - i. A heather blue polo-style shirt affixed with an embroidered badge (centered left breast), "Internal Affairs" (centered right breast) and the DOC logo (left sleeve).
 - ii. Desert khaki pants.
 - iii. Black boots.
- 5. The following items are part of the uniform, but not issued by the DOC. These items should be purchased by uniform personnel:
 - a. Black socks;
 - b. Black gloves (only to be worn when working outside);
 - c. White t-shirts, either long or short-sleeved (for Correctional Officers and food service personnel);
 - d. Dark gray or black t-shirts, either long or short-sleeved (for Parole/Probation Officers or Agents);
 - e. Shoes
 - i. For food service personnel and correctional officers- plain, round, closed-toed black shoes, or boots with up to a two-inch heel; No taps or tennis shoes;
 - ii. For all other Uniformed Personnel - plain, round, closed-toed black shoes, or boots with up to a two-inch heel. No taps, tennis shoes, or steel/Kevlar toed boots.
 - 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.
- 6. Division Directors will 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 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/Parole Officers and Agents may wear the badge (shield) on a lanyard.
 - iii. All certified law enforcement officers will be issued a gold shield.
 - iv. Probation/Parole Agents 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	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 II	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 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 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 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, then bars will be sewn above the stars.

4. Mourning Bands

- a. 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 death of a law enforcement officer, first responder, or correctional officer, 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 officers or first responders.

D. Issuance of Uniforms

1. Division of Community Correction uniforms will be issued through that 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;
 - 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 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" to sign at the time of issuance which indicates that the employee:

Deleted: of Corrections

Deleted: Division

- a. Has received all items as listed;
 - b. Agrees to be responsible for the safekeeping of items;
 - c. 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 (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/Parole Officers and Agents will only be issued short sleeve uniform tops.
 - b. If Uniformed Personnel has an Offensive Tattoo, only long sleeve uniform tops will be issued.
 - c. Division of Correction Food Service personnel will be issued three (3) chef jackets or aprons 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/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 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-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 Division of Correction 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 due to pregnancy.
 - c. The uniform was destroyed through no fault of the officer due to a natural disaster.

- 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).
2. 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:
 - i. Hairstyles that allow an offender the option to grip or pull the hair are not allowed.
 - ii. Mohawks, ponytails, or similar styles are not allowed.
 - iii. Examples of permissible hairstyles are attached.
- e. Only full, removable wigs required for medical necessity, as documented by a physician, are allowed. Wigs must follow general hair standards.
- f. For Division of Correction Uniformed Personnel and Division of Community Correction 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 ~~or goatee~~ no longer than one-half inch (1/2") may be worn. Mustache must not extend to the mouth or below the top of the upper lip. However, law enforcement officers must be clean-shaven while participating in basic training academies.
- d. For Division of Correction Uniformed Personnel and Division of Community Correction 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 includes:
 - i. A wedding ring and one other ring;
 - ii. A wristwatch, except that smartwatches may not be worn in correctional facilities;
 - iii. Religious medallions (only if worn underneath the shirt and not 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: Correctional Officers, Probation and Parole Officers or Agents may wear one 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. Non-permissible jewelry includes:
 - i. Necklaces;
 - ii. Tongue piercings;
 - iii. Facial piercings (including but not limited to lips, nose, eyebrows, and cheeks);
 - iv. Body piercings which are not covered by uniform or noticeable while in uniform; and
 - v. Earrings other than those specifically allowed above.

Deleted: Correctional Officers (for both prisons and community correction centers)

Deleted: meeting the standards set by this policy only if authorized by the appropriate Division Director.

Note: Covering visible body piercing jewelry with band-aids is not considered compliance with this policy.

4. Fingernails

- a. All personnel will keep 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.
 - d. In addition to the above requirements, fingernails must not be disruptive to the correctional environment.
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 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 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.

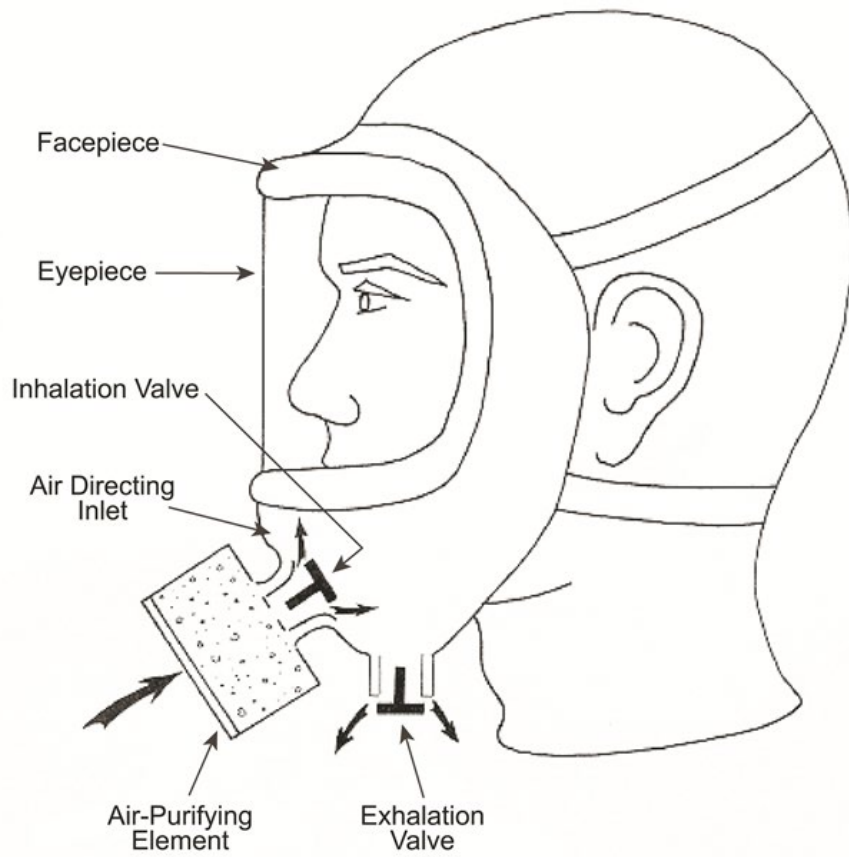
V. IMPLEMENTATION:

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.

VI. ATTACHMENTS:

- A. Diagram of a Typical Full Face-piece Respirator (SCBA)
- B. Diagram of Facial Hair
- C. Examples of Acceptable Hair Styles for Correctional Officers
- D. Uniform Issuance Standard Form

Attachment A
Diagram of a Typical Full Face-piece Respirator



Attachment B
Diagram of Facial Hair

ACCEPTABLE:



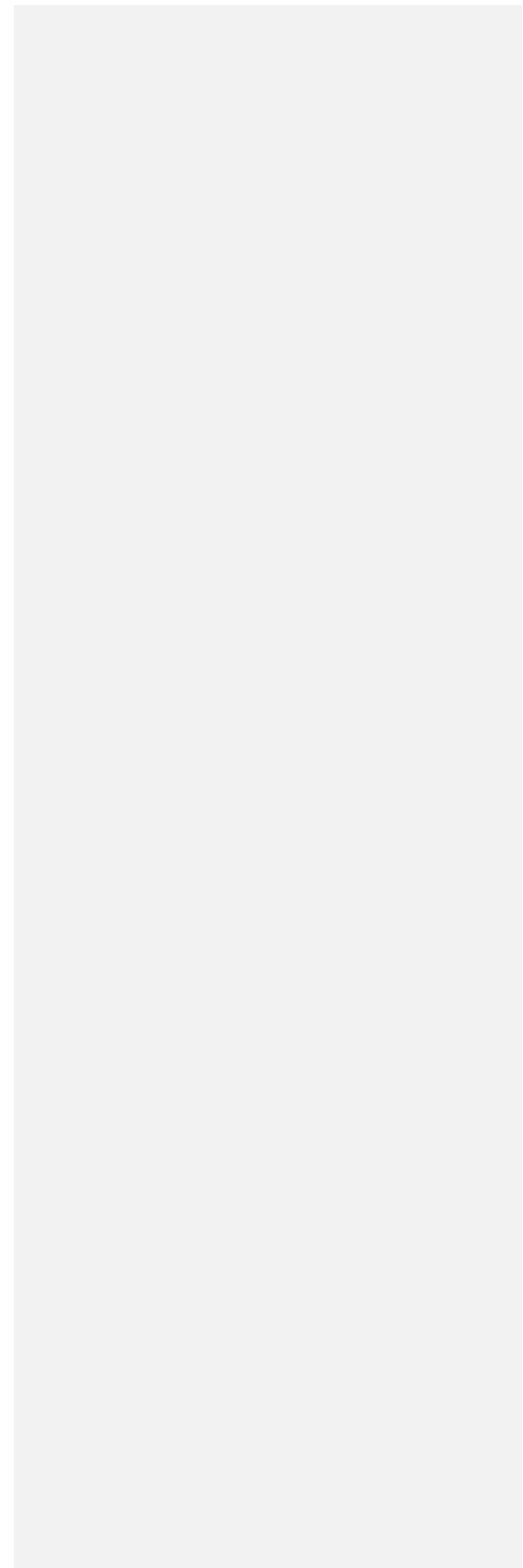
UNACCEPTABLE:



UNACCEPTABLE:



UNACCEPTABLE:



Attachment C

Acceptable Hairstyles for Correctional Officers



Attachment D



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 DOC 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 safekeep or return uniforms may result in disciplinary action or cost being deducted from my pay.

Employee Signature:

Total:



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
 Phone: (501) 683-3309 | Fax: (501) 537-3958
 DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Dress Code for Uniformed Personnel

NUMBER: 2021-11

SUPERSEDES: 2021-04

APPLICABILITY: All DOC 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, and 25-43-403;
 AR 201- Uniforms

PAGE: 1 of 10

APPROVED BY: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 8/23/2021

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department and to ensure that Uniformed Personnel implement standardized grooming and attire standards commensurate with employment in a professional criminal justice organization.

II. **PURPOSE:**

This policy sets out clear grooming and attire standards for the Uniformed Personnel of the DOC. 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:**

1. **Offensive Tattoo.** A 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 DOC.
2. **Uniformed Personnel.** Correctional officers, parole/probation officers, parole/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. Uniform Standards

1. DOC 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. Shirrtails must be tucked inside of the pants when the uniform is worn, both on-duty and off-duty, unless the employee is pregnant.
 - d. When boots are worn, pant legs must be outside of the boot.
2. When personnel are in uniform, whether on-duty or off-duty, they must present an appearance and attitude of professionalism which mirrors a positive image of the DOC. 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; or
 - h. Engaging in any activity that is unbecoming of the DOC image.
3. Uniformed Personnel must keep uniforms clean and serviceable.
4. Uniformed Personnel will 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 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 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. A Warden, 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 personnel must 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 may authorize exceptions to this prohibition. Such exceptions must be reported in writing to the Office of the Secretary.

B. Uniform Assignments

1. 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 left breast), the DOC logo (left sleeve), and rank insignia affixed at the point of each collar; and
 - b. Navy blue pants.
2. Food service personnel will wear:
- a. A heather blue polo-style shirt affixed with an embroidered badge (centered left breast), the DOC logo (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.
3. Parole/Probation Officers and Training personnel assigned to the Division of Community Correction will wear:
- a. A gray polo-style short-sleeve shirt affixed with an embroidered badge (centered on left breast) and the DOC logo (left sleeve);
 - b. Desert khaki pants; and
 - c. Only Parole or Probation Agents will have rank insignia affixed on the point of each collar.
4. Exceptions to the Standard Uniforms:
- a. Division of Community Correction 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. Division of Correction Hospital Correctional Officers:
 - i. 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 officers must wear an authorized badge while on duty in the community performing DOC 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.
 - c. 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.
- d. 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 DOC 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.
- e. Internal Affairs Investigators:
 - i. A heather blue polo-style shirt affixed with an embroidered badge (centered left breast), "Internal Affairs" (centered right breast) and the DOC logo (left sleeve).
 - ii. Desert khaki pants.
 - iii. Black boots.
- 5. The following items are part of the uniform, but not issued by the DOC. These items should be purchased by uniform personnel:
 - a. Black socks;
 - b. Black gloves (only to be worn when working outside);
 - c. White t-shirts, either long or short-sleeved (for Correctional Officers and food service personnel);
 - d. Dark gray or black t-shirts, either long or short-sleeved (for Parole/Probation Officers or Agents);
 - e. Shoes
 - i. For food service personnel and correctional officers- plain, round, closed-toed black shoes, or boots with up to a two-inch heel; No taps or tennis shoes;
 - ii. For all other Uniformed Personnel - plain, round, closed-toed black shoes, or boots with up to a two-inch heel. No taps, tennis shoes, or steel/Kevlar toed boots.
 - 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.
- 6. Division Directors will 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 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/Parole Officers and Agents may wear the badge (shield) on a lanyard.
 - iii. All certified law enforcement officers will be issued a gold shield.
 - iv. Probation/Parole Agents 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	Insignia
Corporal Food Production Manager I	Silver	Two small chevrons
Sergeant	Silver	Three small chevrons
Lieutenant Training Instructor (ADC)	Silver	One bar, 1/4 inch wide and 3/4 inch long
Captain Training Supervisor (ADC) Food Production Manager II	Silver	Two parallel bars, 1/4 inch wide and 3/4 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 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 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 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, then bars will be sewn above the stars.

4. Mourning Bands

- a. 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 death of a law enforcement officer, first responder, or correctional officer, 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 officers or first responders.

D. Issuance of Uniforms

1. Division of Community Correction uniforms will be issued through that 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;
 - 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 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" 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 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 (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/Parole Officers and Agents will only be issued short sleeve uniform tops.
 - b. If Uniformed Personnel has an Offensive Tattoo, only long sleeve uniform tops will be issued.
 - c. Division of Correction Food Service personnel will be issued three (3) chef jackets or aprons 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/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 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-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 Division of Correction 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 due to pregnancy.
 - c. The uniform was destroyed through no fault of the officer due to a natural disaster.

- 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).
2. 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:
 - i. Hairstyles that allow an offender the option to grip or pull the hair are not allowed.
 - ii. Mohawks, ponytails, or similar styles are not allowed.
 - iii. Examples of permissible hairstyles are attached.
- e. Only full, removable wigs required for medical necessity, as documented by a physician, are allowed. Wigs must follow general hair standards.
- f. For Division of Correction Uniformed Personnel and Division of Community Correction 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. However, law enforcement officers must be clean-shaven while participating in basic training academies.

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

- d. For Division of Correction Uniformed Personnel and Division of Community Correction 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 includes:
 - i. A wedding ring and one other ring;
 - ii. A wristwatch, except that smartwatches may not be worn in correctional facilities;
 - iii. Religious medallions (only if worn underneath the shirt and not 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: Correctional Officers, Probation and Parole Officers or Agents may wear one 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. Non-permissible jewelry includes:
 - i. Necklaces;
 - ii. Tongue piercings;
 - iii. Facial piercings (including but not limited to lips, nose, eyebrows, and cheeks);
 - iv. Body piercings which are not covered by uniform or noticeable while in uniform; and
 - v. Earrings other than those specifically allowed above.

Note: Covering visible body piercing jewelry with band-aids is not considered compliance with this policy.

4. Fingernails

- a. All personnel will keep 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.
 - d. In addition to the above requirements, fingernails must not be disruptive to the correctional environment.
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 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 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.

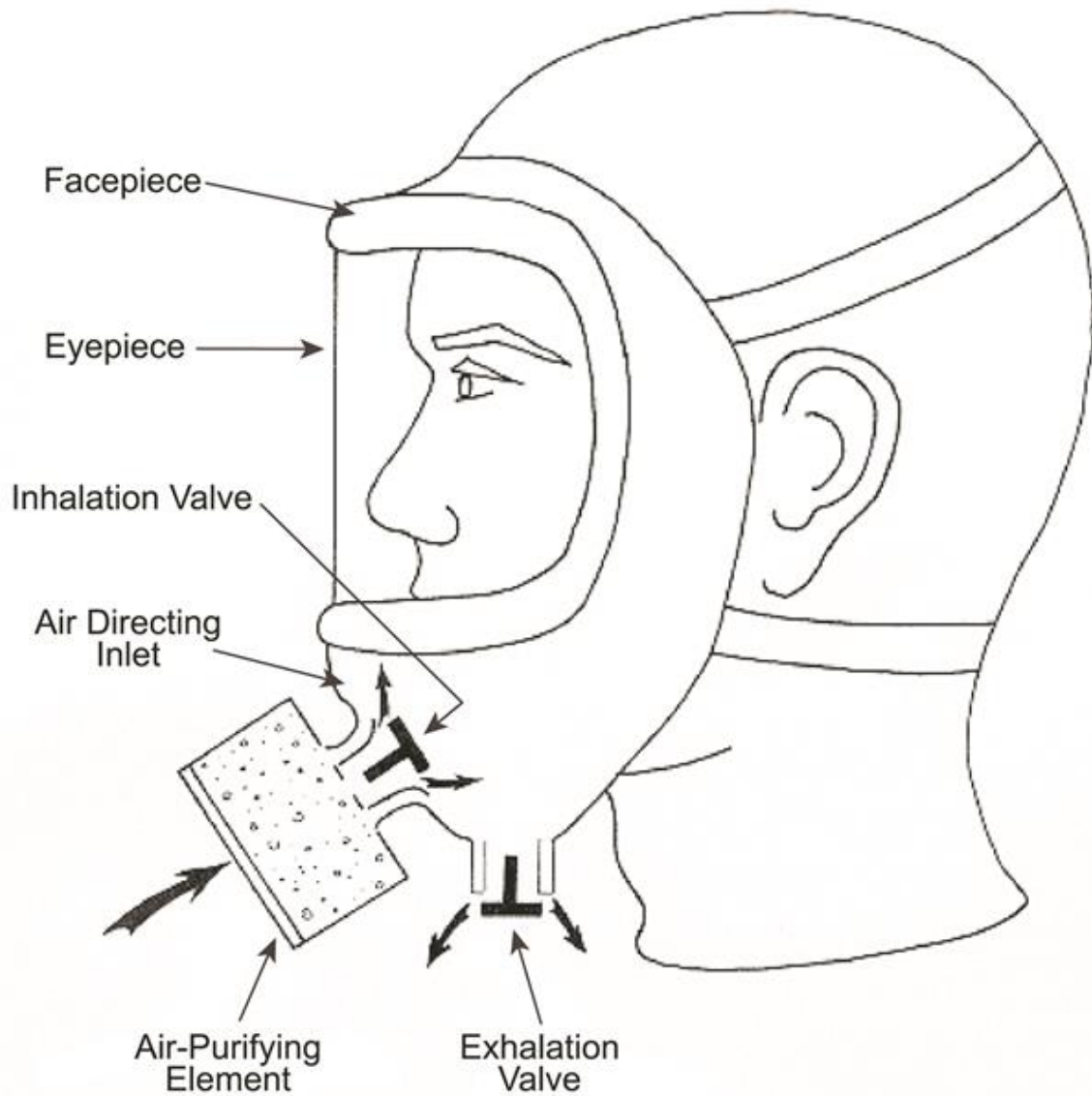
V. IMPLEMENTATION:

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.

VI. ATTACHMENTS:

- A. Diagram of a Typical Full Face-piece Respirator (SCBA)
- B. Diagram of Facial Hair
- C. Examples of Acceptable Hair Styles for Correctional Officers
- D. Uniform Issuance Standard Form

Attachment A
Diagram of a Typical Full Face-piece Respirator



Attachment B
Diagram of Facial Hair

ACCEPTABLE:



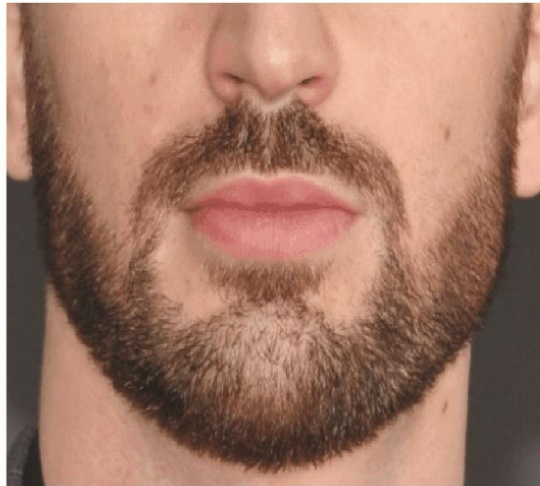
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UNACCEPTABLE:

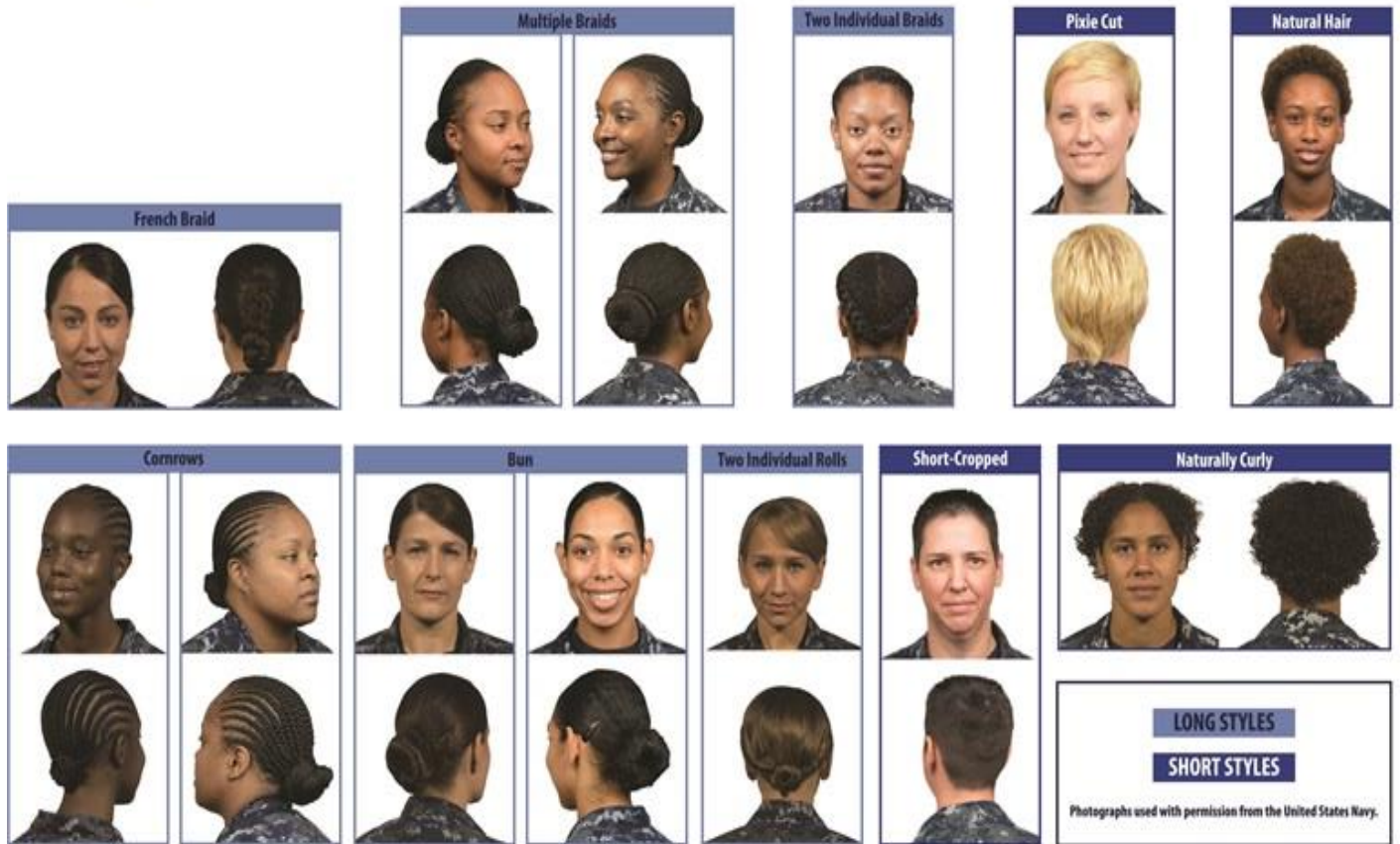


UNACCEPTABLE:



Attachment C

Acceptable Hairstyles for Correctional Officers



Attachment D

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
<p>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 DOC 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 safekeep or return uniforms may result in disciplinary action or cost being deducted from my pay.</p>				
Employee Signature:			Total:	



OFFICE OF THE SECRETARY
 1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
 Phone: (501) 683-3309 | Fax: 501-537-3958
 DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Internal Investigations & Criminal Evidence Handling

NUMBER: 2021-~~XX~~

SUPERSEDES: ~~SD 2021-02~~

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ADC AD 13-168

APPLICABILITY: All Employees, Contract Employees, Volunteers and Offenders

REFERENCE: AR 005 Reporting of Incidents, AR 014 Internal Affairs & Investigations
 A.C.A. §§ 25-43-105, 25-43-108, 25-43-403, and A.C.A. 25-19-105

PAGE: 1 of 6

ISSUED BY: _____

EFFECTIVE DATE: _____

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I. **POLICY:**

As the executive head of the Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to ensure that all incidents within the DOC are investigated or reviewed in a timely, efficient, and procedurally correct manner. The decision to investigate or review an incident will be made by the Internal Affairs Administrator, based on the DOC policy, a Division's policy on the subject or as directed, a Division Director, or the Secretary of Corrections. Additionally, Computerized Voice Stress Analysis (CVSA) or Polygraph Examinations may be used under limited circumstances when a thorough investigation reveals their usefulness to an inquiry. Finally, evidence seized as a part of a criminal investigation or for the purpose of criminal prosecution will be handled in a uniform and consistent manner.

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II. **PROCEDURE:**

- A. All incidents as defined in Administrative Rule 005, or a Department Policy, will be investigated, or reviewed by the Internal Affairs Division, which will report directly to the Secretary of Corrections. Suspicion of criminal acts (trafficking, staff sexual misconduct (*see* PREA SD), theft, etc.), serious violation of an offender's personal rights, or of rules, regulations, or procedures, all uses of force by staff against offenders, and complaints or information supplied which may have a serious bearing on DOC operations, should also be investigated.
- B. As used in this Secretarial Directive, the term "offender" applies to inmates, residents in a community correction center or reentry center, parolees, and probationers.
 1. All suspicions of criminal acts or institutional rule violations will be reported to the Warden/Center Supervisor, Area Manager, or Administrator; and the appropriate Deputy Director or Assistant Director and to the Internal Affairs Administrator who will advise the Secretary and appropriate Division Director. In cases where warranted, the Internal Affairs Administrator, after consulting with the Secretary and Division Director, will advise law enforcement, including appropriate federal authorities, the Arkansas State Police (ASP), or Sheriff where the incident occurred.
 2. The Department shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.
- C. The guidelines below will provide the procedures and techniques used in conducting investigations. Attention to detail and thoroughness are required in any investigation. If these guidelines are followed, it will provide for a complete, thorough, and timely investigation.
- D. Investigatory Procedures and Techniques:

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Evidence gathering, labeling and protection of evidence, questioning and taking statements from witnesses, use of photographs and videos, computerized voice stress analysis examinations, polygraph examinations, and report writing must be professionally accomplished to be useful in an effective investigation. Crime scenes must be secured to protect the integrity of any potential evidence.

1. Evidence Gathering: Evidence uncovered relating to a matter under investigation must be properly handled, protected, and labeled. After an incident occurs, the area should be sealed off to protect the integrity of the investigation and the evidence:
 - a. Evidence which may reveal information through Crime Lab analysis (fingerprints, substance, etc.) should be handled with extreme care. In no case should a person's position or simple curiosity be a reason to unnecessarily handle evidence. Destroying latent fingerprints which might reveal ownership, responsibility, or involvement can seriously jeopardize the investigator's fact-gathering process.
 - b. Evidence which may be turned over to the ASP or other law enforcement agency will be placed in a sealed and labeled container. Whether evidence is or is not turned over to the ASP or other law enforcement agency, does not change the necessity for its protection in a sealed plastic container/package or paper bag.
 - i. Evidence that may be fingerprinted **shall not be** placed into a plastic bag or other air-tight container. This evidence shall be stored in a paper bag by careful handling and minimum touching.
 - ii. Damp or biological evidence shall not be placed in plastic bags.
 - a. Damp items shall air dry, unaided. Damp items shall not be dried in the sun or with artificial heat.
 - b. After having been dried, the items shall be placed into paper bags.
 - c. If it will be necessary for damp items to be placed in a paper bag, the investigator involved shall be notified immediately.
 - iii. Paper folds will be suitable for small amounts of suspected narcotic substances, hair, fibers, etc. The paper fold shall then be placed into another container such as a plastic bag or paper bag.
 - iv. The clothing of inmates and residents involved in suspected violent crimes shall be removed, bagged separately, and held in an evidence room or released directly to the Arkansas State Police.
 - v. The evidence container will be sealed with some type of evidence or fracture tape that will indicate any tampering. The seizing officer will initial this tape. A heat seal process may be used on plastic bags.
 - c. Evidence labeling must include:
 - i. Exact location where found.
 - ii. Date and time found.
 - iii. The name(s) of person(s) discovering the evidence (name must be printed, and evidence label signed).
 - iv. The location where the evidence will be stored (until turned over to the ASP or destroyed per policy).
 - v. Date taken and returned from analysis (as needed).
 - vi. Where evidence is transferred, a chain of custody form must be obtained including: complete description of evidence, printed and signed name of recipient(s), job title, location and dates transferred.
2. Crime Scene Security
 - a. The first DOC employee at any facility or office on the scene not involved in any rescue or first aid efforts will secure the scene, ascertain the identities of all those present and disperse all unauthorized individuals. The identities of all individuals on the scene will be gathered so they can be positively identified for later interviews, if needed.

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- b. A supervisor will designate an employee to maintain the security of the crime scene until released by investigators. The employee maintaining the security of the crime scene shall prohibit all other individuals from entering the area. This employee will initiate a crime scene contamination log. Any persons entering the crime scene shall be noted on the log.
 - c. Nothing within the crime scene area shall be moved or touched by anyone. If an object needs to be removed because of a threat to security, such as a weapon, that object will be photographed and diagramed with relation to the rest of the crime scene. This will be done prior to its removal if possible.
3. Use of Photographs and Video: Photographic and video evidence is useful and can be invaluable in a subsequent investigation and/or prosecution. Each facility and area office will have a digital camera. Photographs or video recordings shall be taken immediately at the scene and of any victim(s) as soon as possible - in cases of physical assault. Photographs or video recordings of property damage or the scene of a theft are likewise important. Inmates or residents involved in suspected violent crimes shall be photographed prior to and after removal of clothing. Photographs and videos should be handled with the same care as other evidence and should be labeled. Photographs provided to the Internal Affairs Division should be in color. Surveillance video (if available) of the area shall also be retained and turned over to the Internal Affairs Division.
4. Statements: If a reasonable belief exists that a felony has occurred, statements from all involved persons (victims, witnesses, suspects, responders, or anyone with knowledge of the incident) should be forwarded to the Internal Affairs Administrator who will refer the incident, as appropriate, to the [ASP](#) or [other law enforcement officials](#), at which time the law enforcement officials will conduct the interview and advise the suspects of their appropriate rights. (Note: In some cases, local law enforcement may be the initial investigator, when a parolee or probationer is involved.)
5. Computerized Voice Stress Analysis (CVSA) and Polygraph Examinations: These investigative tools shall be employed only with prior written or verbal approval of the Secretary, Division Director, or Internal Affairs Administrator.
 - a. The investigating officer must present key reasons to the Secretary or Division Director as to why an employee should complete a CVSA or polygraph examination. If the Secretary or Division Director agrees, the employee will then be ordered to take the test.
 - b. If an employee consents to take the CVSA/polygraph, he/she shall sign the Computerized Voice Stress Analysis Authorization/Polygraph and Consent form - Attachment A.
 - c. If after taking the test, the employee objects to the results of the test, that employee may make a written request to the Secretary to have a second reading of the original computerized voice stress analysis charts made by another independent examiner. A copy of the letter of analysis completed by the second examiner will be given to the employee.
 - d. An employee who refuses to take either a CVSA or polygraph examination as directed can be disciplined solely for refusing to do so, as outlined in the applicable policy on Employee Conduct Standards.
6. The Secretary [or a Division Director](#) may give a direct order that an employee submit to a CVSA or polygraph examination for violations of policy that would warrant discharge, suspension, or criminal sanctions. The following procedural safeguards will be utilized if this policy is invoked.
 - a. Where an employee is accused and the investigator believes it to be important, the accuser will be tested on the CVSA or polygraph first except as directed by the PREA policy. The accuser must tell the truth prior to any order given for an accused to take a CVSA or polygraph test.
 - b. Absent an accusation against an employee, where a preliminary investigation reveals that there is credible evidence that the employee was involved or has direct knowledge of the incident, a CVSA or polygraph test may be ordered. Only individuals involved in, or with direct knowledge of the incident, will be subject to examination.
 - c. Thorough preliminary investigation of the incident reveals that there are believable allegations that policies or conduct guidelines of the Department or Division, or the law have been violated.

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- d. The CVSA or polygraph Examiner must be apprised of the relevant findings/results of the ongoing investigation and use such as a basis for formulation of examination questions.
 - e. An employee or offender requested or directed to take a CVSA or polygraph examination must be advised of their right against self-incrimination.
 - f. An inmate, community correction center resident, or reentry center resident who refuses to take a CVSA or polygraph examination may receive disciplinary action for such refusal. A parolee or probationer who refuses to take a CVSA or polygraph examination may be sanctioned under the Offender Violation Guide.
 - g. The employee or offender shall be advised that the test is being administered as part of an official investigation and shall be informed of the nature of the incident and his/her alleged involvement in or knowledge of it. In addition, the employee or offender shall be made aware that their answers cannot be used against them in a criminal proceeding.
 - h. The scope of the examination shall be limited to the incident under investigation, and the questions asked shall relate specifically and directly to the performance of the employee's duties in the course of participating in, witnessing the incident, or having knowledge of the incident, or to the inmate's participation in or witnessing of the incident. A list of all questions asked must be incorporated in the report of the examiner.
 - i. The examination must be conducted by a licensed computerized voice stress analysis examiner.
 - j. The requesting authority will not sustain a complaint against an employee solely based on CVSA or polygraph test results. There must be at least one additional item of corroborating evidence in the written report completed by the investigating officer for the requesting authority to sustain the complaint. (A witness statement is one form of corroboration).
 - k. The DOC has a responsibility to have examinations administered with impartiality. In an accuser-accused relationship, the accuser will be examined first.
- E. Unit/Area Office or Departmental Investigations: After the initial reporting of an incident in accordance with AR 005, DOC or Division policy, an investigation shall be conducted into the matter.
1. All incident reports, statements, disciplinary and medical reports shall be compiled within seven (7) calendar days of the date of the discovery of the incident.
 2. The Warden, Area Manager, or Administrator shall prepare a memorandum in which they summarize this information and make a recommendation for the continuation or termination of the investigation. If recommended to continue, the requesting authority will provide a suggested line of questioning.
 3. This summary memorandum, along with a single packet containing all reports and color photographs, shall be referred by the Warden, Area Manager, or Administrator in the electronic Offender Management System (eOMIS), or forwarded by paper copy under certain instances, with copies of all attached reports, within ten (10) calendar days of the date of the discovery of the incident to the Internal Affairs Administrator; unless requested prior to the ten (10) calendar day timeframe. The referral **must include** the names of all employees and offenders (including offender DOC number) involved in the incidents in the correct area of the report (electronic or paper).
- F. Internal Affairs Investigations:
1. The Secretary, a Division Director, or the Internal Affairs Administrator may order an Internal Affairs investigation or review by the Internal Affairs Division of an incident at any time. All Unit, Area, or office investigation material shall be forwarded to the Internal Affairs Administrator. The investigation shall be directed by the Internal Affairs Division, and the Warden, Area Manager, or Administrator will fully cooperate with requests and provide assistance required to complete the investigation.
 2. The Internal Affairs Division will have unlimited access to all locations, offenders, staff and files relevant to any ongoing investigations. The Internal Affairs Division will complete its investigation or review within twenty (20) calendar days of the date the incident was referred and forward its reports and recommendations to the requesting authority. Any extension of the twenty (20) calendar day limit must be requested, in writing, from the Internal Affairs Investigator to the Internal Affairs Administrator for prior approval before the exhaustion of the twenty (20) day deadline. The requesting authority must be advised by the Internal Affairs Administrator of any extension of the twenty (20) day deadline.

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G. Confidentiality:

1. All notes, reports, tape recordings, and any other material which are part of an investigation are considered confidential. No one shall have access to these records other than the investigative personnel, the Warden, Area Manager, Administrator, the appropriate Deputy or Assistant Director, the Chief Legal Counsel, the Division Director, or the Secretary unless specific permission is granted by the Secretary.
2. The Internal Affairs Administrator is authorized to designate employees or offenders as confidential sources during an investigation.
 - a. Approval from the Secretary or the appropriate Division Director must be obtained in advance of designating an individual as a confidential source.
 - b. The Chief Legal Counsel should be consulted when making this designation.
 - c. The Internal Affairs Administrator will brief the Secretary, or the appropriate Division Director, on the information, evidence, or statements obtained from confidential sources, regardless of whether the information, evidence, or statements are utilized as part of a final investigative report.
 - d. Any information which may lead to the identification of a confidential source shall not be accessed or disclosed, except when required by state or federal law, or a court order.
 - e. The Internal Affairs Administrator may be briefed on the use of confidential sources or sources utilized by correctional or parole and probation staff.
 - f. The Secretary may brief the Chairman of the Board of Corrections regarding the DOC's use of confidential sources.

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H. Freedom of Information Act (FOIA) Compliance:

1. Dissemination of investigative information under the FOIA shall be coordinated by the Office of the Secretary, in consultation with the Chief Legal Counsel. For purposes of litigation preparation, the Internal Affairs Administrator may release investigative information to the Attorney General's Office.
2. Pursuant to A.C.A. § 25-19-105 an individual's identity is exempt from disclosure under the FOIA if disclosure of the individual's identity could reasonably be expected to endanger the life or physical safety of the individual or a member of the individual's family within the first degree of consanguinity and the individual is a confidential informant or source or the individual's assistance is or was provided under the assurance of confidentiality. First degree of consanguinity includes an individual's biological parents, full siblings, and biological children.

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I. Release of Internal Affairs File when Disciplinary Action is Taken against an Employee

1. Internal Affairs will provide any relevant information to the proper individuals as approved by the Secretary or the appropriate Division Director. If investigations indicate that criminal charges may be filed against an employee, release of information should be handled as directed by this policy.
 - a. Information should not be released until after criminal charges have been filed and court actions have been concluded.
 - b. According to established personnel policy and procedures, the employee should be placed on leave without pay pending outcome of court actions or remain on duty with no disciplinary action taken until after court actions are concluded, with the following exceptions.
 - i. When court actions have concluded, the DOC's Grievance Officer, Warden, Area Manager, Administrator, or employee may request specific information if disciplinary proceedings are initiated.
 - ii. For instances where administrative investigations produce evidence sufficient to discipline an employee without court actions being taken into consideration, Internal Affairs should release only the information upon which the administrative decision to discipline was based, regardless of pending court actions.

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c. To ensure the confidentiality of complaints and internal investigations, copies of the investigative report should only be maintained in the office of Internal Affairs and the office of the appropriate administrator(s). Information from these investigations will be disseminated to DOC personnel through Internal Affairs on a need-to-know basis and according to law. Any employee who voluntarily gives a statement during an investigation is entitled to a copy of their statement upon request.

J. Board of Corrections:

Nothing in this directive shall restrict the access of the Board of Corrections, or its Compliance Division, to any note, recording, or other material which is generated or obtained during an internal investigation. Nor does this directive restrict the ability of the Board to initiate an investigation within the Department in its role as the governing authority of the Department (See ACA § 25-43-401).

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III. **ATTACHMENTS:**

Attachment A: Authorization and consent for CVSA or Polygraph Exam

Attachment B: Administrative Warning

Attachment C: Internal Affairs Information Request Form



Arkansas Department of Corrections
Office of the Secretary
Internal Affairs Division

**AUTHORIZATION AND CONSENT FORM FOR A COMPUTERIZED VOICE STRESS
ANALYSIS OR POLYGRAPH EXAMINATION**

The undersigned Examiner on _____(Date) and _____(Time)
obtained

Written or Oral authorization from _____to conduct a CVSA or Polygraph
examination on: _____(ADC/PID Number _____) OR

_____(Employee AASIS Number _____)

Purpose of Investigation: _____

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

____I accept and agree to take the CVSA or Polygraph.

____I decline and refuse the CVSA or Polygraph.

Name/Title

Date & Time

The above signature was witnessed by:

Name/Title

Date & Time

Authorization Verified by:

Name/Title

Date & Time



Arkansas Department of Corrections
Office of the Secretary
Internal Affairs Division

ADMINISTRATIVE WARNING

Date: _____ Time: _____

Employee: _____ Rank: _____

Unit: _____ Position: _____ Employee No: _____

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

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

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

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

If you refuse to answer questions directed to you, you will be given a direct order by a superior and/or Internal Affairs Division Investigator to answer the question directed towards you in this matter. If you refuse to answer the questions, you will be advised such refusal constitutes a violation of the Department's Employee Conduct Standards and Discipline policy and may serve as a basis for more serious disciplinary action, up to, and including **discharge**.

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

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

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

Witnessed by: _____ Date: _____



**Arkansas Department of Corrections
Office of the Secretary
Internal Affairs Division**

INTERNAL AFFAIRS INFORMATION REQUEST FORM

Control # _____ Date Received _____

Name _____

Title _____ Unit _____

Address _____

Purpose of Information Requested _____

Describe requested information. Be as specific as possible: list names, dates, and any other relevant information.

A. _____

B. _____

C. _____

D. _____

E. _____

F. _____

Describe your role in the use of the requested information.

Signature _____

Date _____

For Internal Affairs Use Only

Received By _____ Date _____

Information requested: Approved _____ Denied _____

If denied, give reason _____

Reviewing Official Signature Date

Approved By Secretary or designee Date

Forward Information to:

1. _____ Date _____

2. _____ Date _____

3. _____ Date _____



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
 Phone: (501) 683-3309 | Fax: 501-537-3958
 DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Internal Investigations & Criminal Evidence Handling

NUMBER: 2021-15

SUPERSEDES: SD 2021-02

APPLICABILITY: All Employees, Contract Employees, Volunteers and Offenders

REFERENCE: AR 005 Reporting of Incidents, AR 014 Internal Affairs & Investigations
 A.C.A. §§ 25-43-105, 25-43-108, 25-43-403, and A.C.A. 25-19-105

PAGE: 1 of 6

ISSUED BY: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 8/24/2021

I. POLICY:

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- C. The guidelines below will provide the procedures and techniques used in conducting investigations. Attention to detail and thoroughness are required in any investigation. If these guidelines are followed, it will provide for a complete, thorough, and timely investigation.
- D. Investigatory Procedures and Techniques

Evidence gathering, labeling and protection of evidence, questioning and taking statements from witnesses, use of photographs and videos, computerized voice stress analysis examinations, polygraph examinations, and report writing must be professionally accomplished to be useful in an effective investigation. Crime scenes must be secured to protect the integrity of any potential evidence.

1. Evidence Gathering: Evidence uncovered relating to a matter under investigation must be properly handled, protected, and labeled. After an incident occurs, the area should be sealed off to protect the integrity of the investigation and the evidence:
 - a. Evidence which may reveal information through Crime Lab analysis (fingerprints, substance, etc.) should be handled with extreme care. In no case should a person's position or simple curiosity be a reason to unnecessarily handle evidence. Destroying latent fingerprints which might reveal ownership, responsibility, or involvement can seriously jeopardize the investigator's fact-gathering process.
 - b. Evidence which may be turned over to the ASP or other law enforcement agency will be placed in a sealed and labeled container. Whether evidence is or is not turned over to the ASP or other law enforcement agency, does not change the necessity for its protection in a sealed plastic container/package or paper bag.
 - i. Evidence that may be fingerprinted **shall not be** placed into a plastic bag or other air-tight container. This evidence shall be stored in a paper bag by careful handling and minimum touching.
 - ii. Damp or biological evidence shall not be placed in plastic bags.
 - a. Damp items shall air dry, unaided. Damp items shall not be dried in the sun or with artificial heat.
 - b. After having been dried, the items shall be placed into paper bags.
 - c. If it will be necessary for damp items to be placed in a paper bag, the investigator involved shall be notified immediately.
 - iii. Paper folds will be suitable for small amounts of suspected narcotic substances, hair, fibers, etc. The paper fold shall then be placed into another container such as a plastic bag or paper bag.
 - iv. The clothing of inmates and residents involved in suspected violent crimes shall be removed, bagged separately, and held in an evidence room or released directly to the Arkansas State Police.
 - v. The evidence container will be sealed with some type of evidence or fracture tape that will indicate any tampering. The seizing officer will initial this tape. A heat seal process may be used on plastic bags.
 - c. Evidence labeling must include:
 - i. Exact location where found.
 - ii. Date and time found.
 - iii. The name(s) of person(s) discovering the evidence (name must be printed, and evidence label signed).
 - iv. The location where the evidence will be stored (until turned over to the ASP or destroyed per policy).
 - v. Date taken and returned from analysis (as needed).
 - vi. Where evidence is transferred, a chain of custody form must be obtained including: complete description of evidence, printed and signed name of recipient(s), job title, location and dates transferred.
2. Crime Scene Security
 - a. The first DOC employee at any facility or office on the scene not involved in any rescue or first aid efforts will secure the scene, ascertain the identities of all those present and disperse all unauthorized individuals. The identities of all individuals on the scene will be gathered so they can be positively identified for later interviews, if needed.

- b. A supervisor will designate an employee to maintain the security of the crime scene until released by investigators. The employee maintaining the security of the crime scene shall prohibit all other individuals from entering the area. This employee will initiate a crime scene contamination log. Any persons entering the crime scene shall be noted on the log.
 - c. Nothing within the crime scene area shall be moved or touched by anyone. If an object needs to be removed because of a threat to security, such as a weapon, that object will be photographed and diagramed with relation to the rest of the crime scene. This will be done prior to its removal if possible.
 3. Use of Photographs and Video: Photographic and video evidence is useful and can be invaluable in a subsequent investigation and/or prosecution. Each facility and area office will have a digital camera. Photographs or video recordings shall be taken immediately at the scene and of any victim(s) as soon as possible - in cases of physical assault. Photographs or video recordings of property damage or the scene of a theft are likewise important. Inmates or residents involved in suspected violent crimes shall be photographed prior to and after removal of clothing. Photographs and videos should be handled with the same care as other evidence and should be labeled. Photographs provided to the Internal Affairs Division should be in color. Surveillance video (if available) of the area shall also be retained and turned over to the Internal Affairs Division.
 4. Statements: If a reasonable belief exists that a felony has occurred, statements from all involved persons (victims, witnesses, suspects, responders, or anyone with knowledge of the incident) should be forwarded to the Internal Affairs Administrator who will refer the incident, as appropriate, to the ASP or other law enforcement officials, at which time the law enforcement officials will conduct the interview and advise the suspects of their appropriate rights. (Note: In some cases, local law enforcement may be the initial investigator, when a parolee or probationer is involved.)
 5. Computerized Voice Stress Analysis (CVSA) and Polygraph Examinations: These investigative tools shall be employed only with prior written or verbal approval of the Secretary, Division Director, or Internal Affairs Administrator.
 - a. The investigating officer must present key reasons to the Secretary or Division Director as to why an employee should complete a CVSA or polygraph examination. If the Secretary or Division Director agrees, the employee will then be ordered to take the test.
 - b. If an employee consents to take the CVSA/polygraph, he/she shall sign the Computerized Voice Stress Analysis Authorization/Polygraph and Consent form - Attachment A.
 - c. If after taking the test, the employee objects to the results of the test, that employee may make a written request to the Secretary to have a second reading of the original computerized voice stress analysis charts made by another independent examiner. A copy of the letter of analysis completed by the second examiner will be given to the employee.
 - d. An employee who refuses to take either a CVSA or polygraph examination as directed can be disciplined solely for refusing to do so, as outlined in the applicable policy on Employee Conduct Standards.
 6. The Secretary or a Division Director may give a direct order that an employee submit to a CVSA or polygraph examination for violations of policy that would warrant discharge, suspension, or criminal sanctions. The following procedural safeguards will be utilized if this policy is invoked.
 - a. Where an employee is accused and the investigator believes it to be important, the accuser will be tested on the CVSA or polygraph first except as directed by the PREA policy. The accuser must tell the truth prior to any order given for an accused to take a CVSA or polygraph test.
 - b. Absent an accusation against an employee, where a preliminary investigation reveals that there is credible evidence that the employee was involved or has direct knowledge of the incident, a CVSA or polygraph test may be ordered. Only individuals involved in, or with direct knowledge of the incident, will be subject to examination.
 - c. Thorough preliminary investigation of the incident reveals that there are believable allegations that policies or conduct guidelines of the Department or Division, or the law have been violated.

- d. The CVSA or polygraph Examiner must be apprised of the relevant findings/results of the ongoing investigation and use such as a basis for formulation of examination questions.
 - e. An employee or offender requested or directed to take a CVSA or polygraph examination must be advised of their right against self-incrimination.
 - f. An inmate, community correction center resident, or reentry center resident who refuses to take a CVSA or polygraph examination may receive disciplinary action for such refusal. A parolee or probationer who refuses to take a CVSA or polygraph examination may be sanctioned under the Offender Violation Guide.
 - g. The employee or offender shall be advised that the test is being administered as part of an official investigation and shall be informed of the nature of the incident and his/her alleged involvement in or knowledge of it. In addition, the employee or offender shall be made aware that their answers cannot be used against them in a criminal proceeding.
 - h. The scope of the examination shall be limited to the incident under investigation, and the questions asked shall relate specifically and directly to the performance of the employee's duties in the course of participating in, witnessing the incident, or having knowledge of the incident, or to the inmate's participation in or witnessing of the incident. A list of all questions asked must be incorporated in the report of the examiner.
 - i. The examination must be conducted by a licensed computerized voice stress analysis examiner.
 - j. The requesting authority will not sustain a complaint against an employee solely based on CVSA or polygraph test results. There must be at least one additional item of corroborating evidence in the written report completed by the investigating officer for the requesting authority to sustain the complaint. (A witness statement is one form of corroboration).
 - k. The DOC has a responsibility to have examinations administered with impartiality. In an accuser-accused relationship, the accuser will be examined first.
- E. Unit/Area Office or Departmental Investigations: After the initial reporting of an incident in accordance with AR 005, DOC or Division policy, an investigation shall be conducted into the matter.
1. All incident reports, statements, disciplinary and medical reports shall be compiled within seven (7) calendar days of the date of the discovery of the incident.
 2. The Warden, Area Manager, or Administrator shall prepare a memorandum in which they summarize this information and make a recommendation for the continuation or termination of the investigation. If recommended to continue, the requesting authority will provide a suggested line of questioning.
 3. This summary memorandum, along with a single packet containing all reports and color photographs, shall be referred by the Warden, Area Manager, or Administrator in the electronic Offender Management System (eOMIS), or forwarded by paper copy under certain instances, with copies of all attached reports, within ten (10) calendar days of the date of the discovery of the incident to the Internal Affairs Administrator; unless requested prior to the ten (10) calendar day timeframe. The referral **must include** the names of all employees and offenders (including offender DOC number) involved in the incidents in the correct area of the report (electronic or paper).
- F. Internal Affairs Investigations
1. The Secretary, a Division Director, or the Internal Affairs Administrator may order an Internal Affairs investigation or review by the Internal Affairs Division of an incident at any time. All Unit, Area, or office investigation material shall be forwarded to the Internal Affairs Administrator. The investigation shall be directed by the Internal Affairs Division, and the Warden, Area Manager, or Administrator will fully cooperate with requests and provide assistance required to complete the investigation.
 2. The Internal Affairs Division will have unlimited access to all locations, offenders, staff and files relevant to any ongoing investigations. The Internal Affairs Division will complete its investigation or review within twenty (20) calendar days of the date the incident was referred and forward its reports and recommendations to the requesting authority. Any extension of the twenty (20) calendar day limit must be requested, in writing, from the Internal Affairs Investigator to the Internal Affairs Administrator for prior approval before the exhaustion of the twenty (20) day deadline. The requesting authority must be advised by the Internal Affairs Administrator of any extension of the twenty (20) day deadline.

G. Confidentiality

1. All notes, reports, tape recordings, and any other material which are part of an investigation are considered confidential. No one shall have access to these records other than the investigative personnel, the Warden, Area Manager, Administrator, the appropriate Deputy or Assistant Director, the Chief Legal Counsel, the Division Director, or the Secretary unless specific permission is granted by the Secretary.
2. The Internal Affairs Administrator is authorized to designate employees or offenders as confidential sources during an investigation.
 - a. Approval from the Secretary or the appropriate Division Director must be obtained in advance of designating an individual as a confidential source.
 - b. The Chief Legal Counsel should be consulted when making this designation.
 - c. The Internal Affairs Administrator will brief the Secretary, or the appropriate Division Director, on the information, evidence, or statements obtained from confidential sources, regardless of whether the information, evidence, or statements are utilized as part of a final investigative report.
 - d. Any information which may lead to the identification of a confidential source shall not be accessed or disclosed, except when required by state or federal law, or a court order.
 - e. The Internal Affairs Administrator may be briefed on the use of confidential sources or sources utilized by correctional or parole and probation staff.
 - f. The Secretary may brief the Chairman of the Board of Corrections regarding the DOC's use of confidential sources.

H. Freedom of Information Act (FOIA) Compliance

1. Dissemination of investigative information under the FOIA shall be coordinated by the Office of the Secretary, in consultation with the Chief Legal Counsel. For purposes of litigation preparation, the Internal Affairs Administrator may release investigative information to the Attorney General's Office.
2. Pursuant to A.C.A. § 25-19-105 an individual's identity is exempt from disclosure under the FOIA if disclosure of the individual's identity could reasonably be expected to endanger the life or physical safety of the individual or a member of the individual's family within the first degree of consanguinity and the individual is a confidential informant or source or the individual's assistance is or was provided under the assurance of confidentiality. First degree of consanguinity includes an individual's biological parents, full siblings, and biological children.

I. Release of Internal Affairs File when Disciplinary Action is Taken against an Employee

1. Internal Affairs will provide any relevant information to the proper individuals as approved the Secretary or the appropriate Division Director. If investigations indicate that criminal charges may be filed against an employee, release of information should be handled as directed by this policy.
 - a. Information should not be released until after criminal charges have been filed and court actions have been concluded.
 - b. According to established personnel policy and procedures, the employee should be placed on leave without pay pending outcome of court actions or remain on duty with no disciplinary action taken until after court actions are concluded, with the following exceptions.
 - i. When court actions have concluded, the DOC's Grievance Officer, Warden, Area Manager, Administrator, or employee may request specific information if disciplinary proceedings are initiated.
 - ii. For instances where administrative investigations produce evidence sufficient to discipline an employee without court actions being taken into consideration, Internal Affairs should release only the information upon which the administrative decision to discipline was based, regardless of pending court actions.

- c. To ensure the confidentiality of complaints and internal investigations, copies of the investigative report should only be maintained in the office of Internal Affairs and the office of the appropriate administrator(s). Information from these investigations will be disseminated to DOC personnel through Internal Affairs on a need-to-know basis and according to law. Any employee who voluntarily gives a statement during an investigation is entitled to a copy of their statement upon request.
- J. Board of Corrections: Nothing in this directive shall restrict the access of the Board of Corrections, or its Compliance Division, to any note, recording, or other material which is generated or obtained during an internal investigation. This directive does not restrict the ability of the Board to initiate an investigation within the Department in its role as the governing authority of the Department. See A.C.A. § 25-43-401.

III. ATTACHMENTS:

Attachment A: Authorization and consent for CVSA or Polygraph Exam

Attachment B: Administrative Warning

Attachment C: Internal Affairs Information Request Form



Arkansas Department of Corrections
Office of the Secretary
Internal Affairs Division

AUTHORIZATION AND CONSENT FORM FOR A COMPUTERIZED VOICE STRESS ANALYSIS OR POLYGRAPH EXAMINATION

The undersigned Examiner on _____ (Date) and _____ (Time) obtained

Written or Oral authorization from _____ to conduct a CVSA or Polygraph examination on: _____ (ADC/PID Number _____) OR

_____ (Employee AASIS Number _____)

Purpose of Investigation: _____

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

_____ I accept and agree to take the CVSA or Polygraph.

_____ I decline and refuse the CVSA or Polygraph.

Name/Title

Date & Time

The above signature was witnessed by:

Name/Title

Date & Time

Authorization Verified by:

Name/Title

Date & Time

093



**Arkansas Department of Corrections
Office of the Secretary
Internal Affairs Division**

ADMINISTRATIVE WARNING

Date: _____ Time: _____

Employee: _____ Rank: _____

Unit: _____ Position: _____ Employee No: _____

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

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

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

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

If you refuse to answer questions directed to you, you will be given a direct order by a superior and/or Internal Affairs Division Investigator to answer the question directed towards you in this matter. If you refuse to answer the questions, you will be advised such refusal constitutes a violation of the Department's Employee Conduct Standards and Discipline policy and may serve as a basis for more serious disciplinary action, up to, and including **discharge**.

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

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

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

Witnessed by: _____

Date: _____



**Arkansas Department of Corrections
Office of the Secretary
Internal Affairs Division**

INTERNAL AFFAIRS INFORMATION REQUEST FORM

Control # _____ Date Received _____

Name _____

Title _____ Unit _____

Address _____

Purpose of Information Requested _____

Describe requested information. Be as specific as possible: list names, dates, and any other relevant information.

A. _____

B. _____

C. _____

D. _____

E. _____

F. _____

Describe your role in the use of the requested information.

Signature _____ Date _____

For Internal Affairs Use Only

Received By _____ Date _____

Information requested: Approved _____ Denied _____

If denied, give reason _____

Reviewing Official Signature

Date

Approved By Secretary or designee

Date

Forward Information to:

1. _____

Date _____

2. _____

Date _____

3. _____

Date _____



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: (501) 537-3958
DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Employment

NUMBER: 2021-

SUPERSEDES: 2019-05

APPLICABILITY: All Department of Corrections Employees, except Employees of Parole Board, Correctional School Employees, Director, and members of the Arkansas Sentencing Commission, and the Criminal Detentions Facilities Review Members

REFERENCE: A.C.A. §§ 12-26-105, 16-90-802, 16-93-201, 21-3-302, 21-5-208, 25-43-105, 25-43-108, 25-43-403, and OPM Policy # 8

PAGE: 1 of 8

ISSUED BY:

EFFECTIVE DATE:

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 procedures to ensure all applicants are given a fair and equal opportunity for employment in accordance with all state and federal guidelines. This directive is intended to ensure that the DOC will, as an Equal Opportunity Employer, implement fair and consistent employment policies.

II. DEFINITIONS:

- A. At Will Employment. All Employees are “at will” under Arkansas Law. The employer or the Employee may terminate the employment relationship at any time. Termination may be for any reason or no reason. Advance notice is not required to terminate the employment relationship.
- B. Class or Classification. A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training, skills, experience, and of skill that the same title, scale of compensation, and same test of fitness (if applicable) have been or may be applied.
- C. Conditional Offer of Employment. An offer of employment based upon an applicant meeting certain job-related requirements prior to hire and/or during the Probationary Period.
- D. Conviction. A Conviction may include, but is not limited to a guilty plea, plea of nolo contendere, negotiated plea, or finding of guilt by a judge or jury. For the purposes of this policy, an adverse ruling in a civil case is not considered a Conviction.
- E. Demotion. A change in duty assignment of an Employee from a position in one classification to a position of a lower salary and grade requiring fewer qualifications, such as lower skill requirements, less job-related experience, and a lower level of responsibility.

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- F. Employee. A person appointed or employed in a position with the DOC for which he or she is compensated on a full-time basis and which has a class title and pay grade in A.C.A. § 21-5-208.
- G. 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.
- H. Hiring Official. Administrators/Heads of Sections, Area Managers, Center Supervisors, Wardens, Superintendents or higher who are authorized to make a final selection of applicants for positions available within the DOC.
- I. Initial Probation. Initial employment includes a (1) one-year Probationary Period upon initial hire with the DOC.
- J. Law Enforcement Officer (LEO). Any Employee designated by a Division Director, or the Secretary who has met, or is in the process of meeting Commission of Law Enforcement Standards and Training certification.
- K. New Hire. Employees entering state service for the first time.
- L. Probationary Period. A time during which the DOC may evaluate Employee suitability in terms of knowledge, skill, ability, character, interest, and conduct, to determine whether employment should be continued. An Employee that promotes or Transfers to another job classification will have a six (6) month Probationary Period in the new position.
- M. Promotion. A change in duty assignment of an Employee from a position in one classification to another position with a higher salary or grade requiring higher qualifications, such as greater skill, more experience, or involving a higher level of responsibility.
- N. Rehire. Employee returning to state service after a break in employment of two (2) or more pay periods.
- O. Transfers. Employees transferring between state agencies, institutions, or laterally within the divisions of the DOC without a break in service.
- P. Veteran. For purposes of this policy, Veteran means a person honorably discharged from a tour of active duty, other than active duty for training only, with the US Armed Forces; or any person who has served honorably in the National Guard or a reserve component of the US Armed Forces for a period of at least six (6) years, whether the person has retired or been discharged or not.
- Q. Waiver. A request to have Promotion limitations waived for a current Employee who is applying for a lateral or promotional position within the DOC.

III. PROCEDURES

A. Exclusions

1. The provisions of this Directive do not govern the selection or removal of members of the Parole Board. The selection or removal of Parole Board Members is governed by A.C.A. § 16-93-201.
2. The Employees of the Correctional School are governed by the personnel policies set by the Board of Corrections (when convened as the Board of Education for the Arkansas Correctional School System).
3. The provisions of this Directive do not govern the selection or removal of the Director or members of the Arkansas Sentencing Commission (ASC). The selection or removal of the Director or members of the ASC is governed by A.C.A. § 16-90-802.

B. Position Vacancies

1. The Hiring Official must create a Job Requestion in Success Factors/My ARCareers before beginning the process of filling any vacant position.
2. Except as provided below, positions must be advertised according to procedures established by the Office of Personnel Management (OPM).

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- a. Positions graded at or above GS13, IT08, MP03, or SE01 are not required to be advertised. The Secretary or his/her designee has the authority and discretion to appoint or transfer individuals into these classifications.
 - b. Emergency Hires. A position designated as an emergency hire must have OPM approval before the position can be filled. An emergency hire is only permitted when the delay of advertising a vacancy would have an immediate effect on the public welfare, health, and safety.
 - c. Any other position authorized by the Governor.
3. A request for advertisement of a position that requires additional actions (newspapers or websites) must be submitted to and coordinated by the Central Human Resources Office.

C. Applications, Minimum Qualifications, and Pre-Interview Scoring

1. **Applications.** Applications will be submitted/reviewed by the Central Human Resources Office.
- a. Applications must be submitted via the ARCareers website at arcareers.arkansas.gov.
 - b. In the case of positions advertised on social media or other platforms in addition to the ARCareers website, no application information may be solicited or accepted via the external platform. The platform is only to be used as a mechanism to direct potential applicants to the ARCareers job listing.
2. **Minimum Qualifications.** After the job posting closes, Central Human Resources will review applications and create a list of applicants who meet minimum qualifications. Applicants who meet minimum qualifications will move on to Pre-Interview Scoring. Those applicants who do not meet minimum qualifications will be notified by Central Human Resources that they did not meet minimum qualifications for the position, and the reason(s) why.
3. **Pre-Interview Scoring.** After notifying those applicants who do not meet minimum qualifications, Central Human Resources will examine applications and provide a Pre-Interview Score for each applicant. The Pre-Interview analysis will be scored as follows.
- a. **Education.** The applicant must meet minimum requirements for the job classification or must be approved as a qualified applicant per state requirements. All degrees, diplomas, or transcripts received must be from an institution accredited by the applicable state Department of Education or an accrediting body recognized by the U.S. Department of Education. The chart below details the appropriate number of based on the minimum requirements and the applicant's educational level.

- i. A maximum of ten (10) points may be awarded for an applicant for completion of related education above and beyond the minimum educational requirements for the position.
- ii. Applicants may be awarded Pre-Interview Score points based on their application without submitting a copy of the diploma or degree showing the award of the educational level, but a copy is required to be submitted prior to hiring.

Minimum Required Education	HS Diploma/ GED	Associates Degree	Bachelors Degree	Masters Degree or JD	PhD, MD, or Terminal Degree
High School Diploma/GED	0 pts	2.5 pts	5 pts	7.5 pts	10 pts
Associates Degree	N/A	0 pts	2.5 pts	5 pts	7.5 pts
Bachelors Degree	N/A	N/A	0 pts	2.5 pts	5 pts
Masters Degree or JD	N/A	N/A	N/A	0 pts	2.5 pts
PhD, MD, or Terminal Degree	N/A	N/A	N/A	N/A	0 pts

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Commented [TW1]: Per Amber: Make Pre-Interview Scoring #3. Make a. Education, b. Experience, c. Veteran's Preference

Commented [TW2]: Per Nick: My recommendation is that this pre-interview scoring be adjusted to give applicants with a Bachelor's degree more points. The min qual is only getting the applicant into the eligibility pool. PPO jobs require a degree. As a result, the pre-score is zero. Experience only receives a score when the amount of experience exceeds four years i.e. four years and one month experience qualifies as .25. A degree with two years' experience would be a pre-score of 6.

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Commented [TW3]: Per E. Taylor: The pre-interview scoring process for Probation/Parole Officer positions is biased against applicants with a Bachelor's degree and no employment history. 1) An applicant with a Bachelor's degree and NO experience is given a 0 pre-interview score. 2) An applicant with NO degree, but with some employment experience is given a higher pre-interview score. This is the number one complaint by all hiring officials for all probation/parole officer positions. The minimum qualifications for PPO, as listed on the AR Careers Website are:

The formal education equivalent of a bachelor's degree in criminal justice, sociology, psychology, social work, or a related field. OTHER JOB RELATED EDUCATION AND/OR EXPERIENCE MAY BE SUBSTITUTED FOR ALL OR PART OF THESE BASIC REQUIREMENTS.

My recommendation is that this pre-interview scoring be adjusted to give applicants with a Bachelor's degree more points.

Commented [LW4R3]: No one responded to ET's comment. Please answer to her concerns. Solomon suggested the numbers below. He doesn't want to give HEAVY points to additional education.

Commented [NS5R3]: We discussed the scoring during a conference call with ET. The scores were changed back to zero for min qual and points above min start at 2.5 points

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b. **Experience.** An applicant’s experience for the job is awarded one-quarter (0.25) points for each month of related experience exceeding the minimum requirements, up to a maximum of ten (10) points. Work credit will only be given for paid positions, or internship under a higher education program relative to the experience or educational qualifications for the position.

c. **Veteran’s Preference.** Pursuant to A.C.A. § 21-3-302, an applicant may qualify for Veteran’s Preference points.

i. The DOC provides Veteran’s Preference to an individual who:

a) Indicates on the employment application that he or she is:

- 1. A Veteran;
- 2. A disabled Veteran;
- 3. Spouse of a Disabled Veteran; or
- 4. The surviving spouse of a deceased Veteran who is unmarried at the time of application for employment and remains unmarried until the decision to hire is made.

b) Is a citizen and resident of this state; and

c) Meets minimum qualifications for the position to which the individual applied.

ii. Veteran’s Preference will be scored as either five (5) or ten (10) points.

a) Ten (10) will be awarded if:

- 1. The Veteran establishes the existence of a service-connected disability;
- 2. The Veteran is over fifty-five (55) years of age, disabled, and entitled to a pension or compensation under existing laws; or
- 3. The applicant is the spouse of a Veteran with a service-connected disability whose disability disqualifies him or her for selection.

b) Five (5) points will be awarded if the applicant establishes qualifications for Veteran’s preference but does not meet the criteria for being awarded ten (10) points.

iii. An applicant must voluntarily submit official proof of his or her status as a Veteran, disabled Veteran, spouse, or a surviving spouse of a deceased Veteran to receive Veteran’s preference points.

D. Total Pre-Interview Score.

Central Human Resources will add Veteran’s Preference Points to Education points (total max points allowed) and Experience points to get a Pre-Interview Score.

E. Selecting Applicants for Interview

1. After creating a list of applicants who meet minimum qualifications and evaluating those applicants using the Pre-Interview Scoring qualification, Central Human Resources will provide the Hiring Official with a list of qualified applicants and their Pre-Interview Score.

2. All applicants who indicate Veteran’s status shall be interviewed, if they meet minimum qualifications for the position.

3. The Hiring Official will select which applicants to interview.

a. The Hiring Official may decline to interview an applicant with a documented history of two (2) or more “no show”, no cancellation, and no follow up contact for previous interview appointments.

b. An applicant may not be selected for an interview unless each applicant with the same or higher Pre-Interview Score is selected for interview. For example, in order to interview an

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applicant with a Pre-Interview Score of seven (7), the Hiring Official must offer an interview to all applicants with a Pre-Interview Score of seven through ten (7-10).

c. Incumbent rehire applicants previously not recommended for rehire shall not be eligible for promotion until one-year probation has ended from latest hire date.

4. The Hiring Official selects the interview committee.

a. The interview committee must consist of two (2) or more current Employees from the DOC.

b. The interview committee should be representative of the racial and gender composition of the applicant pool.

c. Employees serving on the interview committee must be the same or higher grade as the advertised grade and familiar with the knowledge, skills, and abilities of the position being filled.

d. The Hiring Official may elect to bypass the committee for Non-exempt positions, except for entry level Parole/Probation Officer.

e. The Hiring Official may serve on the interview committee but is not required to do so.

F. Interviews

1. Interview Questions.

a. The Hiring Official will create interview questions based on the knowledge, skills, and abilities (KSAs) of the job, as designated by the official job duties and specifications.

i. There must be at least one question for each KSA.

ii. The Hiring Official should also rank each question in order of importance.

b. The interview committee will use the interview questions to interview each applicant.

i. All applicants should be asked the same questions, and all applicants should be asked every interview question.

ii. Each member of the interview committee will score each question for each applicant.

2. Interview Score

a. Total interview scores will be calculated by either Unit Human Resources, Local Human Resources, or Central Human Resources based upon the assigned Hiring Official.

i. Unit/Local Human Resources/Central Human Resources will average the scores of interview committee members for each interview question.

ii. Each averaged score will be weighted based on the priority assigned by the Hiring Official, resulting in a weighted interview score.

b. An applicant will not be considered for the position without a weighted interview score of at least seventy percent (70%).

G. Selecting an Applicant

1. The Education Pre-Interview Score, Experience Pre-Interview Score, and Veteran's Preference Pre-Interview Score will be added to the Interview Score to determine the highest scoring applicants.

2. A Hiring Official may elect to grant a second interview to the three (3) highest scoring applicants if the Hiring Official did not participate in the initial interviews.

3. The Hiring Official will select which applicant to offer the position to. If the Hiring Official does not select the highest scoring applicant, he or she must submit written justification for selecting an applicant other than the highest scoring applicant. This justification must state in clear and unambiguous terms why the selected applicant was chosen over the highest scoring applicant.

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- 4. If the selected applicant is an incumbent employee within their New Hire Probationary Period, the appropriate Division Director must review and approve the hire packet.
- 5. Employees who are on disciplinary probation are not eligible to be considered for another position for the duration of their disciplinary probation.
- 6. Once the Hiring Official has selected an applicant to offer the position to, he or she will instruct Central Human Resources to move forward with Pre-Employment Screening for that candidate.

H. Pre-Employment Screening and Offer of Employment

1. Upon notification that an applicant has been selected, Human Resources will contact the selected applicant with a Conditional Offer of Employment and begin pre-employment screening.
2. Pre-employment screening shall include, but is not limited to the following components:
 - a. Comprehensive criminal background checks run against law enforcement indices, including but not limited to:
 - i. National Crime Information Center record review;
 - ii. Arkansas Crime Information Center record review;
 - iii. JusticeXchange review; and
 - iv. Court Connect review.
 - b. Maltreatment Registry Checks;
 - c. Arkansas Department of Finance and Administration, Division of Driver Services Traffic Violation Report;
 - i. If the NCIC/ACIC report reveals ten (10) or more points assessed against an applicant's driver's license or reveals that a license is suspended or not valid, the applicant is not eligible for hire if the position applied for requires a driver's license or requires driving on state business.
 - ii. An applicant is not eligible for hire into a position that requires driving on state business if they have had a DWI within the last three (3) years that appears on their Traffic Violation Record (TVR) which is maintained by DFA Office of Driver Services.
 - d. At least two (2) employment reference checks, unless waived by the Central Human Resources Administrator or Designee;
 - e. Drug test screening;
 - f. A physical assessment (for law enforcement and correctional officers only);
 - g. A tuberculosis skin test. Any Employee in contact with residents/inmates, regardless of location, (i.e. administrative offices); and
 - h. An assessment of the ability to perform Essential Job Functions.
3. If results from the Pre-Employment Screening are satisfactory, Central Human Resources will make a final offer of employment to the selected applicant.
4. If the final offer of employment is accepted by the selected applicant, all other applicants will be notified of the decision by Central Human Resources.

I. Special Considerations for Current or Former Employees of the DOC

1. Promotion. Employees of the DOC may apply for a Promotion from their current position provided a vacancy has been advertised. A completed state application must be received during the advertisement period. The applicant will be considered with all other qualified applicants in the interview process. Approved Promotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his/her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.

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2. **Transfer.**

- a. **Administrative Transfer.** The Secretary or appropriate Division Director may transfer an Employee to another location or another classification (at the same grade) when the transfer is in the best interest of the DOC.
- b. **Voluntary transfer.** An Employee of the DOC may request a voluntary transfer from a position classification at one location to the same position classification at another location provided there is an open advertisement for that position at the desired location.
 - i. It is the applicant's responsibility to apply for the open position via the ARCareers website.
 - ii. It is the applicant's responsibility to attach a completed Transfer Form (attachment) to the application in ARCareers signed by releasing and receiving official.
 - iii. The Hiring Official has the option of selecting a transfer applicant in lieu of interviewing for the vacant position.
 - iv. Employees who are currently on disciplinary probation are not eligible to transfer.
 - v. Approved Transfers should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.

3. **Demotion.**

- a. **Administrative Demotion.** Employees may be demoted to a lower-graded position classification in accordance with provisions of the DOC Employee Conduct Standards and Discipline Secretarial Directive. All Demotions must be approved by the Secretary, Division Director, or their designee. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
- b. **Voluntary Demotion.** Employees of the DOC may request a voluntary Demotion from their current position classification at one location to a lower graded position classification at the same or at another location, provided a vacancy has been advertised. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
 - i. A completed state application via the ARCareers website must be received during the advertisement period.
 - ii. The applicant will be considered with all other qualified applicants during the hiring process.
 - iii. Approved Demotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.
- c. **Change in Pay.** When an Employee is voluntarily or administratively demoted to a classification one or more grades below the classification within their current pay grid, a base salary decrease of 10% will be required.

4. **Rehire.**

- a. The Central Human Resources Office will review Rehire applications and related previous work history to determine the reason(s) the Employee terminated employment with the DOC.
- b. Applications from persons not recommended for Rehire will not be considered for at least twelve (12) months from their date of termination; however, the Human Resource Administrator may approve Rehire after six (6) months upon request of the Hiring Official if termination was unrelated to either lying or making false statements, contraband or inappropriate relationships with offenders, unless the Employee left pending an investigation.

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- c. A Rehired Employee that was not recommended for Rehire will not be eligible to apply for a Promotion for one (1) year from the Rehired date.
 - d. Potential Rehire Applicants for security positions will not be considered for employment until ninety (90) days after their last date of employment.
 - e. Any deviation from Rehire restrictions must be approved by the Secretary or Chief of Staff.
5. **Fiscal and IT Positions.** Incumbent Employees who promote or demote to a position in areas that involve fiscal or IT duties must have a background check completed and submitted prior to transfer, Promotion, or Demotion. These background checks will be updated at least every five (5) years. Although a criminal Conviction does not automatically disqualify an applicant, approval may not be granted based on the nature of the offense and job duties.

IV. Procedures Manual/Required Forms

Central Human Resources shall develop standard operating procedures and required forms to guide the employment process. The forms will be placed on the DOC intranet site and are also available upon request from Central Human Resources.

V. Attachment

Employee Request for Transfer Form

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OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: (501) 537-3958
DOC.ARKANSAS.GOV

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Employee Request for Transfer

A transfer is moving from one job title, grade, class code, and salary to another in the same job title, grade, class code and salary. Complete the following information and forward to your Administrator/Warden or Area Manager.

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Name: _____ Date: _____

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Current Job Title: _____ Location: _____ Grade: _____

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Requesting Transfer to: Job Title: _____ Location: _____ Grade: _____

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If this position is currently being advertised give the position number: _____

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Reason for Transfer: _____

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Are you requesting transfer from one facility to another? If yes, is there anyone you know serving a sentence at the facility you are requesting transfer to?

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Yes: ___ No: ___ N/A: ___ Name: _____ Relationship: _____

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Requested Administrator/Warden/Area Manager Date

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Division Director or Designee Signature Date

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OFFICE OF THE SECRETARY

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 DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Employment

NUMBER: 2021-16

SUPERSEDES: 2019-05

APPLICABILITY: All Department of Corrections Employees, except Members of the Parole Board, Correctional School Employees, Director, and members of the Arkansas Sentencing Commission, and the Criminal Detentions Facilities Review Members

REFERENCE: A.C.A. §§ 12-26-105, 16-90-802, 16-93-201, 21-3-302, 21-5-208, 25-43-105, 25-43-108, 25-43-403, and OPM Policy # 8

PAGE: 1 of 8

ISSUED BY: Original Signed by Secretary Solomon Graves

EFFECTIVE DATE: 9/10/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 procedures to ensure all applicants are given a fair and equal opportunity for employment in accordance with all state and federal guidelines. This directive is intended to ensure that the DOC will, as an Equal Opportunity Employer, implement fair and consistent employment policies.

II. DEFINITIONS:

- A. At Will Employment. All Employees are “at will” under Arkansas Law. The employer or the Employee may terminate the employment relationship at any time. Termination may be for any reason or no reason. Advance notice is not required to terminate the employment relationship.
- B. Class or Classification. A group of positions sufficiently similar as to duties performed, scope of discretion and responsibility, minimum requirements of training, skills, experience, and of skill that the same title, scale of compensation, and same test of fitness (if applicable) have been or may be applied.
- C. Conditional Offer of Employment. An offer of employment based upon an applicant meeting certain job-related requirements prior to hire and/or during the Probationary Period.
- D. Conviction. A Conviction may include, but is not limited to a guilty plea, plea of nolo contendere, negotiated plea, or finding of guilt by a judge or jury. For the purposes of this policy, an adverse ruling in a civil case is not considered a Conviction.
- E. Demotion. A change in duty assignment of an Employee from a position in one classification to a position of a lower salary and grade requiring fewer qualifications, such as lower skill requirements, less job-related experience, and a lower level of responsibility.

<http://DOC.Arkansas.gov>

- F. Employee. A person appointed or employed in a position with the DOC for which he or she is compensated on a full time basis and which has a class title and pay grade in A.C.A. § 21-5-208.
- G. 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.
- H. Hiring Official. Administrators/Heads of Sections, Area Managers, Center Supervisors, Wardens, Superintendents or higher who are authorized to make a final selection of applicants for positions available within the DOC.
- I. Law Enforcement Officer (LEO). Any Employee designated by a Division Director, or the Secretary who has met, or is in the process of meeting Commission of Law Enforcement Standards and Training certification.
- J. New Hire. Employees entering state service for the first time.
- K. Probationary Period. A time during which the DOC may evaluate Employee suitability in terms of knowledge, skill, ability, character, interest, and conduct, to determine whether employment should be continued. Initial employment includes a (1) one-year Probationary Period upon initial hire with the DOC. An Employee that promotes or Transfers to another job classification will have a six (6) month Probationary Period in the new position.
- L. Promotion. A change in duty assignment of an Employee from a position in one classification to another position with a higher salary or grade requiring higher qualifications, such as greater skill, more experience, or involving a higher level of responsibility.
- M. Rehire. Employee returning to state service after a break in employment of two (2) or more pay periods.
- N. Transfers. Employees transferring between state agencies, institutions, or laterally within the divisions of the DOC without a break in service.
- O. Veteran. For purposes of this policy, Veteran means a person honorably discharged from a tour of active duty, other than active duty for training only, with the US Armed Forces; or any person who has served honorably in the National Guard or a reserve component of the US Armed Forces for a period of at least six (6) years, whether the person has retired or been discharged or not.
- P. Waiver. A request to have Promotion limitations waived for a current Employee who is applying for a lateral or promotional position within the DOC.

III. PROCEDURES

A. Exclusions

1. The provisions of this Directive do not govern the selection or removal of members of the Parole Board. The selection or removal of Parole Board Members is governed by A.C.A. § 16-93-201.
2. The Employees of the Correctional School are governed by the personnel policies set by the Board of Corrections (when convened as the Board of Education for the Arkansas Correctional School District).
3. The provisions of this Directive do not govern the selection or removal of the Director or members of the Arkansas Sentencing Commission (ASC). The selection or removal of the Director or members of the ASC is governed by A.C.A. § 16-90-802.

B. Position Vacancies

1. The Hiring Official must create a Job Requestion in Success Factors/My ARCareers before beginning the process of filling any vacant position.
2. Except as provided below, positions must be advertised according to procedures established by the Office of Personnel Management (OPM).

- a. Positions graded at or above GS13, IT08, MP03, or SE01 are not required to be advertised. The Secretary or his/her designee has the authority and discretion to appoint or transfer individuals into these classifications.
 - b. Emergency Hires. A position designated as an emergency hire must have OPM approval before the position can be filled. An emergency hire is only permitted when the delay of advertising a vacancy would have an immediate effect on the public welfare, health, and safety.
 - c. Any other position authorized by the Governor.
3. A request for advertisement of a position that requires additional actions (newspapers or websites) must be submitted to and coordinated by the Central Human Resources Office.

C. Applications, Minimum Qualifications, and Pre-Interview Scoring

1. **Applications.** Applications will be submitted/reviewed by the Central Human Resources Office.
 - a. Applications must be submitted via the ARCareers website at arcareers.arkansas.gov.
 - b. In the case of positions advertised on social media or other platforms in addition to the ARCareers website, no application information may be solicited or accepted via the external platform. The platform is only to be used as a mechanism to direct potential applicants to the ARCareers job listing.
2. **Minimum Qualifications.** After the job posting closes, Central Human Resources will review applications and create a list of applicants who meet minimum qualifications. Applicants who meet minimum qualifications will move on to Pre-Interview Scoring. Those applicants who do not meet minimum qualifications will be notified by Central Human Resources that they did not meet minimum qualifications for the position, and the reason(s) why.
3. **Pre-Interview Scoring.** After notifying those applicants who do not meet minimum qualifications, Central Human Resources will examine applications and provide a Pre-Interview Score for each applicant. The Pre-Interview analysis will be scored as follows.
 - a. **Education.** The applicant must meet minimum requirements for the job classification or must be approved as a qualified applicant per state requirements. All degrees, diplomas, or transcripts received must be from an institution accredited by the applicable state Department of Education or an accrediting body recognized by the U.S. Department of Education. The chart below details the appropriate number of based on the minimum requirements and the applicant's educational level.
 - i. A maximum of ten (10) points may be awarded for an applicant for completion of related education above and beyond the minimum educational requirements for the position.
 - ii. Applicants may be awarded Pre-Interview Score points based on their application without submitting a copy of the diploma or degree showing the award of the educational level, but a copy is required to be submitted prior to hiring.

Minimum Required Education	HS Diploma/ GED	Associates Degree	Bachelors Degree	Masters Degree	JD, PhD, MD, or Terminal Degree
High School Diploma/GED	0 pts	2.5 pts	5 pts	7.5 pts	10 pts
Associates Degree	N/A	0 pts	2.5 pts	5 pts	7.5 pts
Bachelors Degree	N/A	N/A	0 pts	2.5 pts	5 pts
Masters Degree	N/A	N/A	N/A	0 pts	2.5 pts
JD, PhD, MD, or Terminal Degree	N/A	N/A	N/A	N/A	0 pts

- b. **Experience.** An applicant's experience for the job is awarded one-quarter (0.25) points for each month of related experience exceeding the minimum requirements, up to a maximum of ten (10) points. Work credit will only be given for paid positions, or internship under a higher education program relative to the experience or educational qualifications for the position.
- c. **Veteran's Preference.** Pursuant to A.C.A. § 21-3-302, an applicant may qualify for Veteran's Preference points.
 - i. The DOC provides Veteran's Preference to an individual who:
 - a) Indicates on the employment application that he or she is:
 - 1. A Veteran;
 - 2. A disabled Veteran;
 - 3. Spouse of a Disabled Veteran; or
 - 4. The surviving spouse of a deceased Veteran who is unmarried at the time of application for employment and remains unmarried until the decision to hire is made.
 - b) Is a citizen and resident of this state; and
 - c) Meets minimum qualifications for the position to which the individual applied.
 - ii. Veteran's Preference will be scored as either five (5) or ten (10) points.
 - a) Ten (10) will be awarded if:
 - 1. The Veteran establishes the existence of a service-connected disability;
 - 2. The Veteran is over fifty-five (55) years of age, disabled, and entitled to a pension or compensation under existing laws; or
 - 3. The applicant is the spouse of a Veteran with a service-connected disability whose disability disqualifies him or her for selection.
 - b) Five (5) points will be awarded if the applicant establishes qualifications for Veteran's preference but does not meet the criteria for being awarded ten (10) points.
 - iii. An applicant must voluntarily submit official proof of his or her status as a Veteran, disabled Veteran, spouse, or a surviving spouse of a deceased Veteran to receive Veteran's preference points.

D. Total Pre-Interview Score

Central Human Resources will add Veteran's Preference Points to Education points (total max points allowed) and Experience points to get a Pre-Interview Score.

E. Selecting Applicants for Interview

- 1. After creating a list of applicants who meet minimum qualifications and evaluating those applicants using the Pre-Interview Scoring qualification, Central Human Resources will provide the Hiring Official with a list of qualified applicants and their Pre-Interview Score.
- 2. All applicants who indicate Veteran's status shall be interviewed if they meet minimum qualifications for the position.
- 3. The Hiring Official will select which applicants to interview.
 - a. The Hiring Official may decline to interview an applicant with a documented history of two (2) or more "no show", no cancellation, and no follow up contact for previous interview appointments.
 - b. An applicant may not be selected for an interview (excluding veterans) unless each applicant with the same or higher Pre-Interview Score is selected for interview. For example, in order

to interview an applicant with a Pre-Interview Score of seven (7), the Hiring Official must offer an interview to all applicants with a Pre-Interview Score of seven through ten (7-10).

- c. Incumbent rehire applicants previously not recommended for rehire shall not be eligible for promotion until one-year probation has ended from latest hire date.

F. Interviews

1. Interview Committee

- a. The Hiring Official selects the interview committee.
- b. The interview committee must consist of two (2) or more current Employees from the DOC.
- c. The interview committee should be representative of the racial and gender composition of the applicant pool.
- d. Employees serving on the interview committee must be the same or higher grade as the advertised grade and familiar with the knowledge, skills, and abilities of the position being filled.
- e. The Hiring Official may elect to bypass the committee for Non-exempt positions, except for entry level Parole/Probation Officer.
- f. The Hiring Official may serve on the interview committee but is not required to do so.

2. Interview Questions.

- a. The Hiring Official will create interview questions based on the knowledge, skills, and abilities (KSAs) of the job, as designated by the official job duties and specifications.
 - i. There must be at least one question for each KSA.
 - ii. The Hiring Official should also rank each question in order of importance.
- b. The interview committee will use the interview questions to interview each applicant.
 - i. All applicants should be asked the same questions, and all applicants should be asked every interview question.
 - ii. Each member of the interview committee will score each question for each applicant.

3. Interview Score

- a. Total interview scores will be calculated by either Unit Human Resources, Local Human Resources, or Central Human Resources based upon the assigned Hiring Official.
 - i. Unit/Local Human Resources/Central Human Resources will average the scores of interview committee members for each interview question.
 - ii. Each averaged score will be weighted based on the priority assigned by the Hiring Official, resulting in a weighted interview score.
- b. An applicant will not be considered for the position without a weighted interview score of at least seventy percent (70%).

G. Selecting an Applicant

1. The Education Pre-Interview Score, Experience Pre-Interview Score, and Veteran's Preference Pre-Interview Score will be added to the Interview Score to determine the highest scoring applicants.
2. A Hiring Official may elect to grant a second interview to the three (3) highest scoring applicants if the Hiring Official did not participate in the initial interviews.
3. The Hiring Official will select which applicant to offer the position to. If the Hiring Official does not select the highest scoring applicant, he or she must submit written justification for selecting an

- applicant other than the highest scoring applicant. This justification must state in clear and unambiguous terms why the selected applicant was chosen over the highest scoring applicant.
4. If the selected applicant is an incumbent employee within their New Hire Probationary Period, the appropriate Division Director must review and approve the hire packet.
 5. Employees who are on disciplinary probation are not eligible to be considered for another position for the duration of their disciplinary probation.
 6. Once the Hiring Official has selected an applicant to offer the position to, he or she will instruct Central Human Resources to move forward with Pre-Employment Screening for that candidate.

H. Pre-Employment Screening and Offer of Employment

1. Upon notification that an applicant has been selected, Human Resources will contact the selected applicant with a Conditional Offer of Employment and begin pre-employment screening.
2. Pre-employment screening shall include, but is not limited to the following components:
 - a. Comprehensive criminal background checks run against law enforcement indices, including but not limited to:
 - i. National Crime Information Center record review;
 - ii. Arkansas Crime Information Center record review;
 - iii. JusticeXchange review; and
 - iv. Court Connect review.
 - b. Maltreatment Registry Checks;
 - c. Arkansas Department of Finance and Administration, Division of Driver Services Traffic Violation Report;
 - i. If the NCIC/ACIC report reveals ten (10) or more points assessed against an applicant's driver's license or reveals that a license is suspended or not valid, the applicant is not eligible for hire if the position applied for requires a driver's license or requires driving on state business.
 - ii. An applicant is not eligible for hire into a position that requires driving on state business if they have had a DWI within the last three (3) years that appears on their Traffic Violation Record (TVR) which is maintained by DFA Office of Driver Services.
 - d. At least two (2) employment reference checks, unless waived by the Central Human Resources Administrator or Designee;
 - e. Drug test screening;
 - f. A physical assessment (for law enforcement and correctional officers only);
 - g. A tuberculosis skin test. Any Employee in contact with residents/inmates, regardless of location,(i.e. administrative offices); and
 - h. An assessment of the ability to perform Essential Job Functions.
3. If results from the Pre-Employment Screening are satisfactory, Central Human Resources will make a final offer of employment to the selected applicant.
4. If the final offer of employment is accepted by the selected applicant, all other applicants will be notified of the decision by Central Human Resources.

I. Special Considerations for Current or Former Employees of the DOC

1. **Promotion.** Employees of the DOC may apply for a Promotion from their current position provided a vacancy has been advertised. A completed state application must be received during the advertisement period. The applicant will be considered with all other qualified applicants in the interview process. Approved Promotions should occur within two (2) weeks following the

Employee's acceptance of the final offer of employment and notice to his/her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.

2. **Transfer.**

- a. **Administrative Transfer.** The Secretary or appropriate Division Director may transfer an Employee to another location or another classification (at the same grade) when the transfer is in the best interest of the DOC.
- b. **Voluntary transfer.** An Employee of the DOC may request a voluntary transfer from a position classification at one location to the same position classification at another location provided there is an open advertisement for that position at the desired location.
 - i. It is the applicant's responsibility to apply for the open position via the ARCareers website.
 - ii. It is the applicant's responsibility to attach a completed Transfer Form (attachment) to the application in ARCareers signed by releasing and receiving official.
 - iii. The Hiring Official has the option of selecting a transfer applicant in lieu of interviewing for the vacant position.
 - iv. Employees who are currently on disciplinary probation are not eligible to transfer.
 - v. Approved Transfers should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.

3. **Demotion.**

- a. **Administrative Demotion.** Employees may be demoted to a lower-graded position classification in accordance with provisions of the DOC Employee Conduct Standards and Discipline Secretarial Directive. All Demotions must be approved by the Secretary, Division Director, or their designee. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
- b. **Voluntary Demotion.** Employees of the DOC may request a voluntary Demotion from their current position classification at one location to a lower graded position classification at the same or at another location, provided a vacancy has been advertised. The Employee will not be eligible to be promoted for twelve (12) months from the effective date of the Demotion.
 - i. A completed state application via the ARCareers website must be received during the advertisement period.
 - ii. The applicant will be considered with all other qualified applicants during the hiring process.
 - iii. Approved Demotions should occur within two (2) weeks following the Employee's acceptance of the final offer of employment and notice to his or her supervisor unless alternative arrangements are authorized by the Hiring Official and the Employee's current supervisor.
- c. **Change in Pay.** When an Employee is voluntarily or administratively demoted to a classification one or more grades below the classification within their current pay grid, a base salary decrease of 10% will be required.

4. **Rehire.**

- a. The Central Human Resources Office will review Rehire applications and related previous work history to determine the reason(s) the Employee terminated employment with the DOC.
- b. Applications from persons not recommended for Rehire will not be considered for at least twelve (12) months from their date of termination; however, the Human Resource

Administrator may approve Rehire after six (6) months upon request of the Hiring Official if termination was unrelated to either lying or making false statements, contraband or inappropriate relationships with offenders, unless the Employee left pending an investigation.

- c. A Rehired Employee that was not recommended for Rehire will not be eligible to apply for a Promotion for one (1) year from the Rehired date.
 - d. Potential Rehire Applicants for security positions will not be considered for employment until ninety (90) days after their last date of employment.
 - e. Any deviation from Rehire restrictions must be approved by the Secretary or Chief of Staff.
5. **Fiscal and IT Positions.** Incumbent Employees who promote or demote to a position in areas that involve fiscal, or IT duties must have a background check completed and submitted prior to transfer, Promotion, or Demotion. These background checks will be updated at least every five (5) years. Although a criminal Conviction does not automatically disqualify an applicant, approval may not be granted based on the nature of the offense and job duties.

IV. Procedures Manual/Required Forms

Central Human Resources shall develop standard operating procedures and required forms to guide the employment process. The forms will be placed on the DOC intranet site and are also available upon request from Central Human Resources.

V. Attachment

Employee Request for Transfer Form



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: (501) 537-3958
DOC.ARKANSAS.GOV

Employee Request for Transfer

Complete the following information and forward to your Administrator, Warden or Area Manager.

Name: _____ Date: _____

Current Job Title: _____ Location: _____ Grade: _____

Requesting Transfer to: Job Title: _____ Location: _____ Grade: _____

If this position is currently being advertised give the position number: _____.

Reason for Transfer: _____

Are you requesting transfer from one facility to another? If yes, is there anyone you know serving a sentence at the facility you are requesting transfer to?

Yes: ___ No: ___ N/A: ___ Name: _____ Relationship: _____

Employee Signature

Date

Approved () Denied () Reason: _____

Current Administrator/Warden/Area Manager

Date

Approved () Denied () Reason: _____

Requested Administrator/Warden/Area Manager

Date

Release Date: _____

Division Director or Designee Signature

Date

Human Resource Administrator

Date



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SECRETARIAL DIRECTIVE

SUBJECT: Americans with Disabilities Amendments Act

NUMBER: 2021-17

SUPERSEDES: ADC AD 17-14

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. §§ 25-403-105, 25-43-108 and 25-43-403 **PAGE:** 1 of 3

ISSUED BY: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 9/16/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 intended to ensure that a qualified person with a disability will not, on the basis of a disability, be discriminated in hiring, firing, advancement, compensation, and job training procedures pursuant to Title I of the Americans with Disabilities Act (ADA). Additionally, pursuant to Title II of the ADA, qualified persons with a disability will not be excluded from participating in, denied benefits of, or otherwise subjected to discrimination under any program, service, activity, or employment opportunity in violation of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Amendments Act of 2008.

The DOC will make reasonable accommodations for the known disabilities of otherwise qualified employees with diagnosed temporary or permanent disabilities, unless doing so, would cause undue hardship to the DOC or the operation of its programs. The DOC is, however, not required to alter essential functions of a job as a reasonable accommodation.

II. DEFINITIONS:

- A. Department ADA Employment Coordinator. The Secretary will designate the Central Human Resource Administrator or another management level employee, as the Department ADA Employment Coordinator.
- B. Complaint. Statement by the employee or the employee's representative containing the employee's name, address, telephone or TDD number, describing the alleged discriminatory act or violation in detail including the date, location, parties involved, the remedy sought and documentation of disability or documentation that the person is regarded as having a disability by the parties involved.
- C. Disability. A physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment; or is regarded as having such impairment. An impairment that substantially limits one major life activity need not limit other major life activities to be considered a disability. If the impairment is episodic or in remission, it is a disability if it would substantially limit a major life activity when active.
- D. Essential Job Functions. Duties or tasks that a qualified individual must perform, with or without accommodation.
- E. Major Life Activity. An activity that an average person can perform with little or no difficulty.

- F. Reasonable Accommodation. Any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered “reasonable” if they do not create an undue hardship or a direct threat. Individuals who solely are “regarded as” having a disability but do not have a disability, are not qualified to receive reasonable accommodations.
- G. Undue Hardship. An action that requires "significant difficulty or expense" in relation to the size of the employer, the resources available, and the nature of the operation. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the DOC. Accordingly, whether a particular accommodation will impose an undue hardship must always be determined on a case-by- case basis.
- H. Unit Administrator. For purposes of this policy, refers to Warden, Superintendent, Center Supervisor, and Area Manager, or head of an administrative section.

III. PROCEDURES:

A. Requests for Reasonable Accommodation.

1. All requests for reasonable accommodations shall be sent to the Unit Human Resources Manager, who will then contact the Department ADA Coordinator. Locations without a Human Resources Manager can send the request directly to the Department ADA Coordinator’s office, or their designee.
2. If the need for an accommodation is not readily obvious, the employee may be required to provide medical documentation of a disability. The employee shall be provided an essential job functions questionnaire to be completed by his/her physician. This form must be completed and returned to the Unit Human Resources Manager within five (5) business days, who will immediately forward this information to the Department ADA Coordinator. No accommodation will be made unless and until this information is provided to the Department ADA Coordinator.
3. If the physician has indicated that any one of the essential functions cannot be performed for a temporary period, the employee will be provided FMLA paperwork and temporarily relieved of duty until it can be ascertained when they will regain their ability to perform all essential job functions. The DOC must engage in the interactive process with each individual who requests an accommodation to determine if the accommodation can be made in a particular case. Non-Security employees will be reviewed on a case-by-case basis.
4. If a physician determines that an employee is unable to perform one of the essential job functions of his/her current job due to a permanent disability, the employee should notify the Department ADA Coordinator.
 - a. The Department ADA Coordinator will ensure that the employee is notified of all current advertised vacant positions within the DOC. The employee must be able to satisfy the minimum qualifications and the essential job functions for positions of the same or lower grade. Provided the employee is qualified for the position, and the vacant position fits within their medical restrictions, the employee will be offered the vacant position. Promotions will not be awarded as ADA accommodations.
 - b. The employee will have two (2) business days to determine whether he or she will accept the applicable position.
5. The Department ADA Coordinator will issue a final response in writing to the employee and the Unit Administrator regarding the provision of the reasonable accommodation and the placement of the employee based on the employee’s ability to qualify for a vacant position within the DOC.
6. Accommodations of additional leave of thirty (30) days or less require approval of the appropriate Division Director and Leave greater than 30 days requires approval of the Secretary. For detailed guidance on FMLA, see the policy on the TSS-OPM website.

B. Criteria for Establishing Whether a Reasonable Accommodation Can Be Made.

The following criteria will be reviewed when determining whether a reasonable accommodation can be made:

1. The request made by the applicant or employee with a disability;
2. Whether or not an accommodation is reasonable;
3. The position the employee holds;
4. The manner in which a disability affects the employees ability to do the job;
5. Work environment;
6. The essential job functions of the particular position; and
7. Whether the proposed accommodation would create an undue hardship on the DOC.

C. Complaints. ADA related Complaints from employees shall be addressed by the Department ADA Coordinator or their designee. The Complaint should follow the procedures listed below:

1. The employee must file the Complaint in writing within five (5) days of the alleged violation. A representative may file a Complaint on behalf of the injured party or complainant.
2. Within fifteen (15) business days of receipt of the Complaint, the Department ADA Coordinator must initiate an investigation. This investigation must include a meeting with the complainant. This process contemplates an informal, but thorough investigation, affording all interested persons and their representatives an opportunity to submit evidence relevant to the Complaint.
3. The results of the investigation will be reviewed by the Unit Administrator where the Complaint occurred, the Department ADA Coordinator, and if possible, an uninterested similarly disabled person.
4. The Department ADA Coordinator or his/her designee shall make the final determination and issue a final ruling in writing to the validity of the Complaint and a description of the resolution within fifteen (15) days of the filing of the Complaint. However, the fifteen (15) day period may be extended, if the Department ADA Coordinator determines that the complexity of the issues gives rise to good cause for delay. A copy of the final ruling should be forwarded to the complainant.
5. The complainant may request a reconsideration of the case in instances where the complainant can provide specific information, proof, or legitimate facts contrary to the final ruling. The request for reconsideration must be made in writing within five (5) working days of receiving the determination to the Department ADA Coordinator. The Department ADA Coordinator will forward the reconsideration request to the DOC Chief of Staff for final determination within five (5) working days of receipt.
6. Pursuant to the Records Retention Secretarial Directive, the Department ADA Coordinator shall maintain the files and records of the DOC relating to the complainants and the resolutions sent to the complainants. Files will be maintained for three (3) years or until disposition of the charge or action, whichever is greater.



OFFICE OF THE SECRETARY

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SECRETARIAL DIRECTIVE

SUBJECT: Americans with Disabilities Amendments Act

NUMBER: 2021-17

SUPERSEDES: ADC AD 17-14

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. §§ 25-403-105, 25-43-108 and 25-43-403 **PAGE:** 1 of 3

ISSUED BY: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 9/16/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 intended to ensure that a qualified person with a disability will not, on the basis of a disability, be discriminated in hiring, firing, advancement, compensation, and job training procedures pursuant to Title I of the Americans with Disabilities Act (ADA). Additionally, pursuant to Title II of the ADA, qualified persons with a disability will not be excluded from participating in, denied benefits of, or otherwise subjected to discrimination under any program, service, activity, or employment opportunity in violation of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Amendments Act of 2008.

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- C. Disability. A physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment; or is regarded as having such impairment. An impairment that substantially limits one major life activity need not limit other major life activities to be considered a disability. If the impairment is episodic or in remission, it is a disability if it would substantially limit a major life activity when active.
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- F. Reasonable Accommodation. Any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered “reasonable” if they do not create an undue hardship or a direct threat. Individuals who solely are “regarded as” having a disability but do not have a disability, are not qualified to receive reasonable accommodations.
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- H. Unit Administrator. For purposes of this policy, refers to Warden, Superintendent, Center Supervisor, and Area Manager, or head of an administrative section.

III. PROCEDURES:

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3. If the physician has indicated that any one of the essential functions cannot be performed for a temporary period, the employee will be provided FMLA paperwork and temporarily relieved of duty until it can be ascertained when they will regain their ability to perform all essential job functions. The DOC must engage in the interactive process with each individual who requests an accommodation to determine if the accommodation can be made in a particular case. Non-Security employees will be reviewed on a case-by-case basis.
4. If a physician determines that an employee is unable to perform one of the essential job functions of his/her current job due to a permanent disability, the employee should notify the Department ADA Coordinator.
 - a. The Department ADA Coordinator will ensure that the employee is notified of all current advertised vacant positions within the DOC. The employee must be able to satisfy the minimum qualifications and the essential job functions for positions of the same or lower grade. Provided the employee is qualified for the position, and the vacant position fits within their medical restrictions, the employee will be offered the vacant position. Promotions will not be awarded as ADA accommodations.
 - b. The employee will have two (2) business days to determine whether he or she will accept the applicable position.
5. The Department ADA Coordinator will issue a final response in writing to the employee and the Unit Administrator regarding the provision of the reasonable accommodation and the placement of the employee based on the employee’s ability to qualify for a vacant position within the DOC.
6. Accommodations of additional leave of thirty (30) days or less require approval of the appropriate Division Director and Leave greater than 30 days requires approval of the Secretary. For detailed guidance on FMLA, see the policy on the TSS-OPM website.

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4. The manner in which a disability affects the employees ability to do the job;
5. Work environment;
6. The essential job functions of the particular position; and
7. Whether the proposed accommodation would create an undue hardship on the DOC.

C. Complaints. ADA related Complaints from employees shall be addressed by the Department ADA Coordinator or their designee. The Complaint should follow the procedures listed below:

1. The employee must file the Complaint in writing within five (5) days of the alleged violation. A representative may file a Complaint on behalf of the injured party or complainant.
2. Within fifteen (15) business days of receipt of the Complaint, the Department ADA Coordinator must initiate an investigation. This investigation must include a meeting with the complainant. This process contemplates an informal, but thorough investigation, affording all interested persons and their representatives an opportunity to submit evidence relevant to the Complaint.
3. The results of the investigation will be reviewed by the Unit Administrator where the Complaint occurred, the Department ADA Coordinator, and if possible, an uninterested similarly disabled person.
4. The Department ADA Coordinator or his/her designee shall make the final determination and issue a final ruling in writing to the validity of the Complaint and a description of the resolution within fifteen (15) days of the filing of the Complaint. However, the fifteen (15) day period may be extended, if the Department ADA Coordinator determines that the complexity of the issues gives rise to good cause for delay. A copy of the final ruling should be forwarded to the complainant.
5. The complainant may request a reconsideration of the case in instances where the complainant can provide specific information, proof, or legitimate facts contrary to the final ruling. The request for reconsideration must be made in writing within five (5) working days of receiving the determination to the Department ADA Coordinator. The Department ADA Coordinator will forward the reconsideration request to the DOC Chief of Staff for final determination within five (5) working days of receipt.
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SECRETARIAL DIRECTIVE

SUBJECT: Employee Work Schedules and Leave

NUMBER: 2021- SUPERSEDES: 2019-03

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. §§ 21-24-205, 25-43-105, 25-43-108, and 25-43-403, Federal Family and Medical Leave Act of 1993, SD Employee Conduct Standards and Discipline, Americans with Disabilities Act,

PAGE: 1 of 11

ISSUED BY: EFFECTIVE DATE:

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 ensure that all DOC employees abide by a standard work schedule that meets the needs of the DOC and the executive expectations set by the Governor.

II. DEFINITIONS:

- A. Employee. A person employed in a legislatively authorized position either on a full or part-time basis by the DOC. A class title and pay grade must be established in an agency's appropriation act.
B. TSS-OPM. Department of Transformation and Shared Services Office of Personnel Management.
C. UHRC. Unit Human Resource Coordinator, area or local Unit HR Manager or Designee. Division level personnel designated to perform all HR functions and duties.
D. CHRO. Central Human Resources Office. Shared Services personnel manages the overall operations of Human Resources for the DOC.
E. CHRA. Central Human Resources Administrator. Manages the operations of Central Human Resources.
F. FMLA. Family Medical Leave Act.
G. Onset of the Illness or Injury. The initial beginning, or start, as certified by a physician or other appropriate healthcare provider, of the medical condition which created the need for a Catastrophic Leave request.
H. Catastrophic Leave Bank Program (CLBP). The Catastrophic Leave Bank is a pool of accrued annual and sick leave voluntarily donated by state employees and managed by Department of Transformation and Shared Services Office of Personnel Management (TSS-OPM) that may be approved for use by employees who meet the catastrophic illness/injury eligibility requirements.
I. Catastrophic Illness. A medical condition as certified by a physician of the employee or the employee's spouse, parent or child who may be claimed as a dependent under the Arkansas Income Tax Act of 1929 that requires the employee's absence from duty for a prolonged period of time and that, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick and annual leave.
J. Catastrophic Leave. Leave granted to an employee as a result of a catastrophic illness, after the employee has exhausted all sick and annual leave hours.
K. Compensatory Leave. Time off in lieu of payment for overtime hours.
L. Critical Need Employee. A designated individual in a position or job classification that is required to be staffed by the State agency twenty-four (24) hours a day and seven (7) days a week.

http://DOC.Arkansas.gov



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- M. Straight Time. Time entered in a work week where leave has been entered that caused a full work week to exceed 40 hours for non-security/non-exempt employees.
- N. Leave Abuse/Unauthorized Absences. Documented abuse of leave or unauthorized absence from work (may be cause for disciplinary action).
- O. Tardiness. One minute or more past the start of the workday (may be cause for disciplinary action).
- P. Worker's Compensation. A benefit provided to injured workers, or their dependents in the event of the worker's death. It provides compensation when employees are unable to work because of a job-related disability, no matter who was at fault.

III. PROCEDURES:

A. WORK SCHEDULE

1. The various locations within the Divisions of the DOC, other than correctional facilities will be open for regular business between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for observed holidays and inclement weather adjustments. Correctional facilities operate twenty-four (24) hours a day, seven (7) days a week.
2. Area Parole and Probation Managers may adjust office hours to allow for offenders to report at times outside of regular business days and hours. If hours are adjusted, supervisors must be assigned for those hours.
3. Wardens/Center Supervisors will set staff schedules that provide for the necessary coverage of security and non-security facility job assignments.
4. A supervisor may adjust their employees' work schedule to meet operational needs, with the prior approval of the CHRA and the Secretary.

B. LUNCH BREAKS

All employees not assigned to a unit security post are required to take an unpaid lunch break during their workday. Lunch breaks shall be for at least thirty (30) minutes and up to sixty (60) minutes, depending on the employee's approved work schedule. Lunch breaks cannot be taken in order to allow an employee to arrive late or leave early. Supervisors are encouraged to allow employees to take short breaks as necessary to remain productive and attentive.

C. EMPOWERING ARKANSAS STATE EMPLOYEES (EASE)

All state employees can use the EASE software to view their pay stubs, submit leave slips, view benefits details, quota overview, W-2 statements, employee performance evaluations, etc. EASE can be accessed on a desktop, laptop, or mobile device. Employees can access the website at <https://ease.arkansas.gov>.

D. LEAVE TRACKING AND HIERARCHY

1. Employees transferring without a break in service or between state agencies and/or state-supported institutions of higher education that are covered by these policies will retain all accumulated annual leave. Employee leave time cannot be used until it is available. Leave time can be used in increments of fifteen (15) minutes. Employees should make every effort to submit requests for leave in advance. Requests for leave should be submitted and approved prior to the end of the pay period.
2. Employees at work sites with work schedules other than eight (8) hours per day, will be charged leave based upon their daily work schedule.
3. All leave should be requested using EASE. Where EASE is not available, leave must be requested, approved, or denied in writing using an employee leave slip from the Unit Human Resource Coordinator (UHRC). A hard copy of all records of leave submitted using a leave slip shall be sent to the UHRC and placed in the Time folder in Laserfiche. Employees shall track all requests for leave, approvals, and denials. Employees will submit leave using the following hierarchy:

Leave Hierarchy
Straight Time
Overtime/Compensatory
Annual Leave
Holiday Leave
Employee Birthday

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- 4. A non-security employee who is required to work on a legal holiday will receive equivalent time off on another date. Days off in lieu of holidays worked should be taken as soon as practical at a time approved by the employee's supervisor.

E. LEAVE PAYOUTS

- 1. When an employee terminates employment with the state, he/she is eligible to receive a payout of annual, birthday, and holiday leave balances; however, the payout cannot exceed thirty (30) days or 240 hours.
- 2. When an employee transfers to another agency or terminates employment, the original agency must pay the employee the balance of their unpaid overtime or unused compensatory time in a lump sum payment at the higher rate or the final regular rate of pay received by the employee.
- 3. Employees are not entitled to payment for accrued and unused sick leave upon termination of employment. Upon retirement or death, an employee, or beneficiary of an employee, will receive compensation not to exceed \$7,500 for accumulated unused sick leave as outlined in the Sick Leave Incentive Payout policy on the Office of Personnel Management (OPM) website.
- 4. Upon retirement or death, if the balance of the employee's sick leave does not reach the criteria for a Sick Leave Incentive Payout, the employee or their beneficiary may donate their sick leave to the Catastrophic Leave Bank. When an employee receives a payout for unused sick leave at retirement or death, hours used to calculate the maximum payout of \$7,500 cannot be donated to the catastrophic leave bank. Once the calculation of the number of accrued hours needed to receive a full payout of \$7,500 has been made, any remaining hours may be donated to the Catastrophic Leave Bank.

F. ANNUAL LEAVE

- 1. Annual Leave is paid vacation time that is earned during each month and is available the first day of the following month.
- 2. Annual leave is earned at a predetermined rate based on years of service:

Years of Service	Hours per Month	Days Earned Annually
1-3	8	12
4-5	10	15
6-12	12	18
13-20	14	21
20+	15	22.5

- 3. For employees using approved alternative work schedules of ten (10) hour days, when taking a full day of annual leave, it will be charged at a rate of ten (10) hours a day not to exceed forty (40) working hours in a seven (7) day work week or eighty (80) hours in a fourteen (14) day pay period.
- 4. Employees must request leave in advance and receive approval by his/her supervisor prior to the leave beginning. Supervisors may deny a leave request due to "business necessity."
- 5. An employee will not earn annual leave when on Leave Without Pay status for ten (10) or more cumulative days within a calendar month.
- 6. Staff interviews for internal DOC positions will be required to submit leave, other than sick leave, if number of interviews exceed more than one (1) interview per week.
- 7. At the end of the calendar year and except as provided in A.C.A. § 21- 24-205(c), an employee's accumulated annual leave that exceeds the maximum allowed shall be deposited into the catastrophic leave bank administered by the OPM. If an employee does not want his or her accumulated annual leave that exceeds the maximum allowed to be deposited into the catastrophic leave bank, he or she shall submit a written request to DOC Central Human Resources who will then submit the request to the OPM that the accumulated annual leave in question be forfeited in lieu of being deposited into the catastrophic leave bank.
- 8. Employees cannot borrow from anticipated future accruals and may not use annual leave accrued by other employees.

9. Critical Need Employee,

A. Procedures

- 1. A Critical Need Employee is prohibited from carrying over to the next calendar year more than forty-five (45) days or 360 hours. The following are positions designated as Critical Need Employees:

- A. DOC Correctional Officer

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H. FAMILY AND MEDICAL LEAVE ACT (FMLA)

1. The Federal Family and Medical Leave Act of 1993 requires all public agencies to provide up to twelve (12) weeks of unpaid, job-protected leave per calendar year to eligible employees for certain family and medical reasons or any qualifying need arising out of the fact that the spouse, child, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
2. Federal law has expanded FMLA to provide up to 26 weeks of leave per calendar year to care for an injured military service member. All employees are eligible if they have worked within state government for at least one (1) year (cumulative) and for 1,250 hours over the previous twelve (12) months.
 - a. The FMLA provides for leave for any of the following reasons:
 - i. To care for the employee's child after birth or placement by adoption or foster care;
 - ii. To care for the employee's spouse, son or daughter (under age 18 or if 18 or older, incapable of self-care due to a mental or physical disability as defined by the ADA), or parent who has a serious health condition;
 - iii. For a serious health condition that makes the employee unable to perform the essential functions of the employee's job;
 - iv. To care for the employee's spouse, child (over the age of 18), parent or next of kin who was injured on active duty; or
 - v. For the qualifying need when an employee's spouse, child (over the age of 18), or parent is called to or on active duty.
 - b. An employee must use accrued paid leave in place of unpaid leave. An employee may take FMLA on a full time or intermittent basis.
 - c. An employee is required to provide the employer with at least thirty (30) days advance notice before FMLA leave is to begin if the need for leave is foreseeable based on:
 - i. An expected birth;
 - ii. Placement by adoption or foster care; or
 - iii. Planned medical treatment for an employee's or family member's serious health condition.
 - iv. If thirty (30) days' notice is not practicable, notice must be given as soon as possible. It is expected that an employee will give notice within one (1) or two (2) working days of learning of the need for leave.
 - d. An employee will provide at least verbal notice to his/her supervisor upon application to UHRC for FMLA, and the anticipated duration of the leave requested. The employee must follow policy regarding call-in procedures for reporting any absence, unless there are extenuating circumstances. Requested leave time must be submitted.
 - e. The UHRC will provide a packet of information and forms for employees requesting FMLA leave. When verbal notice is given by the employee, the UHRC may complete the FMLA Request (Attachment I); however, the employee is required to provide medical certification to support the request for leave. When this is not possible, the employee must provide the certification to the DOC within fifteen (15) calendar days of receipt of paperwork. Additional certification may be required if the employee is unable to return to work from leave at the end of the original requested period. FMLA leave may be denied or delayed if the medical certification requirements are not met.
 - f. If the agency has reason to believe an employee's leave may be FMLA qualifying, the employee will be provided promptly with the FMLA packet. An absence of more than five (5) consecutive days that involves continuing treatment by a health care provider may be considered sufficient "reason to believe."
 - g. The supervisor must notify the UHRC or designee that an employee has been out of work for five (5) days that involves continuing treatment by a health care provider. The UHRC will abide by the following procedures:
 - i. FMLA papers will be sent to the employee via certified mail or email. Email will have a read receipt.
 - ii. Advise the employee of the fifteen (15) calendar day timeframe from the date information was received by the employee to return the completed FMLA paperwork.

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- iii. If the FMLA paperwork has not been returned at the end of the 15 calendar days, the FMLA may be denied or delayed if the medical certification requirements are not met.
- v. If an employee submits medical certification that is incomplete or insufficient, the UHRC will specify in writing which information is lacking and give the employee an additional seven (7) calendar days to cure the deficiency.
- vi. At eight (8) weeks of FMLA usage, CHRA will send the employee via certified mail an FMLA status letter with FMLA hardship determination. This timeline may be modified when the staff member is not using the full twelve (12) weeks of FMLA.
- vii. Upon completion of the twelve (12) week period (26 weeks in the event the employee is caring for an injured military service member), CHRA or designee will check if the employee is unable to return to work, perform the essential functions of his/her position, and has depleted all accrued leave. The employee may be terminated unless the employee has requested and has been approved for an accommodation under the ADA by the appropriate Division Director or the Secretary. If a physician determines an employee is unable to perform one of the essential functions of his/her current job due to a temporary or permanent disability, the CHRA must be notified; and.
- viii. Prior to returning to work, an employee who has been on FMLA leave due to his/her own health condition, must provide to the UHRC an Essential Job Function Questionnaire completed by his/her physician certifying fitness for duty. The UHRC will submit the completed form to the CHRA.
 - a. If an employee is given an essential job functions with no accommodations needed, the employees will be instructed to return to work.

Note: Copies of Essential Job Functions are available under the HR tab on DOC Connect under ADC or DCC HR Forms.

 - b. Employees receiving Catastrophic Leave and/or Workers' Compensation benefits may be FMLA qualified for up to twelve (12) weeks. These awards will run concurrently if eligibility requirements are met.
- h. Under FMLA, job benefits and protection include:
 - i. For the duration of FMLA leave, the DOC will maintain the employee's health insurance coverage under any "group health plan," under the conditions that the coverage would have been provided if the employee had continued to work (matching portion paid by the DOC while the employee continues to pay his/her portion).
 - ii. When an employee returns from FMLA leave, he or she must be restored to the same job or to an "equivalent job". The employee is not guaranteed the actual job held prior to the leave. An equivalent job means a job that is virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions (including shift and location).
 - iii. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave.
 - iv. Employees must meet all merit criteria to be eligible regardless of being absent from work because of medical leave.
 - v. Employees approved for FMLA will be approved for only the amount of time noted on the medical paperwork. If more FMLA is needed, the employee must submit a request for additional FMLA paperwork to UHRC; and.
 - vi. Accommodations of additional leave of thirty (30) days or less require approval of the appropriate Division Director and Leave greater than 30 days requires approval of the Secretary. For detailed guidance on FMLA, see the policy on the TSS-OPM website.

I. CATASTROPHIC LEAVE

1. The Catastrophic Leave Program allows the continuation of salary and benefits for an eligible employee who has exhausted all paid leave due to a medical condition and/or Catastrophic Illness. A prolonged period of time is a continuous period of time (minimum of thirty (30) days) whereby a medical condition prevents the employee from performing his/her duties.
2. The combination of catastrophic leave for the stated medical condition(s) that are due to illness/injury or for maternity purposes, which an employee receives may not exceed 1,200 hours in a calendar year (1,040 hours for illness/injury and 160 hours for maternity purposes).

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- 3. All Catastrophic Leave requests must be submitted to TSS-OPM for review and determination.
- 4. Eligibility requirements to apply for Catastrophic Leave are as follows:
 - a. The applicant must be a regular full-time employee;
 - b. The employee must have been employed by the State of Arkansas for at least one (1) year in a regular, full-time position, prior to submitting request for Catastrophic Leave;
 - c. Employees must have exhausted all sick, annual, holiday and compensatory leave. At the Onset of the Illness or Injury, had at least eighty (80) hours of combined sick and annual leave. If a recurrence of the same illness necessitates a subsequent catastrophic leave request, the eligibility requirement that the employee has eighty (80) hours of combined sick and annual leave at the Onset of the Illness or Injury will not be required on the illness recurrence date;
 - d. The "80-hour requirement" may be waived for an otherwise eligible employee if an "extraordinary circumstance" is declared by the appropriate Division Director or the Secretary due to the applicant providing documentation that one (1) of the following conditions has occurred:
 - i. The employee applying for catastrophic leave had, during the previous one (1) year period, another medically documented, catastrophic illness, as defined by this policy, that was not compensated under the CLBP that caused the exhaustion of all annual/sick leave; or
 - ii. The employee applying for catastrophic leave had, during the previous one (1) year period, exhausted his/her sick and annual leave as a direct result of supplementing workers' compensation benefits, which were received due to an on-the-job injury or illness with the State of Arkansas.
 - e. The employee has not been disciplined for leave abuse during the past year, from the date of application.
 - f. An employee is eligible for approved catastrophic leave due to injury/illness for a maximum of six (6) months (1,040 hours) within a five (5) year period. Additional requests within the five (5) year period may be submitted for review and determination by the OPM Catastrophic Leave Bank Committee and State Personnel Administrator. This requirement does not apply for maternity purposes.
 - g. An employee must not be approved for catastrophic leave for a maternity purpose unless the employee has provided acceptable proof of the birth or placement.
 - i. For the birth of an employee's biological child, acceptable proof includes:
 - a. A hospital announcement or discharge papers with the mother's name and/or the biological child's name; or
 - b. A birth certificate of the biological child.
 - ii. For the placement of an adoptive child in an employee's home, acceptable proof includes:
 - a. Formal document from the placement entity with the mother's name and the child's name; or
 - b. Legal guardianship papers with the mother's name and the child's name.
 - iii. The acceptable proof will be maintained by the agency submitting the request but certified as part of the application process or as follow-up to the application using the Maternity Purposes Eligibility Date Verification form.
 - h. Approved catastrophic leave for a medical emergency or for maternity purposes must be applied concurrently with FMLA, if the employee is eligible.
- 5. Catastrophic Leave Bank Program (CLBP) Administration
 - a. To be considered for catastrophic leave, an employee must complete an application, with attachments (forms are available under the HR tab on DOC Connect under ADC or DCC HR Forms) and forward them to the CHRO. CHRO staff will notify the applicant of approval or disapproval of the request. Catastrophic Leave will not be awarded retroactively.
 - b. Employees on Catastrophic Leave will continue to accrue leave in accordance with existing leave policies and will receive the normal state benefits, such as agency contributions to insurance and retirement.
 - c. Employees in a catastrophic leave status for maternity purposes during a four (4) week period will have the accrued annual and sick leave removed for the month the catastrophic leave status begins. If the employee in a catastrophic leave status for maternity purposes accrues birthday leave during that time, the accrued birthday leave will be removed at the time of the birthday. If the employee in a catastrophic leave status for maternity purposes accrues holiday leave during that time, the holiday leave will be removed. Birthday and

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holiday leave during the catastrophic maternity leave period will be reflected as paid catastrophic leave. No accrued annual, sick, holiday and/or birthday leave will be returned to the OPM Catastrophic Leave Bank.

d. An employee may be dismissed for failing to report to work promptly at the expiration of the period of approved catastrophic leave. Nothing, however, will prevent the agency from accepting satisfactory reasons provided by the employee in advance of the date the employee is scheduled to return to work and from granting leave without pay status to an employee after the expiration of catastrophic leave if, the Secretary determines, such action is warranted. For employees pending approval of Catastrophic leave, supervisors should not take disciplinary action for Leave Without Pay (LWOP) until the application has been formally approved or denied. Alleged or suspected abuse of the CLBP will be investigated and on a finding of wrongdoing, an employee must repay all leave hours awarded from the CLBP and will be subject to disciplinary action as determined by the appropriate Division Director or the Secretary.

e. Donation of Leave to the CLBP. At the end of the calendar year an employee's accumulated Annual Leave that exceeds the maximum allowed under state law shall be deposited into the catastrophic leave bank administered by the OPM.

If an employee does not want his or her accumulated annual leave that exceeds the maximum allowed under state law to be deposited into the catastrophic leave bank, he/she shall submit a written request to the CHRA. The CHRA will submit a written request to the OPM that the accumulated annual leave in question be forfeited in lieu of being deposited into the catastrophic leave bank.

J. MATERNITY LEAVE

1. Eligible female employees may take up to four (4) weeks of paid leave after the birth of the employee's child or placement of an adoptive child in the employee's home. Paid maternity leave will run concurrently with FMLA leave. Eligible male employees may take FMLA after the birth or placement of a son or daughter or to bond with a newborn or newly placed son or daughter.
2. Maternity leave is treated as any other leave for sickness or a disability. However, an employee may elect to take Leave Without Pay to avoid exhausting accumulated Annual and Sick Leave. Before taking maternity leave, employees must submit a doctor's statement to their supervisor indicating when maternity leave will begin and end. An Essential Job Functions form is required upon return from Maternity Leave.
3. While on maternity leave, employees will continue to earn annual and sick leave unless they are on leave without pay status. Consult the CHRO or the section on Family and Medical Leave Policy for requirements that may impact maternity leave. Eligibility requirements for Catastrophic Leave for maternity purposes are as follows:
 - a. Employed by the State of Arkansas for one (1) year or more.
 - b. The employee cannot have disciplinary actions for leave abuse during the past year from the time of application.
 - c. Up to four (4) consecutive weeks of catastrophic leave with full pay may be granted to employees for maternity purposes.
 - d. After the four (4) weeks has expired, maternity will be treated as any other leave for sickness or disability.
 - e. An employee is eligible only within the first twelve (12) weeks after birth or adoption of a child.
4. If an employee is eligible for both Catastrophic Leave for maternity purposes and family medical leave for maternity purposes, the two will run concurrently.

K. HOLIDAY LEAVE

1. Employees will generally be granted time off to observe all legal holidays.
2. The Governor may issue an Executive Proclamation to declare additional days as holidays in observance of special events or for other reasons.
3. Employees are not allowed to work on a holiday unless they are:
 - a. Required for security or other reasons at a 24-hour facility;
 - b. Designated as essential staff;
 - c. The General Assembly is in session; or
 - d. The employee is authorized by a supervisor.
4. Employees who work a flex schedule earn holiday hours at the same rate as the number of hours the employee was scheduled to work on the holiday. All "regular salaried" and "extra help" employees will receive holiday pay if they are in

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pay status for at least fifteen (15) minutes on their last scheduled workday before the holiday and at least fifteen (15) minutes on the first scheduled workday after the holiday. An employee on Leave Without Pay status is not in a pay status and not eligible to receive holiday pay.

L. EMPLOYEE BIRTHDAY

Employees are given one (1) workday in recognition of their birthday to be taken on or after their birthday. Employee birthday leave is taken at the discretion of the employee and with the supervisor's approval. Birthday leave hours never expire and are carried forward each year.

M. ADMINISTRATIVE LEAVE

1. Administrative Leave should only be utilized, as a last resort, by the appropriate Division Director, the Secretary, or their Designee when allegations and/or complaints have been filed or made known that will affect the good order and security of the institution or office. This includes but is not limited to felonies, misdemeanors, arrests, complaints, protective orders, judgments, or during the course of an ongoing investigation.
2. The CHRA must be notified when an employee is being placed on Administrative Leave. If the facts and circumstances of an allegation are not readily available, the task of investigating should be assigned/assumed by an employee suited to make an objective and unbiased determination of fact.
3. The Warden/Center Supervisor/Administrator/Area Manager will notify the CHRA on incidents when an employee is arrested and forward the documentation of the pending charges.
4. Pursuant to SD Incident Notifications Procedures, the Warden/Center Supervisor/Administrator/Area Manager must notify the Internal Affairs Division Administrator of felony arrests and any allegation(s) that would violate the sexual harassment policy or any serious incident.
 - a. This investigation should be completed within five (5) working days, when possible, beginning the day of notification of the allegation.
 - i. If possible, the Warden/Center Supervisor/Administrator/Area Manager should consider alternative duties in their area, institution, or another unit for the employee under investigation. In those sensitive positions where an employee's behavior reflects on their ability to perform the job, and where no alternate duties can be assigned, the employee may be relieved of duty, pending the outcome of an investigation.
 - ii. If no alternative is available, the Warden/Center Supervisor/Administrator/Area Manager will place the employee on leave for up to five (5) working days and will arrange an internal investigation surrounding the circumstances.
 - iii. If the Internal Affairs investigation is not completed within five (5) working days, the Warden/Center Supervisor/Administrator/Area Manager via the Central Human Resources Administrator shall make a written request to the appropriate Division Director or the Secretary to extend the leave with a copy to the appropriate Deputy Director. The appropriate Division Director or the Secretary may grant an extension of administrative leave, approve a job reassignment of the employee until the investigation is completed, or deny the request.
 - iv. The leave will be administrative paid leave only after the employee is found innocent of all allegations. If the employee is found guilty of all allegations, the leave will be unpaid administrative leave. The employee may have the option of utilizing any leave (other than sick leave) on the books based on the Leave Hierarchy if found guilty.
 - b. Following the completion of the investigation, the Warden/Center Supervisor/Administrator/Area Manager may:
 - i. Return the employee to regular duty status;
 - ii. Return the employee to duty status but reassign to another post; or
 - iii. Initiate disciplinary action in accordance with the SD Employee Conduct Standards and Discipline.
 - c. Employees of the DOC involved in any incident where force has been used against another person or persons may be placed under Administrative Leave with pay status at the discretion of the appropriate Division Director or the Secretary. The Administrative Leave will be until a time that the appropriate Division Director or the Secretary deems appropriate to return the employee to duty or after all documentation and investigations are complete.

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d. The Warden/Center Supervisor/Administrator/Area Manager will submit to the appropriate Division Director, the Secretary and appropriate Deputy Director a written report covering the results of the investigation and their decision on the employee's work status.

e. Administrative leave cannot be initiated by an employee.

N. CHILD EDUCATIONAL ACTIVITIES LEAVE (CEAL)

1. All state employees will be entitled to eight (8) hours of leave, regardless of the number of children or grandchildren (pre-kindergarten through Twelfth (12th) grade), during a calendar year for the purpose of engaging in and traveling to and from the educational activities or interscholastic activities of a child. Documentation of the school related event is required. CEAL that is unused in one (1) calendar year may not be carried over to the next year and is not compensable to a state employee at the time of retirement. For further guidance regarding CEAL, please visit the OPM website <https://www.transform.ar.gov/personnel/policy/>.

O. COURT AND JURY LEAVE

- 1. Employees serving as a juror in a state or federal court are entitled to use "Court and Jury Leave" for compensation and to retain any fees paid for such services.
- 2. Employees who are subpoenaed as a witness to give a deposition or testimony in state or federal court, at a hearing, or before any office with the power to issue a subpoena, are entitled to the following:
 - a. If the employee is an unpaid witness in a matter within the employee's scope of employment:
 - i. To use "Court and Jury Leave" for compensation if subpoenaed to appear on a scheduled workday. Employees who work night shifts will be allowed to take court and jury leave on the night shift of the day on which they served. The employee will furnish the appropriate documentation from the courts showing that the employee served Court or Jury Duty to the supervisor for leave form maintained by the timekeeper. It is the responsibility of the supervisor to submit a copy of the document to the UHRC.
 - ii. To mileage fees if they use a personal vehicle for travel in obeying the subpoena and the DOC does not reimburse the employee for travel expenses if subpoenaed to appear on a workday.
 - iii. To retain any witness and mileage fees rendered to him/her if subpoenaed to appear on a non-workday.
 - b. If the employee is a witness in a matter outside the scope of employment and the employee is not serving as a paid expert witness or is not a party to the matter:
 - i. To use "Court and Jury Leave" for compensation.
 - ii. To mileage fees if the employee does not use a state-owned vehicle for travel in obeying the subpoena.
 - c. If the employee is a law enforcement officer who is subpoenaed to appear when the officer is not scheduled for regular duty, the employee is not entitled to his/her regular salary but is entitled to retain any witness or mileage fees paid to him or her.
 - d. If the matter is outside the employee's scope of employment and the employee is serving as a paid expert or is a party to the case, the employee is not entitled to use "Court and Jury Leave" and is required to use annual leave.

P. MILITARY LEAVE

- 1. Military Leave for Annual Training. Regular, full-time state employees who are members of the National Guard or the reserve branches of the United States Armed Forces will be granted leave at the rate of fifteen (15) working days per calendar year, plus necessary travel time for annual training purposes.
 - a. Up to fifteen (15) unused military leave days may be carried over to the succeeding year for a maximum of thirty (30) military leave days for military training purposes for that calendar year.
 - b. Employees who are members of the Inactive Reserve Corps of the United States Public Health Service (USPHS) who desire to take leave for the purpose of participating in the civil defense and public health training programs made available by the USPHS are eligible for this leave benefit. Employees who are drafted, called up for active duty or for specialized training may also be eligible for military leave benefits. The employee must submit a copy of his/her first orders for a calendar year to their supervisor and the UHRC. Thereafter, the employee must submit military leave requests with orders through his/her supervisor to the timekeeper and the timekeeper maintains the documentation.

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- c. Return to work after discharge. Must report for work on the first regularly scheduled workday within eight (8) hours after discharge from military service. If the employee serves more than thirty (30) days, but less than 181 days, he/she must report within fourteen (14) days after discharge. If the employee serves more than 180 days, he/she must report within ninety (90) days after discharge from military service.
- d. Uniformed Services Employment and Reemployment Rights Act (USERRA). For information about USERRA refer to the poster in your place of employment, the U.S. Department of Labor website, or contact the CHRA.
- e. Active Duty for Military Service. A regular full-time employee who is drafted or called to active duty in the Armed Forces of the United States or who volunteers for military service is placed on extended military LWOP. Unused sick and annual leave at the time of military leave will be reinstated at the time the employee returns unless he/she requests and receives a lump-sum payment for the annual leave balance when placed on the extended military leave.
- f. If an employee voluntarily goes on active or full-time military duty, he/she must notify the UHRC prior to going on active duty. If the employee fails to provide such notice, he/she may be terminated.
- g. Active Duty for the Purpose of Specialized Training. When military members volunteer or are ordered to active duty for the purpose of special training, they are placed on LWOP for the period of training unless they elect to use accrued annual leave. The LWOP is given in addition to the paid leave for annual military training. In such situations the military member will retain eligibility rights including accumulated annual leave and sick leave. Sick and annual leave do not accrue during the LWOP period.
- h. Exigency Leave. Eligible employees are entitled up to twelve (12) weeks of leave in a calendar year because of "any qualifying exigency" arising because the spouse, son, daughter, or parent of the employee is on covered active duty or has been notified of an impending call or order to covered active-duty status in support of a contingency operation. The qualifying exigencies for which employees can use exigency leave are as follows:
 - i. Short-notice deployment;
 - ii. Military events and related activities;
 - iii. Childcare and school activities;
 - iv. Financial and legal arrangements;
 - v. Counseling, rest, and recuperation;
 - vi. Post-deployment activities; and
 - vii. Additional activities not encompassed in the other categories but agreed to by the DOC and employee.
- i. Military Caregiver Leave. Eligible employees who are the spouse, parent, child or next of kin of a service member who incurred a serious injury or illness on active duty in the Armed Forces may take up to 26 weeks of leave in a calendar year to care for the injured service member. Military Caregiver Leave is used in combination with regular FMLA leave. FMLA leave is without pay; however, if an eligible employee has accumulated unused sick or annual leave, the employee is required to substitute the paid leave, including any paid catastrophic leave benefits, for any FMLA leave taken during the 12-week period, with the exception that employee taking maternity leave may elect to not substitute accrued, unused sick and annual leave while on FMLA leave. Time taken prior to a request or approval for FMLA leave may be charged against the allowable FMLA time.

V. ATTACHMENTS:

1. Family Medical Leave Act Return to Work Form
2. Family Medical Leave Act Status Letter
3. CLBP- Application for Maternity Purposes Eligibility Date Verification
4. CLBP- Application for Maternity Purposes
5. CLBP-Application for Medical Emergency due to Illness/Injury Purposes
6. CLBP- Dependent Child Certification
7. CLBP- Physician's Certification

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Attachment 1

Department of Corrections
SHARED SERVICES
Human Resources



2403 East Harding Ave.
Pine Bluff, AR 71601
Phone: (870) 850-8510
Fax: (870) 850-8550

Family Medical Leave Act Return to Work Form

Employee Name _____ Personnel Number _____

Address _____ City _____ State _____ Zip _____

Contact Phone _____ Email _____ Unit/Office _____

Job Title _____ Supervisor's Name _____

Original Anticipated Return to Work Date _____

Do you anticipate you will be cleared by your physician to return to work on the date above? Yes No

If no, what is your new anticipated return to work date? _____

Will you be able to complete all essential functions of your job upon your return to work? Yes No

If no, please explain (must be verified by your physician):

Prior to returning to work you must have your physician complete the enclosed Essential Job Functions form.

If you are unable to return to work upon the exhaustion of your available FMLA leave or will need accommodations to complete your essential job functions, you MUST contact the Human Resources Office to discuss your options. Failure to do so may result in termination.

Employee Signature _____ Date _____



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Attachment 2

Department of Corrections
SHARED SERVICES
Human Resources



2403 East Harding Ave.
Pine Bluff, AR 71601
Phone: (870) 850-8510
Fax: (870) 850-8550

Date

Employee Name
Employee Address

Re: Family Medical Leave Expiration

Dear [EMPLOYEE NAME]:

According to our records, your leave under the Family and Medical Leave Act (FMLA) is scheduled to end soon. It is important that we confirm your return to work as soon as possible.

Based on the information provided in your FMLA Request Form, your current FMLA leave is scheduled to end on [DATE]. Therefore, we expect your return to work on the following business day. If the amount of leave you originally anticipated has changed or you do not intend to return to work, you must contact this office as soon as possible.

All employees on FMLA leave for their own serious health condition must provide documentation from their physician that they can complete the essential functions of their job prior to returning to work. Enclosed is an Essential Job Functions form that must be completed by your physician and returned to this office as soon as possible but no later than 10 days after you have received this letter.

If your physician indicates that you need an accommodation to complete one of the essential functions of your job or gives you an anticipated return to work date that is after the expiration of your available FMLA leave we will consider whether such accommodation can be made without undue hardship to DOC. You will be contacted by this office with a decision.

Enclosed is a form to be completed by you to help this office determine the status of your return to work and your need for additional accommodation. The completed form must be returned to this office as soon as possible. **Failure to return the requested forms or contact this office prior to the expiration of your FMLA could result in your termination.**

Please contact this office if you have any questions. We look forward to your return.

Nicholas Stewart,
DOC Central Human Resources Administrator

Please contact this office if you have any questions. We look forward to your return.

<http://DOC.Arkansas.gov>

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All employees on FMLA leave for their own serious health condition must provide documentation from their physician that they can complete the essential functions of their job prior to returning to work. Enclosed is an Essential Job Functions form that must be completed by your physician and returned to this office as soon as possible but no later than [DATE]. ¶

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If your physician indicates that you need an accommodation to complete one of the essential functions of your job or gives you an anticipated return to work date that is after the expiration of your available FMLA leave, we will consider whether such accommodation can be made without undue hardship to DOC and contact you with a decision. ¶

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OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
 North Little Rock, Arkansas 72114
 Phone: (501) 683-3309 | Fax: (501) 537-3958
 DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Employee Work Schedules and Leave

NUMBER: 2021-18

SUPERSEDES: 2019-03

APPLICABILITY: All Department of Corrections Employees

REFERENCE: A.C.A. §§ 21-4-201 et seq., 25-43-105, 25-43-108, and 25-43-403, Federal Family and Medical Leave Act of 1993, Americans with Disabilities Act, and the Secretarial Directive on Employee Conduct Standards and Discipline.

PAGE: 1 of 11

ISSUED BY: Original Signed by Secretary Solomon Graves

EFFECTIVE DATE: 9/16/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), 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 ensure that all DOC Employees abide by a standard work schedule that meets the needs of the DOC and the executive expectations set by the Governor.

II. DEFINITIONS:

- A. Catastrophic Leave. Leave granted to an Employee as a result of a Catastrophic Illness, after the Employee has exhausted all sick and annual leave hours.
- B. Catastrophic Illness. A medical condition or injury as certified by a physician of the Employee or the Employee's spouse, parent or child who may be claimed as a dependent under the Arkansas Income Tax Act of 1929 that requires the Employee's absence from duty for a prolonged period of time and that, except for the catastrophic leave program, would result in a substantial loss of income to the Employee because of the exhaustion of all earned sick and annual leave.
- C. Catastrophic Leave Bank Program (CLBP). A pool of accrued annual and sick leave voluntarily donated by state Employees and managed by TSS-OPM that may be approved for use by Employees who meet the catastrophic illness eligibility requirements.
- D. Central Human Resources Administrator (CHRA). An Employee who manages the operations of Central Human Resources Office.
- E. Central Human Resources Office (CHRO). Shared Services personnel who manage the overall operations of Human Resources for the DOC.
- F. Compensatory Leave. Time off in lieu of payment for overtime hours.
- G. Critical Need Employee. A designated individual in a position or job classification that is required to be staffed by the State agency twenty-four (24) hours a day and seven (7) days a week.
- H. Employee. A person employed in a legislatively-authorized position either on a full or part-time basis by the DOC. A class title and pay grade must be established in an agency's appropriation act.
- I. FMLA. Family Medical Leave Act.
- J. Leave Abuse/Unauthorized Absences. Documented abuse of leave or unauthorized absence from work (may be cause for disciplinary action).
- K. Onset of the Illness or Injury. The initial beginning, or start, as certified by a physician or other appropriate healthcare provider, of a medical condition which creates the need for a Catastrophic Leave request.

- L. Tardiness. Arriving one (1) minute or more past the scheduled start of the workday (may be cause for disciplinary action).
- M. TSS-OPM. Department of Transformation and Shared Services Office of Personnel Management.
- N. UHRC. Unit Human Resource Coordinator, area or local Unit HR Manager or Designee. Division level personnel designated to perform HR functions and duties.
- O. Worker's Compensation. A benefit provided to injured workers, or their dependents in the event of the worker's death due to the injury.

III. **PROCEDURES:**

A. WORK SCHEDULE

1. The various locations within the Divisions of the DOC, other than correctional facilities will be open for regular business between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for observed holidays and inclement weather adjustments. Correctional facilities operate twenty-four (24) hours a day, seven (7) days a week. Alternate work schedules may be authorized by a Division Director after consultation with the Secretary. Upon approval, a Division Director will notify the CHRO of any authorized alternate work schedule. An example of an alternate work schedule, requiring approval prior to implementation, would be Monday through Thursday 7 a.m. to 6 p.m.
2. Area Parole and Probation Managers may adjust office hours to allow for offenders to report at times outside of regular business days and hours. If hours are adjusted, a supervisor or the Area Manager's designee must be assigned during those hours.
3. Wardens/Center Supervisors will set staff schedules that provide for the necessary coverage of security and non-security facility job assignments.
4. A supervisor may adjust their Employee's work schedule as needed in order to meet operational needs of the Department. Employees will follow the schedule provided to them by their immediate supervisor. An example would be allowing an Employee the flexibility to work from 7:30 a.m. to 4:30 p.m. or 8:30 a.m. to 5:30 p.m. instead of the normal 8 a.m. to 5 p.m. five days a week. Any change beyond this requires approval by the appropriate Division Director.

B. LUNCH BREAKS

Non-Exempt employees not assigned to a unit security post are required to take an unpaid lunch break during their workday. Lunch breaks shall be for at least thirty (30) minutes and up to sixty (60) minutes, depending on the Employee's approved work schedule. Lunch breaks cannot be taken in order to allow an Employee to arrive late or leave early. Supervisors are encouraged to allow Employees to take short breaks as necessary to remain productive and attentive.

C. EMPOWERING ARKANSAS STATE EMPLOYEES (EASE)

All state Employees can use the EASE software to view their pay stubs, submit leave slips, view benefits details, quota overview, W-2 statements, Employee performance evaluations, etc. EASE can be accessed on a desktop, laptop, or mobile device. Employees can access the website at <https://ease.arkansas.gov>.

D. LEAVE TRACKING AND HIERARCHY

1. Employees transferring without a break in service or between state agencies and/or state-supported institutions of higher education that are covered by these policies will retain all accumulated annual leave. Employee Leave time cannot be used until it is available. Leave time can be used in increments of fifteen (15) minutes. Employees should make every effort to submit requests for leave in advance. Requests for leave should be submitted and approved prior to the end of the pay period.
2. Employees at work sites with work schedules other than eight (8) hours per day, will be charged leave based upon their daily work schedule.
3. All leave should be requested using EASE. Where EASE is not available, leave must be requested, approved, or denied in writing using an Employee leave slip from the UHRC. A hard copy of all records of leave submitted using a leave slip shall be sent to the UHRC and placed in the Time folder in Laserfiche. Employees shall track all requests for leave, approvals, and denials. Employees will submit leave in the following order:

Leave Hierarchy
Straight Time
Overtime/Compensatory
Annual Leave
Holiday Leave
Employee Birthday

4. A non-security Employee who is required to work on a legal holiday may receive equivalent time off on another date. Days off in lieu of holidays worked should be taken as soon as practical at a time approved by the Employee's supervisor.

E. LEAVE PAYOUTS

1. When an Employee terminates employment with the state, he/she is eligible to receive a payout of annual, birthday, and holiday leave balances; however, the payout cannot exceed thirty (30) days or 240 hours.
2. When an Employee transfers to another agency or terminates employment, the original agency must pay the Employee the balance of their unpaid overtime or unused compensatory time in a lump sum payment at the higher rate or the final regular rate of pay received by the Employee.
3. Employees are not entitled to payment for accrued and unused sick leave upon termination of employment. Upon retirement or death, an Employee, or beneficiary of an Employee, will receive compensation not to exceed \$7,500 for accumulated unused sick leave as outlined in the Sick Leave Incentive Payout policy on the Office of Personnel Management (OPM) website.
4. Upon retirement or death, if the balance of the Employee's sick leave does not reach the criteria for a Sick Leave Incentive Payout, the Employee or their beneficiary may donate their sick leave to the Catastrophic Leave Bank. When an Employee receives a payout for unused sick leave at retirement or death, hours used to calculate the maximum payout of \$7,500 cannot be donated to the catastrophic leave bank. Once the calculation of the number of accrued hours needed to receive a full payout of \$7,500 has been made, any remaining hours may be donated to the Catastrophic Leave Bank.

F. ANNUAL LEAVE

1. Annual Leave is paid vacation time that is earned during each month and is available the first day of the following month.
2. Annual leave is earned at a predetermined rate based on years of service:

Years of Service	Hours per Month	Days Earned Annually
1-3	8	12
4-5	10	15
6-12	12	18
13-20	14	21
20+	15	22.5

3. For Employees using approved alternative work schedules of ten (10) hour days, when taking a full day of annual leave, it will be charged at a rate of ten (10) hours a day not to exceed forty (40) working hours in a seven (7) day work week or eighty (80) hours in a fourteen (14) day pay period.
4. Employees must request leave in advance and receive approval by his or her supervisor prior to the leave beginning. Supervisors may deny a leave request due to business necessity.
5. An Employee will not earn annual leave when on Leave Without Pay status for ten (10) or more cumulative days within a calendar month.
6. An Employee interviewing for internal DOC positions may be required to submit leave, other than sick leave, if the number of interviews exceeds one (1) interview per pay period, unless prior approval is granted by the appropriate Division Director or designee.
7. At the end of the calendar year and except as provided in A.C.A. §§ 21-4-201 et seq., an Employee's accumulated annual leave that exceeds the maximum allowed shall be deposited into the catastrophic leave bank administered by the OPM. If an Employee does not want his or her accumulated annual leave to be deposited into the catastrophic leave bank, he or she shall submit a written request to DOC Central Human Resources no later than December 1st of each calendar year. DOC Central Human Resources will then submit the request to the OPM that the accumulated annual leave in question be forfeited in lieu of being deposited into the catastrophic leave bank.
8. Employees cannot borrow from anticipated future accruals and may not use annual leave accrued by other Employees.

9. Critical Need Employee

A. Procedures

1. A Critical Need Employee is prohibited from carrying over to the next calendar year more than forty-five (45) days or 360 hours. The following are positions designated by the Secretary as Critical Need Employees due to the requirement that they be staffed 24/7:
 - a. DOC Correctional Officer
 - b. DOC Corporal
 - c. DOC Correctional Sergeant
 - d. DOC Lieutenant
 - e. DOC Captain
 - f. DOC Major
 - g. DOC Food Preparation Supervisor
 - h. DOC Food Preparation Manager
2. If at the end of a calendar year, the cumulative annual leave of a Critical Need Employee exceeds forty-five (45) days or 360 hours, and one (1) or more written or electronic requests by the Critical Need Employee to use annual leave were denied, in written or electronic form, due to the staffing needs of the DOC, then the amount of the leave that was requested by the Critical Need Employee but denied shall be liquidated and paid out in a lump sum to the Critical Need Employee. Eligibility for payment is automatic; however, DOC Central Human Resources will review an eligible Employee's leave records prior to payout.
3. The DOC shall monitor the annual leave balance of a Critical Need Employee; and may request that a Critical Need Employee use annual leave to avoid his or her cumulative annual leave exceeding forty-five (45) days or 360 hours.

B. Notice

1. If the cumulative annual leave of a Critical Need Employee will exceed forty-five (45) days or 360 hours at the end of a calendar year, the DOC may instruct the Critical Need Employee to use annual leave on one (1) or more specified dates prior to the end of the calendar year.
2. If the DOC instructs a Critical Need Employee to use annual leave, the DOC shall provide notice to the Employee at least fourteen (14) days before a specified date to use annual leave.

G. SICK LEAVE

1. Procedure

- a. Regular-full-time Employees will accrue eight (8) hours per month regardless of years of service. It is available the first day of the following month. Sick leave cannot be used until it is available. An Employee will not earn sick leave when on Leave Without Pay status for ten (10) or more cumulative days within a calendar month. The use of sick leave is contingent upon the occurrence of one of the events listed below.
 - i. An Employee is unable to work because of sickness, injury, or has the need to seek medical, dental, or optical treatment.
 - ii. The spouse of an Employee or dependent child is suffering from sickness, injury or has the need to seek medical, dental, or optical treatment; or
 - iii. Death or serious illness of an immediate family member (father, mother, sister, brother, spouse, child, grandchild, grandparents, in-laws, or a person acting as a parent or guardian or dependent of the Employee).
- b. The maximum sick leave that can be carried over to the next calendar year on December 31st is 960 hours. If an Employee is off work forty (40) or more consecutive hours, an Essential Job Functions Questionnaire is required upon returning to work. A supervisor may request a doctor's excuse at any time. If requested, Employees should provide a signed statement from their medical provider stating that the illness prevented the Employee from performing his or her normal work for a specified time.

2. Notice

- a. Requests to use sick leave for medical appointments should be made in advance. Employees must notify their supervisor prior to the first thirty (30) minutes of the duty day every day of absence due to unexpected illness. If physically unable to make the notification within thirty (30) minutes, the Employee, or designee must notify the supervisor as soon as possible. If the supervisor is not available, the next supervisor in the chain of command should be notified, and a sick leave request should be submitted as soon as possible.

- b. Except as otherwise provided for in this policy, an Employee is only required to provide a doctor's excuse, when requested, to explain absence or illness. This does not preclude the requirement for detailed medical information for such purposes as FMLA, Catastrophic Leave, required fitness exams, Americans with Disabilities Act (ADA), Workers' Compensation claims etc.
3. Banked holidays, straight time, and overtime may be used in lieu of sick leave.

H. FAMILY AND MEDICAL LEAVE ACT (FMLA)

1. The Federal Family and Medical Leave Act of 1993 requires all public agencies to provide up to twelve (12) weeks of unpaid, job-protected leave per calendar year to eligible Employees for certain family and medical reasons or any qualifying need arising out of the fact that the spouse, child, or parent of the Employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
2. Federal law has expanded FMLA to provide up to 26 weeks of leave per calendar year to care for an injured military service member. Employees are eligible if they have worked within state government for at least one (1) year (cumulative) and for 1,250 hours over the previous twelve (12) months.
 - a. The FMLA provides for leave for any of the following reasons:
 - i. To care for the Employee's child after birth or placement by adoption or foster care;
 - ii. To care for the Employee's spouse, son or daughter (under age 18 or if 18 or older, incapable of self-care due to a mental or physical disability as defined by the ADA), or parent who has a serious health condition;
 - iii. For a serious health condition that makes the Employee unable to perform the essential functions of the Employee's job;
 - iv. To care for the Employee's spouse, child (over the age of 18), parent or next of kin who was injured on active duty; or
 - v. For the qualifying need when an Employee's spouse, child (over the age of 18), or parent is called to or on active duty.
 - b. An Employee must use accrued paid leave in place of unpaid leave. An Employee may take FMLA on a full time or intermittent basis.
 - c. An Employee is required to provide the employer with at least thirty (30) days advance notice before FMLA leave is to begin if the need for leave is foreseeable based on:
 - i. An expected birth;
 - ii. Placement by adoption or foster care; or
 - iii. Planned medical treatment for an Employee's or family member's serious health condition.
 - iv. If thirty (30) days' notice is not practicable, notice must be given as soon as possible. It is expected that an Employee will give notice within one (1) or two (2) working days of learning of the need for leave.
 - d. An Employee will provide at least verbal notice to his/her supervisor upon application to UHRC for FMLA, and the anticipated duration of the leave requested. The Employee must follow policy regarding call-in procedures for reporting any absence, unless there are extenuating circumstances. Requested leave time must be submitted.
 - e. The UHRC will provide a packet of information and forms for Employees requesting FMLA leave. When verbal notice is given by the Employee, the UHRC may complete the FMLA Request (Attachment I); however, the Employee is required to provide medical certification to support the request for leave. When this is not possible, the Employee must provide the certification to the DOC within fifteen (15) calendar days of receipt of paperwork. Additional certification may be required if the Employee is unable to return to work from leave at the end of the original requested period. FMLA leave may be denied or delayed if the medical certification requirements are not met.
 - f. If the agency has reason to believe an Employee's leave may be FMLA qualifying, the Employee will be provided promptly with the FMLA packet. An absence of more than five (5) consecutive days that involves continuing treatment by a health care provider may be considered sufficient reason to believe.
 - g. The supervisor must notify the UHRC or designee that an Employee has been out of work for five (5) days that involves continuing treatment by a health care provider. The UHRC will abide by the following procedures:
 - i. FMLA papers will be sent to the Employee via certified mail or email. Email will have a read receipt;

- ii. Advise the Employee of the fifteen (15) calendar day timeframe from the date information was received by the Employee to return the completed FMLA paperwork;
- iii. If the FMLA paperwork has not been returned at the end of the 15 calendar days, the FMLA may be denied or delayed if the medical certification requirements are not met;
- v. If an Employee submits medical certification that is incomplete or insufficient, the UHRC will specify in writing which information is lacking and give the Employee an additional seven (7) calendar days to cure the deficiency;
- vi. At eight (8) weeks of FMLA usage, CHRA will send the Employee via certified mail an FMLA status letter with FMLA hardship determination. This timeline may be modified when the staff member is not using the full twelve (12) weeks of FMLA;
- vii. Upon completion of the twelve (12) week period (26 weeks in the event the Employee is caring for an injured military service member), CHRA or designee will check if the Employee is unable to return to work, perform the essential functions of his/her position, and has depleted all accrued leave. The Employee may be terminated unless the Employee has requested and has been approved for an accommodation under the ADA by the appropriate Division Director or the Secretary. If a physician determines an Employee is unable to perform one of the essential functions of his/her current job due to a temporary or permanent disability, the CHRA must be notified; and
- viii. Prior to returning to work, an Employee who has been on FMLA leave due to his/her own health condition, must provide to the UHRC an Essential Job Function Questionnaire completed by his/her physician certifying fitness for duty. The UHRC will submit the completed form to the CHRA.
 - a. If an Employee is given an essential job functions with no accommodations needed, the Employee will be instructed to return to work. Copies of Essential Job Functions are available under the Human Resources tab on DOC Connect under ADC or DCC HR Forms, or may be provided by central or unit Human Resources.
 - b. Employees receiving Catastrophic Leave and/or Workers' Compensation benefits may be FMLA qualified for up to twelve (12) weeks. These awards will run concurrently if eligibility requirements are met.
- h. Under FMLA, job benefits and protection include:
 - i. For the duration of FMLA leave, the DOC will maintain the Employee's health insurance coverage under any "group health plan," under the conditions that the coverage would have been provided if the Employee had continued to work (matching portion paid by the DOC while the Employee continues to pay his/her portion);
 - ii. When an Employee returns from FMLA leave, he or she must be restored to the same job or to an "equivalent job". The Employee is not guaranteed the actual job held prior to the leave. An equivalent job means a job that is virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions (including shift and location).
 - iii. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the Employee's leave;
 - iv. Employees must meet all conduct standards to be eligible, regardless of being absent from work because of medical leave;
 - v. Employees approved for FMLA will be approved for only the amount of time noted on the medical paperwork. If more FMLA is needed, the Employee must submit a request for additional FMLA paperwork to UHRC; and

I. CATASTROPHIC LEAVE

1. The Catastrophic Leave Bank Program allows the continuation of salary and benefits for an eligible Employee who has exhausted all paid leave due to a medical condition and/or Catastrophic Illness. A prolonged period of time is a continuous period of time (minimum of thirty (30) days) whereby a medical condition prevents the Employee from performing his/her duties.
2. The combination of catastrophic leave for the stated medical condition(s) that are due to illness/injury or for maternity purposes, which an Employee receives may not exceed 1,200 hours in a calendar year (1,040 hours for illness/injury and 160 hours for maternity purposes).
3. All Catastrophic Leave requests must be submitted to TSS-OPM for review and determination.
4. Eligibility requirements to apply for Catastrophic Leave are as follows:
 - a. The applicant must be a regular full-time Employee;

- b. The Employee must have been employed by the State of Arkansas for at least one (1) year in a regular, full-time position, prior to submitting request for Catastrophic Leave;
 - c. Employees must have exhausted all sick, annual, holiday and compensatory leave. At the Onset of the Illness or Injury, had at least eighty (80) hours of combined sick and annual leave. If a recurrence of the same illness necessitates a subsequent catastrophic leave request, the eligibility requirement that the Employee has eighty (80) hours of combined sick and annual leave at the Onset of the Illness or Injury will not be required on the illness recurrence date;
 - d. The "80-hour requirement" may be waived for an otherwise eligible Employee if an "extraordinary circumstance" is declared by the appropriate Division Director or the Secretary due to the applicant providing documentation that one (1) of the following conditions has occurred:
 - i. The Employee applying for catastrophic leave had, during the previous one (1) year period, another medically documented, catastrophic illness, as defined by this policy, that was not compensated under the CLBP that caused the exhaustion of all annual/sick leave; or
 - ii. The Employee applying for catastrophic leave had, during the previous one (1) year period, exhausted his/her sick and annual leave as a direct result of supplementing workers' compensation benefits, which were received due to an on-the-job injury or illness with the State of Arkansas.
 - e. The Employee has not been disciplined for leave abuse during the past year, from the date of application.
 - f. An Employee is eligible for approved catastrophic leave due to injury/illness for a maximum of six (6) months (1,040 hours) within a five (5) year period. Additional requests within the five (5) year period may be submitted for review and determination by the OPM Catastrophic Leave Bank Committee and State Personnel Administrator. This requirement does not apply for maternity purposes.
 - g. An Employee must not be approved for catastrophic leave for a maternity purpose unless the Employee has provided acceptable proof of the birth or placement.
 - i. For the birth of an Employee's biological child, acceptable proof includes:
 - a. A hospital announcement or discharge papers with the mother's name and/or the biological child's name; or
 - b. A birth certificate of the biological child.
 - ii. For the placement of an adoptive child in an Employee's home, acceptable proof includes:
 - a. Formal document from the placement entity with the mother's name and the child's name; or
 - b. Legal guardianship papers with the mother's name and the child's name.
 - iii. The acceptable proof will be maintained by the agency submitting the request but certified as part of the application process or as follow-up to the application using the Maternity Purposes Eligibility Date Verification form.
 - h. Approved catastrophic leave for a medical emergency or for maternity purposes must be applied concurrently with FMLA, if the Employee is eligible.
5. Catastrophic Leave Bank Program (CLBP) Administration
- a. To be considered for catastrophic leave, an Employee must complete an application, with attachments, and forward them to the CHRO. CHRO staff will notify the applicant of approval or disapproval of the request. Catastrophic Leave will not be awarded retroactively. Forms are available under the Human Resources tab on DOC Connect under ADC HR Forms or DCC HR Forms, (or may be requested from CHRO or UHRO).
 - b. Except for employees in Catastrophic leave Status for maternity purposes, employees on Catastrophic Leave will continue to accrue leave in accordance with existing leave policies and will receive the normal state benefits, such as agency contributions to insurance and retirement.
 - c. Employees in Catastrophic Leave status for maternity purposes will earn leave as set out in the Maternity Leave section.
 - d. An Employee may be dismissed for failing to report to work promptly at the expiration of the period of approved catastrophic leave. Nothing, however, will prevent the agency from accepting satisfactory reasons provided by the Employee in advance of the date the Employee is scheduled to return to work and from granting leave without pay status to an Employee after the expiration of catastrophic leave if, the Secretary determines, such action is warranted. For Employees pending approval of Catastrophic leave, supervisors should not take disciplinary action for Leave Without Pay (LWOP) until the application has been formally approved or denied. Alleged or suspected abuse of the

CLBP will be investigated and on a finding of wrongdoing, an Employee must repay all leave hours awarded from the CLBP and will be subject to disciplinary action as determined by the appropriate Division Director or the Secretary.

J. MATERNITY LEAVE

1. Eligible female Employees may take up to four (4) weeks of paid leave after the birth of the Employee's child or placement of an adoptive child in the Employee's home. Paid maternity leave will run concurrently with FMLA leave. Eligible male Employees may take FMLA after the birth or placement of a son or daughter or to bond with a newborn or newly placed son or daughter.
2. Maternity leave is treated as any other leave for sickness or a disability. However, an Employee may elect to take Leave Without Pay to avoid exhausting accumulated Annual and Sick Leave. Before taking maternity leave, Employees must submit a doctor's statement to their supervisor indicating when maternity leave will begin and end. An Essential Job Functions form is required upon return from Maternity Leave.
3. While on maternity leave, Employees will continue to earn annual and sick leave unless they are on leave without pay status. Consult the CHRO or the section on Family and Medical Leave Policy for requirements that may impact maternity leave. Eligibility requirements for Catastrophic Leave for maternity purposes are as follows:
 - a. Employed by the State of Arkansas for one (1) year or more.
 - b. The Employee cannot have disciplinary actions for leave abuse during the past year from the time of application.
 - c. Up to four (4) consecutive weeks of catastrophic leave with full pay may be granted to Employees for maternity purposes.
 - d. After the four (4) weeks has expired, maternity will be treated as any other leave for sickness or disability.
 - e. An Employee is eligible only within the first twelve (12) weeks after birth or adoption of a child.
4. Employees in a Catastrophic Leave status for maternity purposes during a four (4) week period will have the accrued annual and sick leave removed for the month the Catastrophic Leave status begins. If the Employee in a catastrophic leave status for maternity purposes accrues birthday leave during that time, the accrued birthday leave will be removed at the time of the birthday. If the Employee in a Catastrophic Leave status for maternity purposes accrues holiday leave during that time, the holiday leave will be removed. Birthday and holiday leave during the catastrophic maternity leave period will be reflected as paid catastrophic leave. No accrued annual, sick, holiday or birthday leave will be returned to the OPM Catastrophic Leave Bank.
5. If an Employee is eligible for both Catastrophic Leave for maternity purposes and family medical leave for maternity purposes, the two will run concurrently.

K. HOLIDAY LEAVE

1. Employees will generally be granted time off to observe all legal holidays.
2. The Governor may issue an Executive Proclamation to declare additional days as holidays in observance of special events or for other reasons.
3. Employees are not allowed to work on a holiday unless they are:
 - a. Required for security or other reasons at a 24-hour facility;
 - b. Designated as essential staff;
 - c. The General Assembly is in session; or
 - d. Authorized by a supervisor.
4. Employees who work a flex schedule earn holiday hours at the same rate as the number of hours the Employee was scheduled to work on the holiday. All "regular salaried" and "extra help" Employees will receive holiday pay if they are in pay status for at least fifteen (15) minutes on their last scheduled workday before the holiday and at least fifteen (15) minutes on the first scheduled workday after the holiday. An Employee on Leave Without Pay status is not in a pay status and not eligible to receive holiday pay.

L. EMPLOYEE BIRTHDAY

Employees are given one (1) workday in recognition of their birthday to be taken on or after their birthday. Employee birthday leave is taken at the discretion of the Employee and with the supervisor's approval. Birthday leave hours never expire and are carried forward each year.

M. ADMINISTRATIVE LEAVE

1. Administrative Leave should only be utilized, as a last resort, by the appropriate Division Director, the Secretary, or their Designee when allegations and/or complaints have been filed or made known that will affect the good order and security of the institution or office. This includes but is not limited to felonies, misdemeanors, arrests, complaints, protective orders, indictments, or during the course of an ongoing investigation.
2. The CHRA must be notified when an Employee is being placed on Administrative Leave. If the facts and circumstances of an allegation are not readily available, the task of investigating should be assigned/assumed by an Employee suited to make an objective and unbiased determination of fact.
3. The Warden/Center Supervisor/Administrator/Area Manager will notify the CHRA on incidents when an Employee is arrested and forward the documentation of the pending charges.
4. Pursuant to SD Incident Notifications Procedures, the Warden/Center Supervisor/Administrator/Area Manager must notify the Internal Affairs Division Administrator of felony arrests and any allegation(s) that would violate the sexual harassment policy or any serious incident.
 - a. This investigation should be completed within five (5) working days, when possible, beginning the day of notification of the allegation.
 - i. If possible, the Warden/Center Supervisor/Administrator/Area Manager should consider alternative duties in their area, institution, or another unit for the Employee under investigation. In those sensitive positions where an Employee's behavior reflects on their ability to perform the job, and where no alternate duties can be assigned, the Employee may be relieved of duty, pending the outcome of an investigation.
 - ii. If no alternative is available, the Warden/Center Supervisor/Administrator/Area Manager will place the Employee on leave for up to five (5) working days and will arrange an internal investigation surrounding the circumstances.
 - iii. If the Internal Affairs investigation is not completed within five (5) working days, the Warden/Center Supervisor/Administrator/Area Manager via the CHRA shall make a written request to the appropriate Division Director or the Secretary to extend the leave with a copy to the appropriate Deputy Director. The appropriate Division Director or the Secretary may grant an extension of administrative leave, approve a job reassignment of the Employee until the investigation is completed, or deny the request.
 - iv. The leave will be administrative paid leave only after the Employee is found innocent of all allegations. If the Employee is found guilty of all allegations, the leave will be unpaid administrative leave. The Employee may have the option of utilizing any leave (other than sick leave) on the books based on the Leave Hierarchy if found guilty.
 - b. Following the completion of the investigation, the Warden/Center Supervisor/Administrator/Area Manager may:
 - i. Return the Employee to regular duty status;
 - ii. Return the Employee to duty status but reassign to another post; or
 - iii. Initiate disciplinary action in accordance with the SD Employee Conduct Standards and Discipline.
 - c. Employees of the DOC involved in any incident where force has been used against another person or persons may be placed under Administrative Leave with pay status at the discretion of the appropriate Division Director or the Secretary. The Administrative Leave will be until a time that the appropriate Division Director or the Secretary deems appropriate to return the Employee to duty or after all documentation and investigations are complete.
 - d. The Warden/Center Supervisor/Administrator/Area Manager will submit to the appropriate Division Director, the Secretary, and appropriate Deputy Director a written report covering the results of the investigation and their decision on the Employee's work status.
 - e. Administrative leave cannot be initiated by an Employee.

N. CHILD EDUCATIONAL ACTIVITIES LEAVE (CEAL)

All state Employees will be entitled to eight (8) hours of leave, regardless of the number of children or grandchildren (pre-kindergarten through Twelfth (12th) grade), during a calendar year for the purpose of engaging in and traveling to and from the educational activities or interscholastic activities of a child. Documentation of the school related event is required. CEAL that is unused in one (1) calendar year may not be carried over to the next year and is not compensable to a state Employee at the time of retirement. For further guidance regarding CEAL, please visit the OPM website <https://www.transform.ar.gov/personnel/policy/>.

O. COURT AND JURY LEAVE

1. Employees serving as a juror in a state or federal court are entitled to use Court and Jury Leave for compensation and to retain any fees paid for such services.
2. Employees who are subpoenaed as a witness to give a deposition or testimony in state or federal court, at a hearing, or before any office with the power to issue a subpoena, are entitled to the following:
 - a. If the Employee is an unpaid witness in a matter within the Employee's scope of employment:
 - i. To use Court and Jury Leave for compensation if subpoenaed to appear on a scheduled workday. Employees who work night shifts will be allowed to take court and jury leave on the night shift of the day on which they served. The Employee shall furnish certified documentation from the court indicating that the Employee served Court or Jury Duty to their supervisor. It is the responsibility of the supervisor to submit the document to the UHRC.
 - ii. To mileage fees if they use a personal vehicle for travel in obeying the subpoena and the DOC does not reimburse the Employee for travel expenses if subpoenaed to appear on a workday.
 - iii. To retain any witness and mileage fees rendered to him or her if subpoenaed to appear on a non-workday.
 - b. If the Employee is a witness in a matter outside the scope of employment and the Employee is not serving as a paid expert witness or is not a party to the matter:
 - i. To use Court and Jury Leave for compensation.
 - ii. To mileage fees if the Employee does not use a state-owned vehicle for travel in obeying the subpoena.
 - c. If the Employee is a law enforcement officer who is subpoenaed to appear when the officer is not scheduled for regular duty, the Employee is not entitled to his/her regular salary but is entitled to retain any witness or mileage fees paid to him or her.
 - d. If the matter is outside the Employee's scope of employment and the Employee is serving as a paid expert or is a party to the case, the Employee is not entitled to use Court and Jury Leave and is required to use annual leave.

P. MILITARY LEAVE

1. Military Leave for Annual Training. Regular, full-time state Employees who are members of the National Guard or the reserve branches of the United States Armed Forces will be granted leave at the rate of fifteen (15) working days per calendar year, plus necessary travel time for annual training purposes.
 - a. Up to fifteen (15) unused military leave days may be carried over to the succeeding year for a maximum of thirty (30) military leave days for military training purposes for that calendar year.
 - b. Employees who are members of the Inactive Reserve Corps of the United States Public Health Service (USPHS) who desire to take leave for the purpose of participating in the civil defense and public health training programs made available by the USPHS are eligible for this leave benefit. Employees who are drafted, called up for active duty or for specialized training may also be eligible for military leave benefits. The Employee must submit a copy of his or her first orders for a calendar year to their supervisor and the UHRC. Thereafter, the Employee must submit military leave requests with orders through his or her supervisor to the timekeeper. The timekeeper shall maintain the documentation.
 - c. Return to work after discharge. Employees must report for work on the first regularly scheduled workday within eight (8) hours after discharge from military service. If the Employee serves more than thirty (30) days, but less than 181 days, he/she must report within fourteen (14) days after discharge. If the Employee serves more than 180 days, he/she must report within ninety (90) days after discharge from military service.
 - d. Uniformed Services Employment and Reemployment Rights Act (USERRA). For information about USERRA refer to the poster in your place of employment, the U.S. Department of Labor website, or contact the CHRA.
 - e. Active Duty for Military Service. A regular full-time Employee who is drafted or called to active duty in the Armed Forces of the United States or who volunteers for military service is placed on extended military LWOP. Unused sick and annual leave at the time of military leave will be reinstated at the time the Employee returns unless he/she requests and receives a lump-sum payment for the annual leave balance when placed on the extended military leave.
 - f. If an Employee voluntarily goes on active or full-time military duty, he or she must notify the UHRC prior to going on active duty. If the Employee fails to provide such notice, he or she may be terminated.
 - g. Active Duty for the Purpose of Specialized Training. When military members volunteer or are ordered to active duty for the purpose of special training, they are placed on LWOP for the period of training unless they elect to use accrued annual leave. The LWOP is given in addition to the paid leave for annual military training. In such situations the

military member will retain eligibility rights including accumulated annual leave and sick leave. Sick and annual leave do not accrue during the LWOP period.

- h. Exigency Leave. Eligible Employees are entitled up to twelve (12) weeks of leave in a calendar year because of “any qualifying exigency” arising because the spouse, son, daughter, or parent of the Employee is on covered active duty or has been notified of an impending call or order to covered active-duty status in support of a contingency operation. The qualifying exigencies for which Employees can use exigency leave are as follows:
- i. Short-notice deployment;
 - ii. Military events and related activities;
 - iii. Childcare and school activities;
 - iv. Financial and legal arrangements;
 - v. Counseling, rest, and recuperation;
 - vi. Post-deployment activities; and
 - vii. Additional activities not encompassed in the other categories but agreed to by the DOC and Employee.
- i. Military Caregiver Leave. Eligible Employees who are the spouse, parent, child or next of kin of a service member who incurred a serious injury or illness on active duty in the Armed Forces may take up to 26 weeks of leave in a calendar year to care for the injured service member. Military Caregiver Leave is used in combination with regular FMLA leave. FMLA leave is without pay; however, if an eligible Employee has accumulated unused sick or annual leave, the Employee is required to substitute the paid leave, including any paid catastrophic leave benefits, for any FMLA leave taken during the 12-week period, with the exception that Employee taking maternity leave may elect to not substitute accrued, unused sick and annual leave while on FMLA leave. Time taken prior to a request or approval for FMLA leave may be charged against the allowable FMLA time.

V. ATTACHMENTS:

1. Family Medical Leave Act Return to Work Form
2. Family Medical Leave Act Status Letter
3. CLBP - Application for Maternity Purposes Eligibility Date Verification
4. CLBP - Application for Maternity Purposes
5. CLBP - Application for Medical Emergency due to Illness/Injury Purposes
6. CLBP - Dependent Child Certification
7. CLBP - Physician's Certification

Attachment 1

Department of Corrections
SHARED SERVICES
Human Resources



2403 East Harding Ave.
Pine Bluff, AR 71601
Phone: (870) 850-8510
Fax: (870) 850-8550

Family Medical Leave Act Return to Work Form

Employee Name _____ Personnel Number _____

Address _____ City _____ State _____ Zip _____

Contact Phone _____ Email _____ Unit/Office _____

Job Title _____ Supervisor's Name _____

Original Anticipated Return to Work Date _____

Do you anticipate you will be cleared by your physician to return to work on the date above? Yes No

If no, what is your new anticipated return to work date? _____

Will you be able to complete all essential functions of your job upon your return to work? Yes No

If no, please explain (must be verified by your physician):

Prior to returning to work you must have your physician complete the enclosed Essential Job Functions form.

If you are unable to return to work upon the exhaustion of your available FMLA leave or will need accommodations to complete your essential job functions, you **MUST** contact the Human Resources Office to discuss your options. Failure to do so may result in termination.

Employee Signature

Date

Department of Corrections
SHARED SERVICES
Human Resources



2403 East Harding Ave.
Pine Bluff, AR 71601
Phone: (870) 850-8510
Fax: (870) 850-8550

Date

Employee Name
Employee Address

Re: Family Medical Leave Expiration

Dear [EMPLOYEE NAME]:

According to our records, your leave under the Family and Medical Leave Act (FMLA) is scheduled to end soon. It is important that we confirm your return to work as soon as possible.

Based on the information provided in your FMLA Request Form, your current FMLA leave is scheduled to end on [DATE]. Therefore, we expect your return to work on the following business day. If the amount of leave you originally anticipated has changed or you do not intend to return to work, you must contact this office as soon as possible.

All Employees on FMLA leave for their own serious health condition must provide documentation from their physician that they can complete the essential functions of their job prior to returning to work. Enclosed is an Essential Job Functions form that must be completed by your physician and returned to this office as soon as possible but no later than 10 days after you have received this letter.

If your physician indicates that you need an accommodation to complete one of the essential functions of your job or gives you an anticipated return to work date that is after the expiration of your available FMLA leave we will consider whether such accommodation can be made without undue hardship to DOC. You will be contacted by this office with a decision.

Enclosed is a form to be completed by you to help this office determine the status of your return to work and your need for additional accommodation. The completed form must be returned to this office as soon as possible.

Failure to return the requested forms or contact this office prior to the expiration of your FMLA could result in your termination.

Please contact this office if you have any questions. We look forward to your return.

Nicholas Stewart,
DOC Central Human Resources Administrator

Please contact this office if you have any questions. We look forward to your return.



146 Department of Transformation and Shared Services - Office of Personnel Management
Catastrophic Leave Bank Program
Application for Maternity Purposes Eligibility Date Verification

Authorized by ACA §§ 21-4-203, 21-4-209, 21-4-214

OPM Case # _____

Instructions: Please complete this form to verify an applicant's eligibility date for maternity purposes, if applicant did not provide an exact date and documentation on the original catastrophic leave application for maternity purposes, with regard to the date of birth of the employee's biological child or the placement date of an adoptive child in the employee's home.

NOTE: The award of catastrophic leave for maternity purposes is based on the availability of donated leave within the OPM Catastrophic Leave Bank and the employee's eligibility for and compliance with law, policy and procedure.

Part I - Human Resource Verification: (To be completed by the agency human resources officer or designee regarding the employee.)

Employee's Name (Last, First) _____

Personnel Number _____

Agency Number and Name _____

Work Phone _____

Type of catastrophic leave for maternity purposes requested:

1. The birth of the employee's biological child.

Date of Birth:

- a. Hospital announcement with the mother's name and/or biological child's name.
- b. Hospital discharge papers with the mother's name and the child's name.
- c. Birth certificate of the child.

2. The placement of an adoptive child in the employee's home.

Date of Placement:

- a. Document from the placement entity with mother's name and/or child's name.
- b. Legal guardianship papers with the mother's name and the child's name.

Documentation provided to support the maternity purpose above if different from the selections above:

Beginning date for catastrophic leave for maternity purposes

Ending Date

Total amount of catastrophic leave for maternity purposes _____

 Agency Human Resources Officer's or Designee's
 Name/Signature

 Position Title

 Work Phone

OPM Catastrophic Leave Bank
 1509 West Seventh Street
 DFA Building, Room 201
 Little Rock, AR 72201

OPM Catastrophic Leave Bank
 P.O. Box 3278
 Little Rock, AR 72203-3278



Department of Transformation and Shared Services - Office of Personnel Management
Catastrophic Leave Bank Program Application for Maternity Purposes

Authorized by ACA §§ 21-4-203, 21-4-209, 21-4-214

OPM Case #

Instructions: Please complete this form to apply for catastrophic leave for maternity purposes. Type or print legibly. Note: the requirements by each maternity purpose below. Provide the completed application and applicable requirement to your supervisor.

NOTE: The award of catastrophic leave for maternity purposes is based on the availability of donated leave within the OPM Catastrophic Leave Bank and the employee's eligibility for and compliance with law, policy and procedure.

Part I - Application and Certification: (To be completed by employee or designee on the employee's behalf.)

Employee's Name (Last, First) Personnel Number
Agency Number and Name Work Phone
Home Address Home/Cell Phone Home e-mail address

Applicant Certification: (Check the appropriate box.)

I certify I am requesting catastrophic leave for maternity purposes due to:

- 1. The birth of my biological child. (Applicant must provide agency HR officer acceptable proof of actual date of birth.)
2. The placement of an adoptive child in my home. (Applicant must provide agency HR officer acceptable proof of placement date.)

I understand and agree with the following:

I have been employed with state government for at least one (1) year in a regular, full-time position.
I am not required to exhaust annual or sick leave before being granted catastrophic leave for the maternity purpose stated above.
I will not accrue annual or sick leave while receiving catastrophic leave for the maternity purpose stated above for the month the catastrophic leave begins.
If, during the period the employee is in a catastrophic leave status, any birthday or holiday leave is accrued, it will be removed and reflected as catastrophic leave.
I may be granted up to four (4) consecutive weeks of catastrophic leave with pay within the first twelve (12) weeks after the birth of my biological child or placement of an adoptive child in my home.
After the expiration of the four (4) weeks of catastrophic leave for either maternity purpose above, maternity leave shall be treated as any other leave for sickness or disability per ACA § 21-4-209.
I will forfeit the catastrophic leave benefits if I terminate my employment or my employment is terminated.
I will have my approved catastrophic leave for maternity purposes run concurrently with the Family and Medical Leave Act (FMLA) provisions, if eligible.
I will comply with the provisions of law, policy and procedure; if verified abuse, misrepresentation or fraud is found, I shall repay all of the leave hours awarded me from the OPM Catastrophic Leave Bank and be subject to disciplinary action up to and including termination.
I have not applied for and am not receiving social security disability benefits.
Any unused catastrophic leave for the maternity purpose stated above shall be returned to the OPM Catastrophic Leave Bank.
I consent to the encrypted electronic distribution of this document within and outside the agency for the purpose of completion, consideration and determination by my agency and DFA-OPM.

Signature of Employee/Designee Requesting Catastrophic Leave for Maternity Purposes

If Designee, State Relationship

Date

Part II - Supervisory Verification: (To be completed by employee's supervisor.)

I am aware this employee is [] will be [] eligible to apply for catastrophic leave for maternity purposes from the date of this application.

Agency Supervisor's Name/Signature

Position Title

Work Phone

Date

148 Department of Transformation and Shared Services - Office of Personnel Management
Catastrophic Leave Bank Program Application for Maternity Purposes

OPM Case # _____

Employee's Name (Last, First) _____

Personnel Number _____

Part III - Human Resources Verification: (To be completed by the agency human resources officer or designee regarding the employee.)

Position Title _____ Class Code _____ Pay Grade _____ Position # _____

Full-time Yes No Hourly Rate of Pay _____ Career Service Date _____

Latest Hire Date _____ Last Day Worked _____ Date of Birth _____

Beginning date of approved catastrophic leave for maternity purposes _____ Expected ending date _____

Total hours requested _____ Proof of birth or placement has been provided: Yes No

Catastrophic Leave for Illness/Injury Benefits: Yes No Applicant applied for catastrophic leave for illness/injury during the past one (1) year period.

If yes, how many hours of catastrophic leave were awarded/used by the applicant? _____ / _____

Catastrophic Leave for Maternity Purposes: Yes No Applicant applied for catastrophic leave for maternity purposes during the past one (1) year period.

If yes, how many hours of catastrophic leave were awarded/used by the applicant? _____ / _____

Workers' Compensation Benefits: Yes No Applicant applied for/was receiving Workers' Compensation during the past one (1) year period.

If yes, what is the status of the application? Applied Pending Approved Denied

Date workers' comp began _____ Expected duration _____

Amount of workers' comp benefits _____ Hourly rate of pay on date of accident? _____

In conjunction with workers' comp benefits, how many hours of catastrophic leave for maternity purposes are needed weekly? _____

FMLA: Has the applicant applied for family and medical leave? Yes No Will the approved catastrophic leave run concurrently with FMLA leave? Yes No

If no, explain: _____

Agency Human Resources Officer's or Designee's Name/Signature _____ Position Title _____ Work Phone _____ Date _____

Part IV - Agency Director or Designee Verification: (To be completed by the agency director or designee.)

I certify the employee's application for catastrophic leave due to the designated maternity purpose is appropriate and the information provided by the agency is complete and correct.

Signature of Agency Director/Designee

If Designee, State Title

Date



Department of Transformation and Shared Services - Office of Personnel Management
Catastrophic Leave Bank Program
Application for Medical Emergency due to Illness/Injury Purposes

Authorized by ACA §§ 21-4-203, 21-4-209, 21-4-214

OPM Case #

Instructions: Please complete this form to apply for catastrophic leave for a medical emergency due to illness/injury. Type or print legibly and attach all required documentation. Provide the completed application and applicable requirement to your supervisor.

NOTE: The award of catastrophic leave for medical emergency is based on the availability of donated leave within the OPM Catastrophic Leave Bank and the employee's eligibility for and compliance with law, policy and procedure.

Part I - Application and Certification: (To be completed by employee or designee on the employee's behalf.)

Employee's Name (Last, First) Personnel Number
Agency Number and Name Work Phone
Home Address Home/Cell Phone Home e-mail address
Name of Patient Relationship to Employee Patient's date of birth

Applicant Certification: (Check the appropriate response for each statement.) I certify:

- Yes No 1. I am requesting catastrophic leave for a medical emergency due to illness/injury purposes as stated on the Physician's Certification.
Yes No 2. I will have exhausted all paid accrued leave before using approved catastrophic leave for the medical emergency.
Yes No 3. I expect to be absent from work without paid leave due to this medical emergency.
Yes No 4. I had at least 80 hours of combined sick and annual leave at the onset of this medical emergency or I have attached the required documentation to request an "extraordinary circumstance" waiver of the 80 hours.
Yes No 5. I am eligible for retirement or social security/social security disability benefits.
Yes No 6. I have applied for retirement benefits; date of application.
Yes No 7. I have applied for social security/social security disability benefits; date of application.
Yes No 8. I am receiving social security/social security disability benefits; date benefits began

I understand and agree with the following:

I have been employed with state government for at least one (1) year in a regular, full-time position.
I will not accrue annual or sick leave while receiving catastrophic leave for the medical emergency during a period of 10 or more days in a month.
If, during the period the employee is in a catastrophic leave status, any birthday or holiday leave is accrued, it will be removed and reflected as catastrophic leave.
Any unused catastrophic leave for the maternity purpose stated above shall be returned to the OPM Catastrophic Leave Bank.
I will forfeit the catastrophic leave benefits if I terminate my employment or my employment is terminated.
I will comply with the provisions of law, policy and procedure; if verified abuse, misrepresentation or fraud is found, I shall repay all of the leave hours awarded me from the OPM Catastrophic Leave Bank and be subject to disciplinary action up to and including termination.
I will have my approved catastrophic leave due to illness/injury run concurrently with the Family and Medical Leave Act (FMLA) provisions, if eligible.
The recommendations of the OPM Catastrophic Leave Bank Committee or the State Personnel Administrator are not subject to grievance, arbitration or litigation.
I consent to the encrypted electronic distribution of this document within and outside the agency for the purpose of completion, consideration and determination by my agency and DFA-OPM.

Signature of Employee/Designee Requesting Catastrophic Leave for a Medical Emergency

If Designee, State Relationship

Date

**Department of Finance and Administration - Office of Personnel Management
Catastrophic Leave Bank Program Application for Medical Emergency
due to Illness/Injury Purposes**

OPM Case # _____

Employee's Name (Last, First) _____

Personnel Number _____

Part II - Supervisory Verification: (To be completed by employee's supervisor.)

From the date of this application, the employee has has not received a documented disciplinary action for leave abuse during the last one (1) year period.

Agency Supervisor's Name/Signature_____
Position Title_____
Work Phone_____
Date**Part III - Human Resources Verification:** (To be completed by the agency human resources officer or designee regarding the employee.)

Position Title _____ Class Code _____ Pay Grade _____ Position # _____

Full-time Yes No Hourly Rate of Pay _____ Career Service Date _____

Latest Hire Date _____ Last Day Worked _____ Date of Birth _____

Date employee will begin Leave Without Pay (LWOP) _____ Total catastrophic leave hours requested _____

Beginning Date of Approved Catastrophic Leave _____ Expected ending date of Approved Catastrophic Leave _____

Catastrophic Leave for Illness/Injury Benefits: Yes No Applicant applied for catastrophic leave for illness/injury during the past one (1) year period.

If yes, how many hours of catastrophic leave were awarded/used by the applicant? ____ / ____

Catastrophic Leave for Maternity Purposes: Yes No Applicant applied for catastrophic leave for maternity purposes during the past one (1) year period.

If yes, how many hours of catastrophic leave were awarded/used by the applicant? ____ / ____

Workers' Compensation Benefits: Yes No Applicant applied for/was receiving Workers' Compensation during the past one (1) year period.

If yes, what is the status of the application? Applied Pending Approved Denied

Date Worker's Comp began _____ Expected Duration _____

Amount of workers' comp weekly benefits _____ Hourly rate of pay on date of accident? _____

In conjunction with workers' comp benefits, how many hours of catastrophic leave for maternity purposes are needed weekly? _____

FMLA: Has the applicant applied for family and medical leave? Yes No Will the approved catastrophic leave run concurrently with FMLA leave? Yes No

If no, explain: _____

Agency Human Resources Officer's or Designee's Name/Signature_____
Position Title_____
Work Phone_____
Date**Part IV - Agency Director or Designee Verification:** (To be completed by agency director or his/her designee)

I certify the employee's application for catastrophic leave due to a medical emergency is appropriate and the information and supporting documentation provided by the agency is complete and correct.

Signature of Agency Director/Designee_____
If Designee, State Title_____
Date



Catastrophic Leave Bank Program Dependent Child Certification

Part I - To Be Completed by Employee or Employee's Designee

I hereby certify that: _____
Name of Child

SSN: _____ Date of Birth: _____

- a. resides in my home at least 50% of the time Yes No
- b. receives at least 50% of support from me Yes No
- c. is a dependent child Yes No
- d. is a dependent on my Arkansas Income Tax Yes No

e. if not claimed as a dependent - please explain below:

Arkansas Code §21-4-203 (4) states that **"Catastrophic Illness" means a medical condition of an employee or of the spouse or parent of the employee or of a child of the employee which may be claimed as a dependent under the Arkansas Income Tax Act of 1929.**

I authorize the Arkansas Individual Income Tax Section to verify that the above listed child is claimed as a dependent on my Arkansas Individual Income Tax Return for the most recent tax year.

Employee's Agency

Agency Address and Fax #

Employee Signature

SSN

Date

For verification of dependent status, submit to:

Arkansas Individual Income Tax, 227 Ledbetter Building, Little Rock, AR 72201 or FAX 501-682-7691

Part II - To be completed by Arkansas Individual Income Tax Section

I hereby certify that the above listed child was was not listed as a dependent child of the employee for the most recent tax year.

Name and Title, DFA-Revenue-Individual Income Tax Section

Date



Catastrophic Leave Bank Program
Physician's Certification

Note: The employee and/or patient is responsible for the completion of this form at his or her own expense. All information listed on this form will be kept confidential and is not to be released to or by the employer without written consent of the employee.

Name of Employee (Last, First) _____

Address (Street, City, State, Zip) _____

Name of Patient (Last, First) _____

Authorization to Release Information: I hereby authorize the undersigned physician to release information acquired in the course of my examination or treatment to my employer. My employer will provide his certification to the OPM Catastrophic Leave Bank Program for eligibility determination purposed for short-term disability benefits. I understand that this authorization to disclose information will expire thirty (30) days after the date of my signature or upon receipt by the physician of my written revocation, whichever comes first.

Employee's Signature
(or Legal Representative)

Date

Patient's Signature or Legal Representative
(if Different than Employee)

Date

To Be Completed by Patient's Physician

The following questions apply only to the conditions related to the patient's application for short-term disability benefits from the State of Arkansas Catastrophic Leave Bank Program - Medical Emergency due to Illness/Injury.

1. History

(a) When did patient first seek treatment for this illness/injury? _____

Date

(b) Could this illness/injury be work related? Yes No

(c) To your knowledge, has patient ever had the same or similar condition? Yes No

If "Yes," state when and describe:

2. Present Condition

(a) Is surgery: Required? Elective? Date of Surgery: _____

When was the patient informed by the attending physician? _____

Date

(b) Is patient (check one) ? Ambulatory House Confined Bed Confined Hospitalized

3. **Diagnosis** Give a **COMPLETE** narrative of the nature and extent of the present illness/injury which is creating the need for short-term disability provided by the State's Catastrophic Leave Bank Program. Please be **specific**. For example: Stating the employee/patient has skin cancer is not sufficient; further stating the cancer is basal cell or melanoma is needed, or, stating the employee/patient requires or has had abdominal surgery is not sufficient; further stating whether the surgery is/was laparoscopic or open surgery is needed. Refer to website: <http://www.dfa.arkansas.gov/offices/personnelManagement/Pages/forms.aspx> for the brief or detailed listing of compassionate allowance cases.

4. Continuing Required Treatment for this Illness/Injury

(a) Projected Date of first office visit/treatment: _____
Date

(b) Frequency of visits/treatments Weekly Monthly Other _____

(c) When did you last examine patient? _____
Date

(d) Give a brief description of the continuing treatments required by this illness/injury:

5. Prognosis and Anticipated Time Duration that Employee Will Be Unable To Work Due To The Health Condition of Employee or Required Direct Care of a Family Member

(a) If there are no further complications, what is the minimum recovery time of the patient before the employee may return to work?

Approximate Return Date: _____

(b) What is the maximum recovery time of the patient before the employee may return to work?

Approximate Return Date: _____

(c) If the patient is a State Employee, is there a possibility of working intermittent or reduced schedule or returning to work on a part-time basis with job duties altered, within reason, to better fit his/her needs?

Yes No If yes, Approximate Return Date: _____

Please explain any limitations:

Clinic Name

Address

Telephone

Physician's Name (print)

Physician's Signature

Date



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Death Row

NUMBER: 2021- SUPERSEDES: 11-40

APPLICABILITY: Supermax Unit Employees and Death Row Inmates

REFERENCES: AR 802 Classification, AR 865 Offender Visitation, AR 867 Use of Telephone

PAGE 1 of 4

APPROVED: EFFECTIVE DATE:

I. POLICY:

To provide a safe, humane living environment for inmates housed under a sentence of death in the Arkansas Division of Correction (ADC) awaiting execution.

II. PROCEDURES:

A. Classification

Inmates on death row are classified based on how they relate to other inmates on death row, their institutional history of conflict or compatibility, and consistent with the safety, security, and good order of the institution. A list will be established and maintained to assure that inmates with previous conflicts will not be housed or receive recreation at the same time. To provide for a uniform process of classifying inmates assigned to death row, each inmate will be screened by the Unit Classification Committee. A Death Row Classification Review Sheet (Attachment) will be completed during each classification review. Each of the following items must be checked and noted on the review sheet.

Item A

Prior Convictions. The number of prior convictions that resulted in incarceration.

Item B

Assaultive Behavior. The number of incidents of assaultive behavior the inmate has been involved in while assigned to death row.

Item C

Institutional Behavior. Assessment of the inmate’s overall institutional adjustment and behavior.

Item D

Escape History. Has the inmate ever escaped custody and when the escape occurred.

Item E

Protection Consideration. The inmate’s need for protection due to physical stature and/or enemies among the death row population.

Item F

Psychological Stability. Assessment of inmate’s psychological stability. This assessment must include input from Mental Health personnel.

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Item G.
Case Status. The status of the inmate's criminal case.

Item H.
Inmate Input. Any comments the inmate makes regarding classification status.

B. Classification Committee Actions

All inmates assigned to Death Row will be reviewed at least once every six (6) months by the Un
Classification Committee. Any change in the inmate's status must be made by the classification
committee and must be reflected on a Death Row Classification Review Sheet (attachment).

C. Class Status and Meritorious Good Time

While inmates under sentence of death do not earn meritorious good time and privileges are not
predicated by class status, it is necessary to maintain the class status for each inmate in the event an
inmate's sentence is changed by a court or commutation.

1. Sentence changed by court – when a death sentence is changed through the court system, the inmate
shall be credited with good time that would have been earned had the inmate not been under
sentence of death, consistent with state law.
2. Sentence changed by commutation – if the governor commutes a death sentence or lifts
imprisonment without parole to a term of years, the inmate shall not be paroled, nor shall the length
of his/her incarceration be reduced in any way to less than the full term of years specified in the
order of commutation or in any subsequent orders of commutation (Ark. Stat. 41-1306).

D. Discipline

Inmates will be subject to the same disciplinary policy and procedure as general population inmates.
Any punitive time received may be served in the Death Row cellblock, if determined to be in the best
interest of security and approved by the Chief Security Officer, Deputy/Assistant Warden or Warden.

E. Visitation

1. General visitation is Monday through Friday, from 8:00 a.m. to 11:00 a.m. or 1:30 p.m. to 4:30 p.m.
Visits may be scheduled by appointment only through the Visitation Office, with at least twenty
four (24) hours advanced notice. Each inmate may be allowed only one (1) regular visit per week.
Approved visitors and the number of visits will conform to Administrative Rule 865. Offender
Visitation. If it is determined that this visitation procedure becomes burdensome to the institution,
the procedure may be altered by the approval of the Director.
2. Attorneys of record wishing to visit with death row inmates must call the Warden or
Deputy/Assistant Warden's office to schedule a visit.

F. Contact Visitation

1. Contact visitation privileges may be granted under the conditions and provisions set forth in this
policy. Any exceptions to this policy shall be determined according to court order and applicable
law. To be eligible to submit a request for a contact visit, a death-row inmate must meet each of
the following requirements:
 - a. Has resided on death row for one (1) year;
 - b. No pending disciplinary charge;
 - c. No minor disciplinary conviction for the past sixty (60) days;

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d. No major disciplinary conviction for the past year. This one-year period may be reduced to no less than six (6) months upon recommendation of the Classification Committee and approval of the Warden.

2. If eligible, the inmate must submit a request for consideration for contact visitation to the Chief Security, who will make a recommendation to the Classification Committee. The committee will review each request and make a recommendation to the Warden. The warden will give final approval or disapproval for the request for contact visitation. The warden may deny, terminate, suspend contact-visitation privileges for one or more death-row inmates to maintain or restore the security or good order of the prison.

G. Recreation

1. Inmates will be offered outside exercise one hour per day, five days per week in a covered exercise area when weather conditions permit. Unused exercise time cannot be accumulated. The Warden/Deputy/Assistant Warden may use discretion based on security needs to determine the number of death row inmates that may exercise together at a time.

2. Adequate recreational equipment for exercise yard use will be provided.

H. Chaplain Visits

Chaplains should make routine visits in the death row area and be available to inmates upon request. Certified Religious Assistants (one who is properly trained and has been approved by the Warden and Administrator of Chaplaincy Services), may be allowed into the non-contact visitation area to counsel with inmates on a one-on-one basis or conduct group religious services with no more than four inmates at a time. (inmates must be in hand and leg restraints).

I. Privileges

1. Television Privileges & Schedule

a. Inmates can watch television inside their cells. Televisions may be turned on at 10:00 a.m. Monday through Friday and at 8:00 a.m. on Saturday and Sunday. Televisions will be turned off after the 10:00 p.m. news on Sunday through Thursday, and after the first late movie on Friday and Saturday.

b. Viewing of special events must be approved by the Warden or Deputy/Assistant Warden.

c. Death Row inmates will be given the same DVD privileges as general population.

2. Showers

Inmates will be given the opportunity to shower three (3) times per week.

3. Legal Materials

Per Administrative Rule 841, papers and documents of a legal nature may be retained by the inmate in a reasonable quantity.

4. Library/Law Library Call

Inmates shall have equal opportunity for ordering and accessing books from the Unit Library and the Unit Law library as inmates in the general population at the Varner Supermax Unit. Inmates are permitted to keep the books for a period of one (1) week.

5. Mail

Vertical sidebar containing numerous 'Deleted:' entries, some with icons, likely representing a list of redactions or deletions from the document.

Inmates will be offered the same mail privileges as the general population. Mail will be delivered to the cells Monday through Saturday consistent with U.S. Mail Services. Mail will be picked up and inspected for contraband Monday through Friday by mailroom personnel. ADC personnel shall read properly marked legal mail that inmates send to or receive from their attorneys, investigators, experts who are assisting the inmate's attorney. All incoming privileged correspondence will be handled per Administrative Rule 860.

6. Commissary

Inmates will be offered the opportunity to purchase commissary items two (2) times per week. Inmates will not be permitted to keep metal/glass cans or containers in their cells. Products purchased in metal/glass containers must be emptied into personal plastic containers.

7. Barber Services

Inmates will be offered barber services upon request (as the schedule allows) on a weekly basis.

8. Movement

Prior to any movement out of cells, inmates shall be handcuffed behind the back and shall be escorted with appropriate staff only. Upon removal from the cell, the inmate will be required to submit to a strip search. Upon returning to the cell, the inmate must be placed in the cell and the cell door locked prior to removing restraints. Leg restraints may be used as authorized by the Warden or designee.

9. Education

Requests for education services will be coordinated by the Warden and the head teacher at the unit.

10. Medical/Dental/Mental Health Services

Inmates may submit a Sick Call Request to a medical staff member, during the time when medical staff are making rounds in the area.

NOTE: Emergency medical/dental/mental health services will be handled as such.

11. Personal Property

Inmates will be allowed to keep a reasonable amount of personal property in their cells. The amount of personal property kept by inmates will be the same as general population inmates. Additional items must be approved in writing by the Warden.

12. Telephone Calls

Requests for telephone calls by inmates will be handled in accordance with Administrative Rule 860. Use of Telephones. Requests for telephone calls to legal counsel will be expeditiously handled by correctional personnel. ADC personnel shall not listen to phone calls that are:

- a. Conducted by using an attorney's telephone number that has been properly registered with the ADC; and
- b. Between an inmate and his/her attorney (including investigators and experts who are assisting the inmate's attorney).

13. Clothing

Inmates will be issued the same clothing as general population inmates at the Varner Supermax Unit.

Note: Nothing in this policy shall create a property or liberty interest that does not otherwise exist.

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Attachment

DEATH ROW CLASSIFICATION REVIEW SHEET

INMATE NAME _____ SK # _____

MEDICAL CLASS _____

CONSIDERATIONS:

A. Prior Convictions:

- 1. None or one
- 2. Two or more

E. Protection Considerations:

- 1. None
- 2. Minor
- 3. Major

B. Assaultive Behavior:

- 1. None
- 2. One
- 3. Two or more

F. Psychological Stability:

- 1. Emotionally Stable
- 2. Mild Concerns
- 3. Serious Concerns

C. Institutional Behavior:

- 1. Excellent
- 2. Average
- 3. Poor

G. Case Status:

- 1. Reversed and remanded
- 2. On appeal or stayed
- 3. Execution Date Set

D. Escape History:

- 1. None
- 2. Over 5 years ago
- 3. Less than 5 years ago

H. Inmate Input:

- 1.

COMMENTS:

CLASSIFICATION COMMITTEE _____

RECOMMENDATION: _____

DATE: _____ CLASSIFICATION COMMITTEE: _____

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AR 867 – Use of Telephone¶

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DEATH ROW CLASSIFICATION REVIEW SHEET

CLASSIFICATION REVIEW SHEET

INMATE NAME ____ SK # _____

MEDICAL CLASS ____

CONSIDERATIONS:

A. Prior Convictions: E. Protection Considerations:

- 1. None or one _ 1. None _____
- 2. Two or more _ 2. Minor _____
- 3. Major _____

B. Assaultive Behavior: F. Psychological Stability:

- 1. None _ 1. Emotionally Stable _____
- 2. One _ 2. Mild Concerns _____
- 3. Two or more _ 3. Serious Concerns _____

C. Institutional Behavior: G. Case Status:

- 1. Excellent _ 1. Reversed and remanded _____
- 2. Average _ 2. On appeal or stayed _____
- 3. Poor _ 3. Execution Date Set _____

D. Escape History: H. Inmate Input:

- 1. None _ 1. Out-of-cell activities _____
- 2. Over 5 years ago _ 2. Limited out-of-cell activities _____
- 3. Less than 5 years ago _ 3. Refuses out-of-cell activities _____

COMMENTS: _____

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CLASSIFICATION REVIEW SHEET

INMATE NAME ____ SK # _____

MEDICAL CLASS ____

CONSIDERATIONS:

A. Prior Convictions: E. Protection Considerations:

- 1. None or one _ 1. None _____
- 2. Two or more _ 2. Minor _____
- 3. Major _____

B. Assaultive Behavior: F. Psychological Stability:

- 1. None _ 1. Emotionally Stable _____
- 2. One _ 2. Mild Concerns _____
- 3. Two or more _ 3. Serious Concerns _____



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: Death Row

SUPERSEDES: 11-40

NUMBER: 2021-11

APPLICABILITY: Supermax Unit Employees and Death Row Inmates

REFERENCES: AR 802 Classification, AR 865 Offender Visitation, AR 867 Use of Telephone
 AR 841 Inmate Property Control, AR 860 Inmate Correspondence, and
 Ark. Ann. Code § 5-10-101

PAGE: 1 of 4

APPROVED: Original Signed by Dexter Payne **EFFECTIVE DATE:** 7/1/2021

I. POLICY:

It is the policy of the Arkansas Division of Correction (ADC) to provide a safe, humane living environment for inmates housed under a sentence of death while awaiting execution. Nothing in this policy shall create a property or liberty interest that does not otherwise exist.

II. PROCEDURES:

- A. Classification. Inmates on death row are classified based on how they relate to other inmates on death row, their institutional history of conflict or compatibility, and consistent with the safety, security, and good order of the institution. A list will be established and maintained to assure that inmates with previous conflicts will not be housed or receive recreation at the same time. To provide for a uniform process of classifying inmates assigned to death row, each inmate will be screened by the Unit Classification Committee. A Death Row Classification Review Sheet (Attachment) will be completed during each classification review. Each of the following items must be checked and noted on the review sheet:
1. Item A- Prior Convictions. The number of prior convictions that resulted in incarceration.
 2. Item B- Assaultive Behavior. The number of incidents of assaultive behavior the inmate has been involved in while assigned to death row.
 3. Item C- Institutional Behavior. Assessment of the inmate’s overall institutional adjustment and behavior.
 4. Item D- Escape History. Has the inmate ever escaped custody and when the escape occurred.
 5. Item E- Protection Consideration. The inmate’s need for protection due to physical stature and/or enemies among the death row population.

6. Item F- Psychological Stability. Assessment of inmate's psychological stability. This assessment must include input from Mental Health personnel.
 7. Item G- Case Status. The status of the inmate's criminal case.
 8. Item H-Inmate Input. Any comments the inmate makes regarding classification status.
- B. Classification Committee Actions. All inmates assigned to Death Row will be reviewed at least once every six (6) months by the Unit Classification Committee. Any change in the inmate's status must be made by the classification committee and must be reflected on a Death Row Classification Review Sheet.
- C. Class Status and Meritorious Good Time
1. While inmates under sentence of death do not earn meritorious good time and privileges are not predicated by class status, it is necessary to maintain the class status for each inmate in the event an inmate's sentence is changed by a court or commutation.
 - i. Sentence changed by court – when a death sentence is changed through the court system, the inmate shall be credited with good time that would have been earned had the inmate not been under sentence of death, consistent with state law.
 - ii. Sentence changed by commutation – if the Governor commutes a death sentence or life imprisonment without parole to a term of years. The inmate shall not be paroled, nor shall the length of his/her incarceration be reduced in any way to less than the full term of years specified in the order of commutation or in any subsequent orders of commutation Ark. Ann. Code § 5-10-101.
- D. Discipline. Inmates will be subject to the same disciplinary policy and procedure as general population inmates. Any punitive time received may be served in the Death Row cellblock, if determined to be in the best interest of security and approved by the Chief Security Officer, Deputy Warden or Warden.
- E. Visitation
1. General visitation is Monday through Friday, from 8:00 a.m. to 11:00 a.m. or 1:30 p.m. to 4:30 p.m. Visits may be scheduled by appointment only through the Visitation Office, with at least twenty-four (24) hours advanced notice. Each inmate may be allowed only one (1) regular visit per week. Approved visitors and the number of visits will be in accordance with Administrative Rule 865 Offender Visitation. If it is determined that this visitation procedure becomes burdensome to the institution, the procedure may be altered by the approval of the Director.
 2. Attorneys of record wishing to visit with death row inmates must call the Warden or Deputy Warden's office to schedule a visit.
- F. Contact Visitation
1. Contact visitation privileges may be granted under the conditions and provisions set forth in this policy. Any exceptions to this policy shall be determined according to court order and applicable law. To be eligible to submit a request for a contact visit, a death-row inmate must meet each of the following requirements:
 - a. Has resided on death row for one (1) year;
 - b. No pending disciplinary charge;
 - c. No minor disciplinary conviction for the past sixty (60) days;

- d. No major disciplinary conviction for the past year. This one-year period may be reduced to no less than six (6) months upon recommendation of the Classification Committee and approval of the Warden.
2. If eligible, the inmate must submit a request for consideration for contact visitation to the Chief of Security, who will make a recommendation to the Classification Committee. The committee will review each request and make a recommendation to the Warden. The Warden will give final approval or denial for the request for contact visitation. The Warden may deny, terminate, or suspend contact-visitation privileges for one or more death-row inmates to maintain or restore the security or good order of the prison.

G. Recreation

1. Inmates will be offered outside exercise one hour per day, five days per week in a covered exercise area when weather conditions permit. Unused exercise time cannot be accumulated.
2. The Warden/Deputy Warden may use discretion based on security needs to determine the number of death row inmates that may exercise together at a time.
3. Adequate recreational equipment for exercise yard use will be provided and a good faith effort will be made to maintain the equipment in a good state of repair.

H. Chaplain Visits. Chaplains should make routine visits in the death row area and be available to inmates upon request. Certified Religious Assistants, a person who is properly trained and has been approved by the Warden and Administrator of Chaplaincy Services, may be allowed into the non-contact visitation area to counsel with inmates on a one-on-one basis or conduct group religious services with no more than four (4) inmates at a time (inmates must be in hand and leg restraints).

I. Privileges

1. Television Privileges & Schedule

- a. Inmates can watch television inside their cells. Televisions may be turned on at 10:00 a.m. Monday through Friday and at 8:00 a.m. on Saturday and Sunday. Televisions will be turned off after the 10:00 p.m. news on Sunday through Thursday and after the first late movie on Friday and Saturday.
- b. Viewing of special events must be approved by the Warden or Deputy Warden.
- c. Death Row inmates will be given the same DVD privileges as general population.

2. Showers. Inmates will be given the opportunity to shower three (3) times per week. A good faith effort will be made to allow inmates who participate in outside recreation an additional opportunity to shower.

3. Legal Materials. Per Administrative Rule 841, papers and documents of a legal nature may be retained by the inmate in a reasonable quantity.

4. Library/Law Library Call. Inmates shall have equal opportunity for ordering and accessing books from the Unit Library and the Unit Law library as inmates in the general population at the Varner Supermax Unit. Inmates are permitted to keep the books for a period of one (1) week.

5. Mail. Inmates will be offered the same mail privileges as the general population. Mail will be delivered to the cells Monday through Saturday consistent with U.S. Mail Services. Mail will be picked up and inspected for contraband Monday through Friday by mailroom personnel. ADC personnel shall not read properly marked legal mail that inmates send to or receive from

their attorneys, investigators, or experts who are assisting the inmate's attorney. All incoming privileged correspondence will be handled per Administrative Rule 860.

6. Commissary. Inmates will be offered the opportunity to purchase commissary items two (2) times per week. Inmates will not be permitted to keep metal/glass cans or containers in their cells. Products purchased in metal/glass containers must be emptied into personal plastic containers.
7. Barber Services. Inmates will be offered barber services upon request (as the schedule allows) on a weekly basis.
8. Movement. Prior to any movement out of cells, inmates shall be handcuffed behind the back and shall be escorted with appropriate staff only. Upon removal from the cell, the inmate will be required to submit to a strip search. Upon returning to the cell, the inmate must be placed in the cell and the cell door locked prior to removing restraints. Leg restraints may be used as authorized by the Warden or designee.
9. Education. Requests for education services will be coordinated by the Warden and the head teacher at the unit.
10. Medical/Dental Services. Inmates may submit a Sick Call Request to a correctional officer or make a request for medical/dental attention to medical staff, during the time when medical is making rounds in the area, or on an as needed basis. The medical staff member will record the inmate's name, ADC #, and general information concerning the medical request and forward this information to the Infirmary Supervisor.

NOTE: Emergency medical/dental services will be handled as such.

11. Personal Property. Inmates will be allowed to keep a reasonable amount of personal property in their cells. The amount of personal property kept by inmates will be the same as general population inmates. Additional items must be approved in writing by the Warden.
12. Telephone Calls. Requests for telephone calls by inmates will be handled in accordance with Administrative Rule 867 Use of Telephones. Requests for telephone calls to legal counsel will be expeditiously handled by correctional personnel. ADC personnel shall not listen to phone calls that are:
 - a. Conducted by using an attorney's telephone number that has been properly registered with the ADC; and
 - b. Between an inmate and his/her attorney, including investigators and experts who are assisting the inmate's attorney.
13. Clothing. Inmates will be issued the same clothing as general population inmates at the Varner Supermax Unit.
14. Staff Assignment. Correctional Officers assigned to Death Row shall be "dedicated" in the sense that their regular duties shall consist solely of matters related to Death Row. The ADC will train these officers for the assignment and require their post orders to be consistently followed each shift. Emergency staffing and security needs may arise which may prevent maintaining a "dedicated" staff on all occasions.



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

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DEATH ROW CLASSIFICATION REVIEW SHEET

INMATE NAME _____ SK # _____

MEDICAL CLASS _____

CONSIDERATIONS:

A. Prior Convictions:

- 1. None or one _____
- 2. Two or more _____

B. Assaultive Behavior:

- 1. None _____
- 2. One _____
- 3. Two or more _____

C. Institutional Behavior:

- 1. Excellent __
- 2. Average __
- 3. Poor _____

D. Escape History:

- 1. None _____
- 2. Over 5 years ago __
- 3. Less than 5 years ago _____

E. Protection Considerations:

- 1. None _____
- 2. Minor _____
- 3. Major _____

F. Psychological Stability:

- 1. Emotionally Stable _____
- 2. Mild Concerns _____
- 3. Serious Concerns _____

G. Case Status:

- 1. Reversed and remanded _____
- 2. On appeal or stayed _____
- 3. Execution Date Set _____

H. Inmate Input:

- 1. _____

COMMENTS:

CLASSIFICATION COMMITTEE RECOMMENDATION:

DATE: _____ CLASSIFICATION COMMITTEE: _____



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ADMINISTRATIVE DIRECTIVE

~~SUBJECT: Computer Security Policy/Standard~~

~~NUMBER: 16-14 SUPERSEDES: 14-38~~

~~Formatted: Font color: Red, Strikethrough~~

~~APPLICABILITY: All Employees~~

~~Formatted: Font color: Red, Strikethrough~~

~~REFERENCE: AR 104 Property Control PAGE: 1 of 4~~

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~~APPROVED: Original Signed by Wendy Kelley EFFECTIVE DATE: 6/10/2016~~

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~~I. POLICY:~~

~~To manage information and computing resources and ensure appropriate protection and security.~~

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~~II. EXPLANATION:~~

~~It shall be the policy of the Arkansas Department of Correction (ADC) to manage information and computing resources as a corporate asset by ensuring appropriate protection and dissemination throughout their life cycles. Principles of this policy are:~~

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~~A. The purpose of the ADC's computing resources and infrastructure is to enable completion of the agency's mission.~~

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~~B. All information created by ADC work is an ADC asset. For purposes of this policy, the term 'information' encompasses data, information, and knowledge which are created, stored, accessed or transmitted using computing resources.~~

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~~C. Information handled by computer systems must be adequately protected against unauthorized disclosure or modification.~~

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~~D. ADC's information and computing assets are managed throughout their life cycles based on business needs, integrity, policy and regulations.~~

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~~E. ADC's information assets are made available at the users' desktop for legitimate business use, consistent with customer requirements.~~

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~~F. ADC attempts to use an affordable, distributed computing infrastructure to protect and disseminate its information assets.~~

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~~G. ADC will develop agency policy and requirements to ensure the adequate physical and electronic protection of agency information.~~

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~~III. STANDARDS:~~

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~~ADC IT management is responsible for developing ADC computer security policy and standards, with approval of the ADC Management Team. Through the Administration Services Director, the Agency Director will receive reports from the Information Systems Technology Department.~~

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~~In general terms, ADC computer security policies will follow the applicable standards and policies published by DIS, or other authorized state-level computer security issuing entity.~~

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~~Each authorized user of an ADC computer system will be assigned a unique personal identifier (user name) and password.~~

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~~IT management will review this policy annually to ensure it is current.~~

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~~IV. PASSWORDS:~~

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- ~~• At a minimum, passwords must be changed every 90 days.~~
- ~~• Passwords shall be at least eight (8) characters in length and be a mixture of alpha and non-alpha characters.~~
- ~~• User passwords shall not be reused within six (6) password changes.~~

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~~V. WARNING BANNER:~~

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~~Warning banners are required on all access points. The banner shall warn authorized and unauthorized users:~~

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- ~~• About what is considered the proper use of the system.~~
- ~~• That the system may be monitored to detect improper use and other illegal activity.~~
- ~~• That there is no expectation of privacy while using the system.~~
- ~~• Of the penalties for noncompliance.~~

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~~VI. VIRUS SCANNING:~~

~~All computer workstations and servers attached to the state network shall have updated virus and spy ware protection software installed and enabled. At a minimum, virus definitions shall be updated weekly.~~

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~~VII. PERSONNEL SECURITY:~~

~~IT management shall implement an ongoing IT security awareness program that communicates the IT security policy to each user and promotes a complete understanding of the importance of IT security. It should convey the message that IT security is to the benefit of the organization and all its employees, and that all employees are responsible for IT security.~~

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~~IT management will ensure that IT support personnel, including contracted personnel, are subjected to an appropriate level of security clearance before they are hired, transferred or promoted, depending on the sensitivity of the position. An employee, who was not subjected to such a clearance when first hired, should not be placed in a sensitive position until a security clearance has been obtained.~~

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~~IT management should maintain a record of individuals currently authorized to access sensitive information on the ADC network~~

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~~IT management should ensure that operations and maintenance personnel, such as vendors or other service providers, have appropriate access to IT resources.~~

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~~VIII. PHYSICAL SECURITY:~~

~~Management shall establish appropriate physical security safeguards and access controls to prevent unauthorized access to areas containing computer system hardware, network equipment, backup media, and other devices or physical elements required for proper operation of ADC computer systems.~~

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~~At a minimum, Inmate accessible computers, thin clients, or other computing equipment shall NOT be installed or located in an office/area with a network accessible cable and/or a networked computer, printer, switch, modem or other communications related equipment. A lockbox for a network cable is not approved as an acceptable security mechanism. Inmate computer/devices may NOT be installed in an office with a lockbox secured network cable.~~

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~~Computer/Computer Devices provided for Inmate Access shall be secured and labeled. This access is for inmate programming and not to prepare ADC material or work product.~~

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~~Reasonable measure will be taken to physically secure mobile computing devices such as laptops, PDAs, Pocket PCs, Smartphones, iPads, flash drives, etc., from access by unauthorized users.~~

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~~Computers, terminals or other devices that provide access to sensitive data shall be configured to automatically lock the system after a maximum of 15 minutes of inactivity.~~

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~~**REFERENCES:**~~

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~~Act 751 of 2007 gives the Department of Information Systems the authority to define standards, policies and procedures to manage the information resources within the state.~~

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~~In addition, Act 1042 of 2001 states that the Executive Chief Information Officer (DIS) oversees the development of information technology security policy for state agencies.~~

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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: Disposal/Recycling of computers, Electronics, and Media~~

~~NUMBER: 19-02~~ **~~SUPERSEDES: 14-39~~**

~~APPLICABILITY: All Employees~~

~~REFERENCE: AR 104 Property Control~~ **~~Page 1 of 6~~**

~~APPROVED: Original signed by Wendy Kelley~~ **~~EFFECTIVE DATE: 1/5/2019~~**

I. POLICY:

~~Act 1410 of 2001 requires the Arkansas Division of Correction (ADC) to implement a policy for the management and sale of agency surplus computer equipment and electronics. Other applicable policies and directives from M&R, the State Department of Information System and the Office of Information Technology concerning computer/electronics equipment disposal provide additional guidance.~~

II. DEPARTMENT ENVIRONMENT:

~~The ADC provides computers and electronic equipment for its employees to function in their daily work duties. As new equipment is purchased, the ADC may reallocate the replaced equipment to other individuals with older, less powerful equipment.~~

~~Once computer/electronic equipment is no longer able to support any functions within the ADC, it is marked as surplus, and readied for disposal. This condition may be the result of: (1) capabilities of the PC (processor, memory, disks, etc.) not being able to run any currently used programs; (2) aged hardware for which there is no viable replacements; (3) failure of the hardware which results in the cost of repair exceeding the value of the system; or (4) other conditions which~~

~~make the operational usefulness of the equipment unable to support any department processing needs.~~

~~III. DEFINITIONS:~~

~~Agent—Responsibility for carrying out this policy rests with the Information Technology (IT) Division, Property Control, and the Accounting Division. The IT Division is the Agent responsible for the technical aspects of this policy. Property Control/Procurement has administrative responsibility for the actual sale, donation, recycling, or other disposal of the equipment. The Accounting Division is responsible for the financial aspect of this policy.~~

~~Computer—a programmable electronic machine that performs high-speed mathematical or logical operations or that assembles, stores, correlates, or otherwise processes information.~~

~~Degauss—for this policy only, the term degauss means the complete removal of information from a hard drive, not a specific technology for doing so. To demagnetize or render the magnetic media or hard drive completely unusable.~~

~~De-Manufacturing—end-of-life disposition of electronic devices and computers; includes recovery of hard drives and chips with resale value, the removal of commodities, such as copper, aluminum, and gold for sale to scrap consumers, the removal and hazardous waste disposal of toxins and heavy metals, and the shredding or melting of materials that can be sold and manufactured into new products.~~

~~ADC—the Arkansas Division of Correction.~~

~~Director—the Director of the Arkansas Division of Correction.~~

~~Electronics—devices utilizing electrons and electric circuits including household appliances, televisions, recording and playing devices for music or video tapes, compact discs and digital technology. Cell phones, radios and other related electronic equipment, i.e., batteries, chargers, hands free kits, etc., shall be included in this category for the purpose of this policy.~~

~~Fund—the Computer and Electronic Equipment Recycling Fund established by Act 1410 of 2001.~~

~~Marketing and Redistribution (M&R)—the Marketing and Redistribution Section of the Office of State Procurement of the Department of Finance and Administration.~~

~~Recycle—the use of previously manufactured materials including metals, glass, and plastics in the manufacture of new products.~~

~~Reuse—the use of electronics, computers, and equipment for harvesting of spare parts, resale or donation.~~

~~Surplus Computer/Electronic Equipment—computer/electronic components no longer in use in ADC, which have residual market value.~~

~~HDD: Hard Disc Drives, for the purpose of this document refers to storage drives with internal moving components or spinning discs.~~

~~SSD: Solid State Drives, for the purpose of this document refers to storage drives with no moving components, only microchip based storage.~~

~~USB/External HDD: Hard Disc Drives that connect with the use of USB or external cables that contain moving components or spinning discs.~~

~~USB/External “Jump” Drive”: Small, handheld Solid State Drives that connect via USB. Also generically referred to as Thumb Drives or USB Drives.~~

~~Legacy Storage / Floppy Disc and Tape Drives: Small 3.5” disc that are no longer used or manufactured and Magnetic tapes once used for backup purposes.~~

~~CD/DVD/BRD: Compact Disc, Digital Versatile Disc and Blu-ray Disc are optical disc used for music, software, backup and video storage.~~

~~Data Sensitivity Categorization:~~

~~LEVEL A—UNRESTRICTED: Open public data with no distribution limitations, anonymous access. May be anonymous access via electronic sources.~~

~~LEVEL B—SENSITIVE: Public data with limited availability, but which requires a special application to be completed or special processing to be done prior to access.~~

~~LEVEL C—VERY SENSITIVE: Data only available to internal authorized users. May be protected by federal and state regulations. Intended for use only by individuals who require the information in the course of performing job functions.~~

~~LEVEL D—EXTREMELY SENSITIVE: Data whose disclosure or corruption could be hazardous to life or health.~~

~~**IV.—PROCEDURES:**~~

~~A. ADC Computer/Electronics Equipment Recycling~~

~~The Unit Business Manager and Accounting Control Division is responsible for maintaining inventory control documentation of equipment purchased for ADC use. The inventory will contain the current unit location of the equipment and area of assignment until it leaves the ADC.~~

~~All computer equipment not in active service within the ADC shall be returned to the IT Division for reassignment or disposal.~~

~~After computer/electronic equipment has been returned to the IT division, it may:~~

- ~~1. Be reassigned to other ADC personnel who have need for the equipment.~~
- ~~2. Be used in a training classroom or reserved for other training requirements.~~
- ~~3. Be held to maintain a back stock of used computer hardware and electronics for use as parts harvesting for the repair, maintenance, and upgrade of other computers in use by the ADC. The back stock, whenever feasible, shall not exceed ten percent (10%) of the number of computer/electronic equipment in active use within the Department.~~
- ~~4. Readied for Disposal.~~

~~Computer/electronics equipment that cannot be assigned for productive use, will be marked as surplus, and readied for disposal according to ADC policy and procedures. Disposal methods may include return to M&R, de-manufacturing, sale to outside recycling firms, or if necessary placement in an approved landfill.~~

~~B. Surplus Computer Equipment Handling~~

~~Before computer equipment is disposed in any manner, the IT Division will ensure the hard drives are removed from the system for separate destruction. Computer equipment which has been designated as surplus will be cleared of data, and otherwise prepared for disposal within 90 days of being marked as surplus.~~

~~C. Surplus Computer & Electronics Equipment Disposal Methods~~

~~At the end of equipment's useful life, the IT Division will ready the equipment for disposal. Equipment will be inventoried to include Brand Name, Model, ADC, and Serial Numbers and placed in an outside storage container. When container has been filled the inventory list and disposal request forms will be submitted to the Accounting Control Division for disposal processing.~~

~~The ADC may dispose of surplus computer equipment by any of the following methods:~~

- ~~• Turned in to M&R for removal from the ADC's inventory according to state procedures.~~
- ~~• If equipment is refused by M&R, it may be sold to an outside commercial equipment recycler.~~
- ~~• Other methods as approved by the ADC and in accordance with the Arkansas State Computer and Electronic Solid Waste Management guidelines.~~

- ~~If all other means of recycling fail, then equipment may be disposed of in an approved landfill according to state and county regulations.~~

~~D. Media Sanitization / Data Loss Prevention~~

~~Recycled and Failed Hard Disc Drives will be Sanitized in accordance with NIST 800-88 (Guidelines for Media Sanitization) with the following categorizations:~~

- ~~Server, Shared Storage, Management Staff and Video: These drives have been used for the listed purposes or equipment and have a very high probability of containing “Very Sensitive” data. These drives will not be repurposed in less-sensitive, “General”, operations or equipment.~~
- ~~General staff and general use: These drives are used in standard computers for daily operations and are likely to store “Sensitive” data. These drives may be formatted and repurposed in other operations or equipment.~~
- ~~HDD and USB/External HDD Media will be sanitized by either Purge or Purge and Destroy methods:~~
 - ~~Purging will be accomplished by Information Technology (IT) Staff using the Degaussing machine located in the Information Technology Warehouse.~~
 - ~~Purge and Destroy will be accomplished by IT staff using the Degaussing machine in the IT Warehouse and then physically removing the disc platters from the HDD.~~
- ~~SDD and USB/External “Jump” Drive” will be sanitized by Purge and Pulverize methods:~~
 - ~~Purge and Pulverize will be accomplished by IT staff using the Degaussing machine in the IT Warehouse and then bending the device or physically destroying it.~~
- ~~Legacy Storage / Floppy Disc and Tape Drives will be sanitized by Purge and Incinerate by using the Degaussing machine in the IT Warehouse and then sending the devices to an incinerator for destruction.~~
- ~~CD/DVD/BRD devices will be shredded by IT staff with a device with specific disc shredding capabilities.~~

~~E. Distribution of Revenues~~

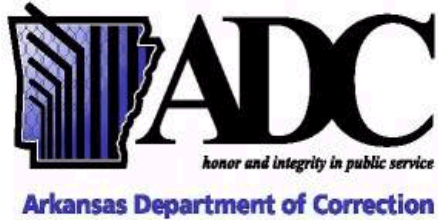
~~Distribution of revenues from any equipment sales will be in accordance with Act 1410 of 2001.~~

~~V. REFERENCES:~~

~~ACT 1410 of 2001~~

~~AD on Electronic Equipment and Systems~~

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ADMINISTRATIVE DIRECTIVE

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SUBJECT: Electronic Equipment and Systems

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NUMBER: 17-04 SUPERSEDES: 16-15

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APPLICABILITY: All Employees, Contractors, Visitors, Volunteers and Inmates

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REFERENCE: AR-104 Property Control PAGE: 1 of 6

APPROVED: Original Signed by Wendy Kelley EFFECTIVE DATE: 06/01/2017

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I. POLICY:

It will be the policy of the Arkansas Department of Correction (ADC) to develop guidelines for use of electronic equipment and a systematic program for computer hardware and software acquisition, operation, security, maintenance/upgrade, and repair to best utilize the resources of the Department.

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II. DEFINITIONS:

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A. Computer/Electronic Equipment

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Includes all personal computers (PC's), terminals, printers, network equipment and other computer related equipment (smart or cell phones, iPads/tablets, iPods/media players, smart watches, fitbits, speakers, laptops, thumb/flash drives, and other devices capable of storing computer files or software).

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B. Communications Equipment/Systems

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Includes, but is not limited to, standard land line (phone) or Internet VoIP telephones, facsimile machines, electronic mail, network computer/server access, internet and/or on-line services.

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~~III. PROCEDURES:~~

~~A. General~~

~~1. All computer equipment, hardware and software, and other electronic equipment/communication systems in use at ADC facilities belong to the Department of Correction, and are to be used for authorized ADC business only. Usage shall follow the Governor's Policy Directive on the use of state property* and applicable ADC Directive on Information Technology Use. Questions should be directed to the Information Technology Division.~~

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~~2. Existing or subsequent policies regarding any component of ADC computer/electronic equipment or communications equipment systems, misuse of state property or employee conduct are applicable to this policy and its subject matter.~~

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~~3. Use of any computer or communications system to promulgate slanderous/libelous statements will not be tolerated.~~

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~~4. Any use of state property, which would cause public embarrassment to the department, or any other state entity is forbidden.~~

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~~5. Computer or communications system or device shall not be used to send any message for the purpose of frightening, intimidating, threatening, harassing or contain sexually explicit or suggestive messages. Such access or use may result in criminal prosecution.*~~

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~~B. Computer Systems~~

~~1. General~~

~~a. Any acquisitions of computer/electronic equipment, communications equipment/systems or related equipment from other agencies or sources must be approved in writing by the Information Technology Administrator or Designee and reported to Inventory Control.~~

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~~b. Donated computers become the property of the Department of Correction and their donation shall be reported in writing to Information Technology, in addition to regular donation requirements outlined in AR 216 Accepting Gifts, Grants and Donations for the Department of Correction.~~

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~~c. Repairs, upgrades and modifications on any state owned computer (including donated computers) must be approved by Information Technology prior to being done. All maintenance, repair, upgrades and modifications of ADC computer equipment (including donated computer equipment) is restricted to~~

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~~authorized ADC IT Division personnel only. No other maintenance or repair type work may be performed by any other individuals without prior written authorization from the IT Division.~~

~~d. All materials (hardware/software/files), etc., created, installed or stored on computers of the Department become the property of the Department and are subject to being reviewed, read or removed by supervisory or management staff or Information Technology personnel.~~

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~~e. Changes to hardware or software configurations and/or other modifications shall not be made without written approval from the Information Technology Administrator, or Designee.~~

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~~f. Any change in the mission (original use) of any computer equipment must be reported to Information Technology for review and approval by the Management Team if necessary. Changes in mission may require a return to IT to be configured/rebuilt for the needs of the new mission.~~

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~~g. The primary user of the computer has the ultimate responsibility for the security and proper operation of any computer equipment assigned to them. It shall be the primary user's responsibility to ensure that other persons using the computer equipment are familiar with this policy.~~

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~~h. All computer users are responsible for the proper use and care of the equipment being used as outlined by the IT Division. Users and their supervisors are responsible for ensuring that the user has sufficient knowledge to properly operate the hardware and software/applications being used in order to prevent damage to the equipment or to the integrity or accuracy of the data being accessed. Computers must be kept in a well-ventilated area and all fans and vents must be cleaned on a regular basis to prevent overheating failures and to extend the life of the equipment.~~

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~~i. IT will contact each Warden/Administrator, to determine the designated employee to coordinate computer security and operations with Information Technology staff. This employee will notify Information Technology of changes in users, monitor physical security/configuration changes, etc., and advise Information Technology and/or the Warden/Administrator, or other authorized staff, of problems or potential problems with the computers and/or physical security.~~

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~~2. Hardware~~

~~a. The placement of all computers and related equipment purchased with Department funds shall follow the Information Technology implementation plan or be approved by the Management Team.~~

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~~b. Approval must be obtained from Information Technology prior to relocating computer equipment; Information Technology must be notified for inventory purposes and for obtaining information on cabling and to avoid downtime due to triggering Network Port Security.~~

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~~c. If equipment is sealed, the seal must not be broken without direction from the Information Technology Division.~~

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~~3. Software~~

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~~a. Only software properly licensed to the Agency and approved by Information Technology is to be utilized on computers of the Department unless prior approval has been obtained from Information Technology.~~

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~~b. All software purchases shall be approved through Information Technology to ensure compatibility.~~

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~~c. Making unauthorized copies of Agency owned software is illegal and prohibited.~~

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~~4. Security~~

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~~a. All passwords are to be protected and not given to inmates, other staff, contractors, volunteers or other unauthorized persons.~~

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~~b. Computers shall be placed in locations that lessen the possibility of tampering by visitors, unauthorized employees or inmates.~~

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~~c. Inmate accessible computers, thin clients, or other computing equipment shall NOT be installed or located in an office/area with a network accessible cable and/or a networked computer, printer, switch, modem or other communications related equipment. Lockboxes are not acceptable to secure a networked computer.~~

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~~d. Inmates shall not be permitted access to computers containing:~~

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~~(1) Inmate records, eOMIS, ACIC/NCIC, AFIS;~~

~~(2) The Department's business records; nor~~

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~~(3) Any personnel records.~~

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~~e. Inmates shall only be permitted access to a computer or computing devices:~~

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~~(1) With a purpose approved by the Management Team;~~

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~~(2) Secured for inmate use by the Information Technology Department; (i.e., Thin Clients);~~

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~~(3) Assigned for a job, program, or educational purpose, equipment must be properly labeled for inmate use; and~~

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~~(4) Vendor secured, inmate purchased through an agency approved program.~~

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~~f. Personnel servicing and/or repairing equipment shall be properly identified and not left alone while making repairs.~~

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~~5. On line Services, Bulletin Boards, the Internet, Electronic Mail (E-Mail) and other outside services.~~

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~~a. Accessing on line services, bulletin boards, etc., is only to be done in the performance of official business.~~

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~~b. Subscriptions to any non governmental or correctional outside services must be approved in writing by Information Technology.~~

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~~6. Personally owned computers, software, electronic computer equipment, electronic devices or peripherals (included but not limited to, fitbits, smart watches, cellular phones, laptops, tablets, speakers, thumb drives, etc.) shall not be brought within an ADC facility and shall not be installed, connected or otherwise integrated with any ADC computer equipment without written approval by the Director or appropriate Deputy Director.~~

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~~IV. REFERENCES:~~

~~* GPD-5 Governor's Policy Directive - Standards of Performance - State Owned Equipment and Supplies.~~

~~** Act 1153 of 1997 "To penalize harassing or threatening communications by means of computerized systems."~~

~~Act 339 of 2007 "To prohibit the integration of personally owned computer hardware, software and peripherals with state computer equipment without agency approval."~~

~~AR 216 - Accepting Gifts, Grants and Donations for the Department of Correction~~

~~AR 225 - Employee Conduct Standards~~

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REPEALED



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~~ADMINISTRATIVE DIRECTIVE~~

~~SUBJECT: Information Technology Acceptable Use Policy~~

~~NUMBER: 18-39 SUPERSEDES: 16-21~~

~~APPLICABILITY: All ADC Employees, Contractors, Volunteers and others authorized to Utilize ADC Information Technology Systems~~

~~REFERENCE: AR 104 Property Control PAGE: 1 of 13~~

~~APPROVED: Original signed by Wendy Kelley EFFECTIVE DATE: 08/24/18~~

~~I. POLICY:~~

~~It shall be the policy of the Arkansas Department of Correction (ADC) to provide guidelines as to the acceptable and proper use of the various forms of information technology that are available to its employees, contractors, volunteers, or others authorized to utilize that technology.~~

~~II. APPLICABILITY:~~

~~The Information Technology Acceptable Use Policy applies to all ADC personnel, contractors, volunteers, or others who may be authorized to utilize ADC Information Technology systems. ADC management is responsible for enforcing compliance with this policy. Violations will be subject to discipline as governed by the agency Employee Conduct Standards and Discipline Policy. Penalties for non-compliance include internal disciplinary measures, including discharge for instances of non-compliance that result in damage or otherwise compromise the ADC, its employees, or the public and initiation of criminal or civil action, if appropriate.~~

~~III. DEFINITIONS:~~

~~Agency—ADC or the Arkansas Department of Correction.~~

~~Email—A method of exchanging digital messages from an author to one or more recipients.~~

~~Archival—A collection of historical records that primarily consists of records that have been selected for permanent or long-term preservation.~~

~~Password—A secret work or string of characters that is used for authentication, to prove identify or gain access to a resource. (i.e., access code)~~

~~Copyright—Creative artist’s control of original work or intellectual property; the legal right of creative artists or publishers to control the use and reproduction of their original works. In the United States, copyright of creative works extends 50 years beyond the lifespan of its author or designer.~~

~~License Agreement—a legal contract between two parties, known as a licensor and the licensee. In a typical license agreement, the licensor grants the licensee the right to produce and sell goods, apply a brand name or trademark or use patented technology owned by the licensor. In exchange, the licensee usually submits to a series of conditions regarding the use of the licensor’s property.~~

~~VPN—Virtual Private Network—uses telecommunications infrastructure to provide remote access to the state network.~~

~~Mobile Devices—A portable, wireless computing device that is small enough to be used while held in the hand. (i.e., Smartphone, PDA, iPad, Blackberry, MP4 Players, iPods)~~

~~IV. PROCEDURES:~~

~~The ADC provides its staff with information technology resources and a local area network with access to the Internet. The purpose of these technologies is to:~~

- ~~(a) Enhance the programs and services provided by ADC;~~
 - ~~(b) Conduct ADC business;~~
 - ~~(c) Support ADC projects; and~~
 - ~~(d) Ensure that staff are equipped with the necessary tools for communication, research, collaboration, and other tasks required to fulfill job obligations.~~
- ~~Each staff member is expected to use accounts and resources for these purposes.~~

~~The Arkansas State Governor's Policy Directive GPD-5, 1997 clearly states that "Use of any and all State-owned equipment and supplies shall be restricted to official state use only. Unauthorized or personal use of equipment or supplies may be grounds for dismissal." It is the intent of this Administrative Directive to provide guidance to authorized employees in the use of the resources that are available."~~

~~Currently, applicable ADC personnel have been provided resources for Internet connectivity in order to adequately perform their job duties and responsibilities. The ADC provides approximately 2600 employees and contractors access to a networked computer. This represents 70% of the total staff in the agency.~~

~~V. GUIDELINES:~~

~~A. Information Technology~~

~~(1) Appropriate Use of Information Technology~~

~~The ADC strives to provide employees with current information technology resources and equipment. Access to these resources is necessary to complete job tasks. In general, appropriate uses of technology may include but may not be limited to:~~

- ~~a. Accessing the World Wide Web/Intranet for work related research and information gathering;~~
- ~~b. Utility and applications software that accomplishes tasks and fulfills job functions;~~
- ~~c. Communication and collaboration between staff and/or other appropriate entities;~~
- ~~d. Access to the Internet/Intranet for up to date information published by the ADC, other state agencies, and various other providers of information that may be necessary in order to complete job tasks; and~~
- ~~e. Activities or projects that support professional activities of employees. (i.e., electronic calendars, electronic scheduling of meetings, electronic prioritizing of tasks, using project management software, keeping electronic address books, and completion of work related forms electronically)~~

~~(2) Inappropriate Use of Information Technology~~

~~The following general uses are prohibited with respect to the privilege of using information technology of the agency:~~

- ~~a. Interference with the security or operation of computer systems, or restricting or inhibiting other users from using the system or the efficiency of the computer systems;~~
- ~~b. Vandalizing equipment, software, or hardware;~~
- ~~c. Attempting to alter or gain access to unauthorized files or systems;~~
- ~~d. Downloading or copying copyrighted material or files including music to state computer systems;~~
- ~~e. Using technology in a way that interferes with work obligations;~~
- ~~f. Using technology in a way that violates or infringes on the rights of any other person, including the right to privacy;~~
- ~~g. Violating the rights of others by publishing or displaying any information that is defamatory, false, abusive,~~

~~pornographic, sexually oriented, obscene, inaccurate, profane, threatening racially offensive, otherwise biased, discriminatory, or illegal material;~~

- ~~h. Knowingly transmitting material, information, or software in violation of any local, state or federal law;~~
- ~~i. Conducting any non-governmental related fund raising or public relations activities;~~
- ~~j. Conduct any political activity;~~
- ~~k. Make any unauthorized purchases or conduct any non-approved business;~~
- ~~l. Solicit the performance of any activity that is prohibited by law;~~
- ~~m. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive;~~
- ~~n. Viewing, downloading or sending pornographic or other obscene materials;~~
- ~~o. Visiting and/or participating in chat rooms not designed for professional interactions specifically related to one's job;~~
- ~~p. Encourages the use of controlled substances or uses the system for the purpose of criminal intent; or uses the system for any illegal purpose; and~~
- ~~q. Endangering productivity of the ADC.~~

~~(3) Privacy of Information~~

- ~~a. The ADC reserves the right to monitor and/or log all network activity with or without notice, including e-mail and all website communications, and therefore, users should have no expectation of privacy in the use of these resources. The Agency will not monitor e-mail transmissions on a regular basis; however, the construction, repair, operations and maintenance of electronic messaging systems may occasionally result in random monitoring of transmitted or stored messages.~~
- ~~b. Messages may be monitored during the course of investigations of illegal activity.~~
- ~~e. Supervisors and/or Managers may require access to data~~

~~(including email) under their employee's control when necessary to conduct agency business.~~

- ~~d. Any electronic record (including email) that serves to document the organization, functions, policies, decisions, procedures, operations or other activities is considered public record and subject to Freedom of Information Act (FOIA). Access to electronic records including e-mail will be in accordance with FOIA guidelines.~~

~~B. Electronic Mail (E-mail)~~

~~E-mail is considered a network activity and as such is subject to all policies regarding acceptable/unacceptable uses of the Internet. Email is a public record, subject to public inspection and is not confidential, unless specifically cited by statute. The user should not consider e-mail to be either private or secure.~~

~~(1) Purpose of E-mail~~

~~Electronic mail is provided to support open communication and the exchange of information between staff and other authorized users that have access to a network. This communication allows for the collaboration of ideas and the sharing of information. E-mail is a necessary component of teamwork at ADC.~~

~~(2) E-mail Guidelines~~

~~Each ADC personnel assigned an E-mail account is responsible for using their account in accordance with established guidelines and in such a way that does not interfere with their duties.~~

~~Accounts shall include an **Email Signature** to identify the Sender by Name, Position, Facility or Office Assigned, Email Address, and Telephone Number. If a telephone number is not assigned to your position, the Facility or Office Main Number shall be included. Fax Number, shall also be included, if one is utilized for your position. Email Signatures shall also include the Agency Confidentiality Notice.~~

Example:-

~~John Doe
Commissary
Pine Bluff Unit
John.Doe@arkansas.gov
P: — xxx-xxx-xxxx
C: — xxx-xxx-xxxx
F: — xxx-xxx-xxxx~~

~~Confidentiality Notice: This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this e-mail.~~

~~Specifically prohibited in the use of e-mail is:~~

- ~~a. Use of cursive or hard to read fonts. Use of font color other than blue or black;~~
- ~~b. Any activity covered by inappropriate use statements included in this policy;~~
- ~~c. Sending, /forwarding chain letters, virus, hoaxes, etc.;~~
- ~~d. Sending, forwarding or opening executable files (.exe) or other attachments unrelated to specific work activities, as these frequently contain viruses;~~
- ~~e. Use of abusive or profane language in messages;~~
- ~~f. Any use that reflects a non-professional image or poorly on the ADC or the State of Arkansas;~~
- ~~g. Emails may NOT have Personal Photos, Image Clips, Inspiration Messages, and backgrounds other than clear white.~~

(3) ~~E-mail Storage~~

~~System storage limits are established for email. Personnel shall maintain email by moving important information from server-stored E-mail message files to shared folders and drives to ensure proper backup and archives. Users shall receive system notices when server storage limits are approaching maximum capacity. Messages no longer needed must be periodically purged from personal storage areas. Messages requiring retention must be kept and maintained for future inquiries.~~

~~C. Internet/Intranet Guidelines~~

~~The Internet provides a wealth of information useful for educational purposes. With Internet access, an employee of ADC can utilize the many research and resource tools available online. These tools can aid in preparing reports or projects required by the agency. All ADC staff members who are authorized network users may access the Internet and other information resources and services at any time that, in the judgment of the user, such access and use will benefit ADC programs and services.~~

~~(1) Use of Internet/Intranet Access~~

~~Employees are responsible for making sure they use this access correctly and wisely. Staff should not allow Internet/Intranet use to interfere with their job duties. Acceptable uses include:~~

- ~~a. Access to and distribution of information that is in direct support of the business of ADC;~~
- ~~b. Providing and simplifying communications with other state agencies, school districts and citizens of Arkansas;~~
- ~~c. Communication of information related to professional development or to remain current on topics of general ADC interest;~~
- ~~d. Announcement of new laws, rules, or regulations; and~~
- ~~e. Encouraging collaborative projects and sharing of resources.~~

~~(2) Inappropriate Uses of Web Access Include, but are Not Limited to:~~

- ~~a. Viewing, downloading or sending pornographic or other obscene materials;~~
- ~~b. “Surfing” the Web for information not related to job assignment;~~
- ~~c. Otherwise endangering productivity of the ADC;~~
- ~~d. Audio/Video Streaming;~~
- ~~e. Purposes, which violates agency policy or Federal or Arkansas law;~~
- ~~f. Engaging in any activity for personal financial gain, such as buying or selling of commodities or services with a profit motive; and~~

~~g. Dissemination or printing copyrighted materials (including articles and software) in violation of copyright laws.~~

~~D. Network Use and User Accounts Guidelines~~

~~Use of the state's Internet/Intranet connection and E-mail resources is a privilege, and it is expected that all staff will abide by acceptable user guidelines.~~

~~Appropriate network and user account guidelines include:~~

- ~~(1) ADC personnel will only access those computer accounts, which have been authorized for their use, and must identify computing work with their own names or other approved IDs so that responsibility for the work can be determined, and users can be contacted in unusual situations. Network and Application user accounts and passwords shall never be shared.~~
- ~~(2) ADC personnel will use accounts for authorized purposes. This policy shall not prevent informal communication, but accounts will not be used for private consulting or personal gain.~~
- ~~(3) Network administrators may review files and communications to maintain system integrity and ensure that personnel are using the system responsibly. Staff should not expect files and documents to always remain private.~~
- ~~(4) Users are encouraged to maximize the use of the technologies covered under this user policy to reduce the cost of postage, letters, reports, etc.~~

~~G. Copyright Guidelines~~

~~(1) Purpose of Software Availability~~

~~ADC provides utility and application software that enhances the efficiency and productivity of its employees. ADC personnel must honor copyright laws regarding protected commercial software used at the agency.~~

~~(2) Compliance with Copyright Laws~~

- ~~a. Copyright laws do not allow a person to store copies of a program on multiple machines, distribute copies to others via disks or Internet, or to alter the content of the software, unless permission has been granted under the license agreement.~~
- ~~b. Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law.~~

- e. ~~Unauthorized use of copyrighted materials or another person's original writing is considered copyright infringement.~~
- d. ~~All staff that use software owned by ADC or the state must abide by the limitations included in the copyright and license agreements entered into with software providers.~~

~~Any user that copies and distributes software in any form for any purpose should do so only on the authority of the user's immediate supervisor.~~

~~H. VPN (Virtual Private Network)~~

~~VPN is a technology that provides a secure (encrypted) connection from a remote site to the state network for access to state hosted applications.~~

~~Approved users are granted VPN access to the state network. The Information Technology department grants access and provides configuration instructions to this resource.~~

~~(1) Use of VPN Service~~

- a. ~~It is the responsibility of those with VPN privileges to ensure that their VPN connection is not shared with unauthorized users. The VPN must be disconnected when it is not in use by an authorized user for state network resources.~~
- b. ~~All computers (state issued and personal) must use the most recent anti-virus software, definition file, and have all current security related operating system patches. Equipment and Software must be configured to comply with ADC and state security policies. It is understood that equipment used for VPN services are a de facto extension of the ADC network and as such are subject to the same rules and regulations that apply to ADC owned equipment.~~
- e. ~~VPN privileges may be revoked by ADC management at any time, for any reason and for any length of time, including permanently.~~
- d. ~~All VPN resource USE must comply with ADC and state policies regarding USE and applicable state, federal and local laws.~~
- e. ~~VPN is a "user managed" service. This means that the user is responsible for selecting an Internet Service Provider (ISP) for remote use, coordinating installation, installing any~~

~~required software, and paying associated fees.~~

- ~~f. Violations of VPN use may include loss of certain privileges or services and/or disciplinary action including termination.~~
- ~~g. VPN services are to be used solely for ADC business support purposes. All users are subject to auditing of VPN usage.~~

~~I. Mobile Devices~~

~~Mobile Devices extend end user access to agency data and resources beyond the confines of the traditional office providing the availability of the end user and the agency computing resources.~~

~~Mobile devices include, but are not limited to, a variety of devices and accompanying media that fit the following classifications:~~

- ~~a. Mobile/Cellular Phones;~~
- ~~b. Smartphone;~~
- ~~c. PDAs;~~
- ~~d. Laptop/Notebook/Tablet PCs;~~
- ~~e. Home or Personal Computers used to access the state network;~~
- ~~f. iPads and any mobile device capable of storing agency data and connecting to an unmanaged network;~~
- ~~g. USB Memory Stick;~~
- ~~h. CD/DVD;~~
- ~~i. Backup Tapes;~~
- ~~j. Floppy Disk;~~
- ~~k. MP4 Players (including iPods); and~~
- ~~l. Recording Devices.~~

~~All mobile devices and their content remain the property of the ADC and are subject to regular audit and monitoring.~~

~~J. Appropriate Use of Mobile Devices~~

- ~~a. It is the responsibility of the Mobile Device end user to adhere to all ADC policies and procedures established for standard Information Technology devices and network usage. Mobile Devices use is considered an extension of the ADC network.~~
- ~~b. All mobile devices used to conduct ADC business shall adhere to all security protocols and should be utilized appropriately, responsibly and ethically.~~
- ~~e. All end users of mobile devices must use reasonable physical security measures. Mobile Devices must be protected by a strong password. Passwords should never be shared. All data stored on the mobile device must be encrypted using approved~~

~~encryption techniques.~~

- ~~d. — End Users must follow procedures to permanently remove (wipe) ADC specific data from devices once their use is no longer required.~~
- ~~e. — In the event of a lost or stolen mobile device, the end user must notify their Supervisor immediately. The device shall be remotely wiped of all data. If recovered, notification to the Supervisor of the recovery shall follow.~~
- ~~f. — Supervisor Permission must be granted for use of Mobile Devices to make audio recordings of meetings and the meeting participants must be notified of the recording.~~

~~K. — Inappropriate Use of Mobile Devices~~

- ~~a. — Mobile Devices may not be provided to inmates for use, configuration, training and/or education, troubleshooting or for any other reason.~~
- ~~b. — The use of Mobile Devices in an attempt to bypass security implementation of network, application, and data access will be deemed as an intrusion attempt and disciplinary action may result.~~
- ~~e. — Modifications to ADC owned hardware and/or software including reconfiguration without appropriate agency approval.~~
- ~~d. — Using mobile devices in a manner that violates ADC policy, procedure or any applicable state, federal or local laws.~~

~~L. — eOMIS (Confidentiality Statement)~~

~~Purpose of eOMIS~~

~~The electronic Offender Management Information System (eOMIS) is a web-based application used to track inmate sentence and institutional records including electronic health, mental health, dental, pharmacy, lab and other added modules as needed and developed to effectively maintain offender information.~~

- ~~a. — eOMIS User Account Compliance~~

~~Correction considers all information and electronic data contained in the electronic offender management information system (eOMIS) to be confidential and sensitive in nature. It is agreed that all information obtained from eOMIS is to be treated as confidential. Access to and use of such information or data is subject to legitimate business needs, and shall only be authorized for employees whose normal job duties require such access. At no time is such information to be disseminated to unauthorized individuals, or individuals who are not approved by the Department of Correction to view this information. Exhibiting a lack of confidentiality, professionalism, integrity, or malicious intent in the dissemination of eOMIS information may result in an employee being found in violation of this policy and subject to significant disciplinary action, up to and including termination.~~

~~b. eOMIS information considered available for the public shall be released by authorized ADC personnel only or made available to the public on the ADC website.~~

~~M. Enforcement and Penalties~~

~~ADC personnel are responsible for complying with this policy. Penalties for noncompliance will be governed by agency Employee Conduct Standards and Discipline Policy.~~

~~**VI. REFERENCES:**~~

~~**Act 1287 of 2001**~~

~~Governor's Policy Directive (GPD) 5 of 1997 — State Owned Equipment and Supplies~~

~~AR 225 Employee Conduct Standards AD on Employee Conduct Standards~~

~~AD on Electronic Equipment and Systems~~

~~AD on Social Media~~

~~EE CONSENT FORM~~
~~Information Technology~~
~~Arkansas Department of Correction~~

~~Employee Name _____ Date _____~~

~~I have read this Information Technology Acceptable Use Policy and agree to comply with all its terms and conditions.~~

~~The Arkansas Department of Correction provides access to technology resources and equipment as an instrument to complete job tasks.~~

~~I understand that the agency will not monitor e-mail transmissions or internet access on a regular basis; however, through the construction, repair, performance of annual audits, and operations and maintenance, occasional monitoring may result in random user activity.~~

~~No Expectation of Privacy: Using the Agency's Technology Resources and Equipment, I waive all rights to privacy that I may have for such use. I agree that the agency representatives may monitor my use of the agency technology resources including but not limited to: email, email archives, data or record archives, voice, video transmissions, digital images, instant messages, personal email accessed from agency owned technology resources and equipment, and application usage to insure proper use of the systems. I also understand that monitoring of archives may occur even after my employment with the agency has ended.~~

~~The Arkansas Department of Correction makes no warranties of any kind, whether expressed or implied, for the service that is the subject of this policy. In addition, the Arkansas Department of Correction will not be responsible for any damages whatsoever for which an employee may suffer arising from or related to their use of any agency electronic information resources. Users must recognize that the use of state agency electronic information resources is a privilege and that the policies implementing usage are requirements that mandate adherence.~~

~~Employee _____~~

~~Date _____~~

~~Supervisor _____~~

~~Date _____~~



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

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Management of Institutional Files

NUMBER: 2021- **SUPERSEDES:** 13-164

APPLICABILITY: All Employees

REFERENCE: AR 804 Inmate Records **PAGE:** 1 of 3

APPROVED BY: **EFFECTIVE DATE:**

I. PURPOSE

To efficiently maintain data on each inmate incarcerated within the Arkansas Division of Correction (ADC), an institutional file shall be created during initial receipt of the inmate. The Director is authorized to make and preserve a complete record of every inmate committed to the ADC, along with a photograph and data pertaining to the inmate’s trial conviction and past history.

II. PROCEDURE

A. Utilization of Institutional Files

The data kept in institutional files shall be utilized for effective program management within the ADC, for release authorities, and for service to other government officials.

B. Maintenance of Institutional Files

The Records Supervisor shall be responsible for maintaining the institutional file of inmates. An inmate’s institutional file shall be created at the time of the inmate’s reception at the Ouachita River Correctional Unit (males) or the McPherson Unit (females). The institutional file shall be maintained to comply with the following requirements:

- The information required by Arkansas Ann. Code § 12-27-113 to include but not limited to: prior history, trial conviction, and a photograph shall be filed in an approved three-section file and maintained in the Records Office of each unit/center. Any identification documents such as a driver’s license or social security card will be kept in the inmate’s institutional file.
- Identification documents are to be scanned into the electronic Inmate Management Information System (eOMIS) as part of the inmate’s electronic file. Specific information in institutional files shall be maintained according to the Institutional Record Organization Chart (Attachment I).
- The institutional file shall indicate the inmate’s name, ADC number, race, sex, and any

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In order t... efficiently maintain data on eachan...inmate ...

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Commented [TW1]: Lindsay: is it 12-27-113 (just in case you want it listed)

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aliases.

- 4. The institutional files at each unit/center shall be maintained in alphabetical order for easy reference.
- 5. Format and organization of materials shall be standardized as indicated in the Institutional Record Organization Chart. An envelope secured to the inside front cover of the inmate's institutional file will be utilized to hold any inmate identification documents, which will be returned to the inmate upon release from the ADC.
- 6. All information received as indicated in the Institutional Record Organization Chart shall be filed by the Records Office personnel as soon as possible after receipt. Duplicate information can be discarded upon approval of the Records Supervisor.
- 7. ADC number changes shall be adjusted on the appropriate forms and institutional files as required.
- 8. All Sentencing Orders received on new sentences shall be processed as soon as possible.

C. Security

Institutional files not in use shall be stored inside a locked room. Files in use shall be directly supervised and controlled by a unit employee. If a file must be removed from the storage area, the "Institutional File Jacket Sign Out Card" (Attachment II) indicating the employee's name and date of removal shall be recorded and maintained in the place of the file. No unauthorized person(s) shall have access to records.

D. Privacy of Institutional Files

To protect the integrity of the data contained in the institutional files and to ensure its proper use, it is unlawful to permit inspection of or disclose information contained in those records or to copy or issue a copy of all or part of any record to any person so committed except by Court Order or as authorized by Administrative Rule.

E. Transfer of Institutional Files

Certain files are to accompany a transferring inmate from one unit to another. Unless authorized due to program, medical, or an institutional need, the following files shall be transferred with the inmate:

- 1. Medical Files
- 2. Institutional Files
- 3. Visitation Files
- 4. Picture Card
- 5. Mental Health File

Any records remaining shall be forwarded to the receiving unit as soon as possible.

F. Institutional Files Review

An institutional file review shall be conducted at the time of transfer, classification, or release. The Records Supervisor or designee shall evaluate information for accuracy and completeness.

G. Institutional Files for Released Inmates

- 1. All institutional files on paroled inmates shall be forwarded to the Centralized Records Office

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Commented [SM5R4]: When an inmate transfers from one unit to another, those 5 files must be transferred with him/her to the new unit.

Commented [TW6R4]: Shelli, I think she is asking if authorized not to send files with inmate. Comments?

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Commented [TW7]: Per Lindsay: what about inmate released because their flat or discharge?

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at Administration Annex East Building in Pine Bluff for storage. After the inmate's discharge from parole, the designated document shall be scanned and destroyed. The file will be handled pursuant to the Records Retention policy.

2. Documents are scanned into eOMIS. Documents to be scanned are photos, fingerprints, all sentencing orders, amendments and any records that have been sealed.

3. Hard copies of all records are kept for three (3) years, and then destroyed except for scanned documents that are kept for an additional two (2) years, then destroyed.

4. Interstate Compact records are not scanned; but are destroyed after five (5) years.

H. Population Roster

A population roster (either printed or electronic), providing an alphabetical listing of inmates assigned to the ADC, will be maintained by the Classification Administrator. Each unit shall maintain a population roster of the inmates assigned to that facility.

III. ATTACHMENTS

I. Institutional Records Organization Chart

II. Inmate Jacket Sign Out Card

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Commented [SM9]: We do not scan to compact disk and never have; all files are scanned into eOMIS. We do have microfilm from 1995 back to the 1800's, prior to eOMIS in 1998

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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

Attachment I

INSTITUTIONAL RECORD ORGANIZATION CHART

LEFT SIDE	RIGHT SIDE
SECTION 1	
Admission Summary	Data Entry Information pertaining to sentence (most recent)
Envelope Secured on top of Admission Summary	
Driver’s License & Social Sec. Card Inside Envelope	
SECTION 2	
Sentence Data Record	Status Assignment Sheet
Commitment Data	
Felony Information Sheet	
Court Orders	
Other Legal Documents	
Fingerprint Card	
Presentence Investigation Report	
SECTION 3	
Parole Data	Inmate Questionnaire
	Miscellaneous

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Division of Correction – Director’s Office**

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

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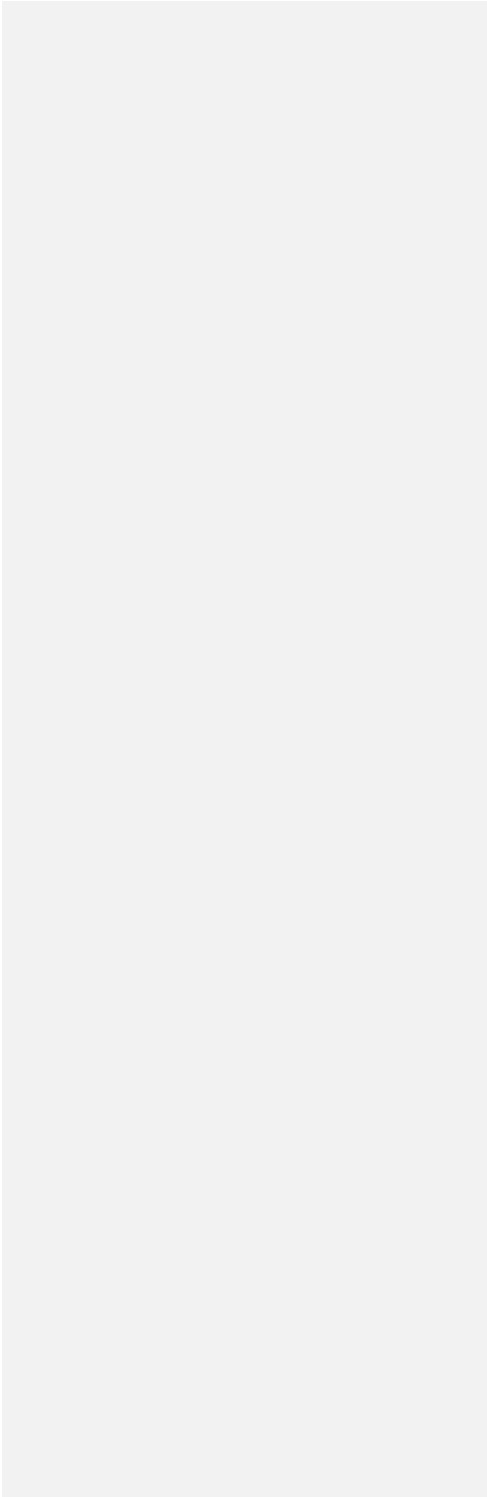
Attachment II

INMATE FILE JACKET SIGN OUT CARD

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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Management of Institutional Files

NUMBER: 2021-12

SUPERSEDES: 13-164

APPLICABILITY: All Employees

REFERENCE: AR 804 Inmate Records

PAGE: 1 of 3

APPROVED BY: Original Signed by Dexter Payne

EFFECTIVE DATE: 7/28/2021

I. PURPOSE

To efficiently maintain data on each inmate incarcerated within the Arkansas Division of Correction (ADC), an institutional file shall be created during initial receipt of the inmate. The Director is authorized to make and preserve a complete record of every inmate committed to the ADC, along with a photograph and data pertaining to the inmate’s trial conviction and past history.

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aliases.

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Institutional files not in use shall be stored inside a locked room. Files in use shall be directly supervised and controlled by a unit employee. If a file must be removed from the storage area, the "Institutional File Jacket Sign Out Card" (Attachment II) indicating the employee's name and date of removal shall be recorded and maintained in the place of the file. No unauthorized person(s) shall have access to records.

D. **Privacy of Institutional Files**

To protect the integrity of the data contained in the institutional files and to ensure its proper use, it is unlawful to permit inspection of or disclose information contained in those records or to copy or issue a copy of all or part of any record to any person so committed except by Court Order or as authorized by Administrative Rule.

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Certain files are to accompany a transferring inmate from one unit to another. Unless authorized due to program, medical, or an institutional need, the following files shall be transferred with the inmate:

1. Medical Files
2. Institutional Files
3. Visitation Files
4. Picture Card
5. Mental Health File

Any records remaining shall be forwarded to the receiving unit as soon as possible.

F. **Institutional Files Review**

An institutional file review shall be conducted at the time of transfer, classification, or release. The Records Supervisor or designee shall evaluate information for accuracy and completeness.

G. **Institutional Files for Released Inmates**

1. All institutional files on paroled inmates shall be forwarded to the Centralized Records Office

at Administration Annex East Building in Pine Bluff for storage. After the inmate's discharge from parole, the designated document shall be scanned and destroyed. The file will be handled pursuant to the Records Retention policy.

2. Documents are scanned into eOMIS. Documents to be scanned are photos, fingerprints, all sentencing orders, amendments and any records that have been sealed.
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H. **Population Roster**

A population roster (either printed or electronic), providing an alphabetical listing of inmates assigned to the ADC, will be maintained by the Classification Administrator. Each unit shall maintain a population roster of the inmates assigned to that facility.

III. ATTACHMENTS

- I. Institutional Records Organization Chart
- II. Inmate Jacket Sign Out Card



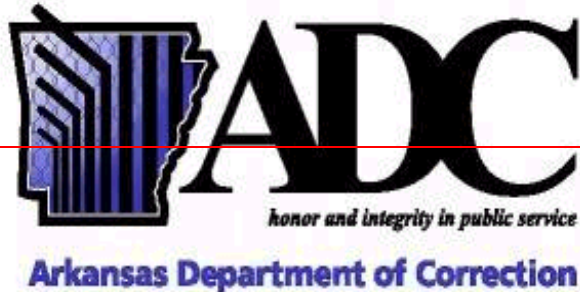
ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

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

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	Miscellaneous



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 www.adc.arkansas.gov

~~ADMINISTRATIVE DIRECTIVE~~

~~SUBJECT: Procurement/Purchasing/Disposition and Contracting Guidelines~~

~~NUMBER: 18-02~~

~~SUPERSEDES: 11-64~~

~~APPLICABILITY: Staff~~

~~REFERENCE: AR 118 Procurement and
Disposition Activities~~

~~PAGE 1 of 6~~

~~APPROVED: Original signed by Wendy Kelley~~

~~EFFECTIVE DATE: 01/25/2018~~

~~I. POLICY:~~

~~To comply with all applicable state and federal laws, guidelines and procedures governing procurement and disposition of commodities and services.~~

~~H. EXPLANATION:~~

~~This directive reflects guidelines established by the Board of Corrections for approvals required in procurement and disposition of commodities and services for the Department of Correction.~~

~~III. DEFINITIONS:~~

- ~~• Board—the Board of Corrections.~~
- ~~• Procurement—purchasing, buying, renting, leasing, contracting, or otherwise obtaining any commodities or services.~~
- ~~• Disposition—disposal, sale, or transfer of surplus commodities.~~

- ~~Emergency Procurements—acquisition of commodities or services of which, if not immediately initiated, will endanger human life or health, state and federal property, or the functional capability of a state and federal agency.~~
- ~~Sole Source Procurements—acquisition of commodities or services which, by virtue of specifications, are available only from a single source.~~

~~IV. PROCEDURE:~~

~~A. Procurement of Commodities and Services~~

- ~~1. Procedures for procurement and disposition of commodities and services shall be governed by applicable state and federal laws and procedures of agencies vested with authority to administer same. Such authority, as may be applicable, shall be included in the Administrative Services Division Procedures Manual and made available to all employees involved in procurement and disposition processes.~~
- ~~2. Procurements within approved operating budgets for various divisions/units which are not subject to other authorizations may be authorized by respective Chief Deputy/Deputy/Assistant Directors.~~
- ~~3. Inmate Welfare Fund merchandise for resale may be procured by the Warden. Other procurements from the Inmate Welfare Fund require the following approvals:
 - ~~a. Procurements of \$1,000 or less require prior approval of the applicable Warden and the Deputy Director of Administrative Services.~~
 - ~~b. Procurements of more than \$1,000 but less than \$10,000 require further approval of the applicable Chief Deputy/Deputy/Assistant Director and the Director.~~
 - ~~c. Procurements of \$10,000 or more require further approval of the Board.~~~~
- ~~4. Procurements from the Paws in Prison Fund shall be limited to operational support of the program and require the following approvals:
 - ~~a. Procurements of \$1,000 or less require prior approval of the Chief Deputy/Deputy/Assistant/Director in charge of the Paws in Prison program.~~
 - ~~b. Procurements of more than \$1,000 but less than \$10,000 require further approval of the Director.~~~~

- ~~c. Procurements of \$10,000 or more require further approval of the Board.~~
- ~~5. Emergency procurements require approval of the Director.~~
- ~~6. Sole source purchase of equipment exceeding \$50,000 requires approval of the Board. **Exception:** In the event that there is a farm equipment item available for purchase at auction, advanced approval for sole source procurement must be obtained from the Office of State Procurement and the Board of Corrections Farm Liaison **prior** to submitting a bid. If the bid is successful, details of the purchase will be provided in the following monthly report to the Board.~~
- ~~7. Procurement of capital equipment items from all fund sources requires approval of the Director. However, the Director may delegate approval authority to the applicable Chief Deputy/Deputy/Assistant Directors for procurement of specific capital equipment items and/or specific dollar amounts as specified in administrative directive(s), internal policy and/or procedure.~~
- ~~8. Procurement of commodities and services required for authorized construction/renovation projects shall be approved by the Assistant Director of Construction.~~
- ~~9. Procurement of goods utilizing Non-Revenue Tax Receipts which are derived from the coinless inmate telephone system are to be held in a special fund administered and expended by the Director of the Department of Correction within guidelines established by the Board of Corrections disbursement in support of department operations or debt service.~~
- ~~B. Disposition of Commodities~~
- ~~Disposition of commodities and natural resources shall be governed by applicable state and federal laws, guidelines and procedures. Accordingly:~~
- ~~1. Sales of industry produced commodities and services and farm produced commodities are governed by applicable state and federal laws, guidelines, and procedures.~~
- ~~2. Sale, and/or disposition of buildings, land and sales exceeding \$50,000 require approval of the Director and the Board. Demolition of any building requires the Director and Board approvals regardless of the building's value.~~

~~C. Leases~~

~~Leases of offices, storage space, land for agricultural operations, and buildings to house inmates shall be governed by applicable state and federal laws, procedures and guidelines. In addition, the following approvals are required:~~

- ~~1. Leases of office, storage space and equipment require approval of the Director.~~
- ~~2. Leases of land for agricultural operations or buildings to house inmates require approval of the Director and the Board.~~
- ~~3. Lease purchases exceeding \$50,000 require approval of the Director and the Board.~~

~~D. Procurement of Land, Buildings, Construction and/or Renovation Projects~~

~~Procurement of land, buildings, construction and/or renovation projects shall be governed by applicable state and federal laws, guidelines, and procedures. In addition, the following approvals are required:~~

- ~~1. Procurement of land, buildings, construction and/or renovation under \$50,000 requires approval of the Director.~~
- ~~2. Procurement of land, buildings, construction and/or renovation projects \$50,000 and greater requires approval of the Board.~~

~~E. Contracts~~

~~Contracts for commodities or services shall be governed by applicable state and federal law, guidelines, and procedures. In addition, the following approvals are required:~~

- ~~1. Professional and/or Consultant Services. Contracts for Professional and/or Consultant Services require approval of the Director. Contracts for \$50,000 or greater, inclusive of amendments, further require approval of the Board.~~
- ~~2. Architectural and/or Engineering Services. Contracts for architectural and/or engineering services for new construction require Board selection and approval of contractor. Selection and approval may be based on Board participation on an interview committee or on recommendation of the Director. Amendments that increase or decrease the percentage of the total contract amount to be paid the contractor require approval of the Board.~~

- ~~3. Medical Services. Contracts for medical services require Board selection and approval of contractor. Amendments that affect the scope of services, the per inmate per day contract rate exceeding the contract bid rate previously approved, the method of calculation of compensation, and other adjustments to fees to be paid require approval of the Board.~~
- ~~4. Legal Services. Contracts for legal services for representation of the departments require Board approval of the contractor. Amendments affecting the scope of services or fees to be paid require approval of the Board.~~
- ~~5. Private Facility Operation Services. Contracts for operation of prison facilities require Board selection and approval of contractor. Amendments that affect the scope of services, the per inmate per day contract rate exceeding the contract bid rate previously approved, the method of calculation of compensation and other adjustments to fees to be paid require approval of the Board.~~
- ~~6. Multiple Award Contracts~~
- ~~• The Office of State Procurement may enter into Multiple Award Contracts to facilitate the Farm operations if advantageous to the State.~~
- ~~F. In House Review All contracts for medical, legal, and operation of private facilities require review by the Department's Staff Attorney prior to consideration of the Board.~~
- ~~G. Emergency Board Approval~~
- ~~Should an emergency situation necessitate immediate procurement of commodities or services that require approval of the Board as outlined herein, the Director will contact the Board Assistant to request a special meeting by telephone for Board consideration and approval.~~
- ~~H. Reports~~
- ~~The Department shall provide a monthly report to the Board listing new or renewed contracts of \$10,000 or more.~~

~~V. STANDARDS:~~

- ~~American Correctional Association (ACA), ACA Standards for Adult Correctional Institutions.
ACA 12-27-128~~

~~APPROVED BY THE BOARD OF CORRECTIONS:~~

~~January 19, 2018~~

~~_____~~
Date

REPEALED



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

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Department Owned Housing/Mobile Home Park

NUMBER: 2021-XX SUPERSEDES: 19-01

APPLICABILITY: All Employees

REFERENCE: AR 217-Staff Assignments PAGE: 1 of 2

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I. POLICY:

It shall be the policy of the Arkansas Division of Correction (ADC) to provide housing for designated supervisory/administrative staff as specified by the Secretary of Corrections (Secretary). The Director of the ADC (Director) is the Secretary’s designee for the management of ADC housing. Lots/spaces may be provided for employees residing in privately owned mobile homes.

II. PURPOSE:

A. The Director may require administrative/supervisory personnel whose job duties require long working hours, weekend duty, and emergency attendance to live on the premises as a condition of employment. In such instances, personnel may be provided ADC owned housing.

B. The Director may authorize personnel, who are not required to live on the premises to place a personal owned mobile home on ADC property if space is available. No rent shall be charged for the space; however, such personnel will be required to pay utilities.

III. RULES AND REGULATIONS:

All employees living in ADC owned housing and/or personal owned mobile homes shall be required to follow published rules and regulations.

IV. TERMINATIONS:

A. Upon termination of employment, those living in ADC owned housing shall vacate the premises within thirty (30) days. Those living in privately owned mobile homes shall remove the mobile home from ADC property within thirty (30) days.

B. Exceptions to any of the above rules and regulations must be authorized by the Secretary, or the Director.

V. ATTACHMENTS:

- Attachment #1 Utilities Expense Reimbursement Payroll Deduction Authorization
- Attachment #2 ADC Rules and Regulations, ADC Owned Housing/Mobile Home Park
- Attachment #3 ADC Owned Housing/Mobile Home Park Weapons Inventory
- Attachment #4 Maintenance/Upkeep Checklist
- Attachment #5 Standardized Decking (with or without roof)

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Attachment I



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

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

**UTILITIES EXPENSE REIMBURSEMENT
PAYROLL DEDUCTION AUTHORIZATION**

I, _____, hereby approve a payroll deduction of \$ _____
for reimbursement of utilities expense to the Division of Correction. Such deduction will commence
with the pay period beginning on _____ and continue through the pay period
corresponding to my non-occupancy of an affected dwelling.

Signatures: _____

Payroll Information: _____

Employee _____ Date _____ AASIS Personnel Number _____

Unit _____ Position Title _____

Unit Warden _____ Date _____ Human Resource Processed Date _____

Deduction Code 2500

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Attachment II



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

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ADC RULES & REGULATIONS
DIVISION OWNED HOUSING/MOBILE HOME PARK

1. ACKNOWLEDGEMENT AND UTILITIES

- A. All employees must sign an acknowledgement and agree to abide by ADC owned Housing/Mobile Home Park Rules and Regulations prior to moving onto state property.
- B. All employees residing in the mobile home park will be required to pay a utility fee of \$_____ per pay period unless otherwise authorized by the Director. The utilities expense does not apply to Department owned housing.
- C. The employee will bear the expense for moving the mobile home into/out of the park and any materials necessary for connecting utilities. (i.e., utilities include electricity, water, sewer, and telephone).
- D. The Unit Maintenance Department will inspect the utility connections to ensure industry standards are met.
- E. Telephones will be installed at the expense of the employee unless authorized by the Warden. All employees must maintain a phone, cellular or land line, for emergency contact as a condition of residing on unit ground. No computer connections or internet access will utilize a state supplied phone line.
- F. The Unit Warden or designee may enter any dwelling during reasonable hours with at least twenty-four (24) hour notice, or at any time during an emergency to inspect with regard to compliance with the rules and regulations.

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2. FIREARMS/BOWS/PELLET/BB GUNS

- A. The use of firearms, bows, pellet/BB guns, fireworks or any other dangerous device is prohibited in or around the mobile home park/housing area residences. It shall be the responsibility of the employee to ensure all such devices are under adult supervision when not locked and stored.
- B. Each employee residing in the mobile home park/housing area will be responsible for ensuring weapons and ammunition are locked and stored in an approved gun/weapon safe separately and that a yearly inventory of all weapons (make, model and serial number) are submitted in writing to the Warden’s office at the beginning of the fiscal year.

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3. INSPECTIONS

- A. An inspection report must be completed on all ADC owned houses/mobile homes prior to/after occupancy by an employee and thereafter annually for condition, damages, maintenance, and upkeep.
- B. Annual inspections must be completed on or before June 30th each year and must be submitted to the Assistant Director for Construction and Maintenance. The Assistant Director for Construction and Maintenance shall provide an annual report including a summary of the condition of all ADC owned houses/mobile homes to the Director of ADC and to the Secretary.
- C. Inspections shall be conducted by the Warden, or designee, and the Unit Maintenance Supervisor.

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Attachment II cont.

- D. A standard checklist shall be used to ensure proper maintenance/upkeep is occurring. This checklist however should not be considered all encompassing.
- E. An employee occupying ADC owned housing shall be responsible for maintaining the condition of the housing, reasonable wear and tear excepted. In addition to this financial responsibility, failure to maintain good housekeeping and reasonable care may be grounds for a disciplinary action.
- F. Personally owned mobile homes must be maintained to keep a clean, neat, non-damaged appearance.
- G. Any damage caused by any reason must be repaired within thirty (30) days from the date the damage occurred or within thirty (30) days of notice by the Unit Warden.

4. LANDSCAPPING/YARD MAINTENANCE

- A. Flowers and shrubs are permitted. Once planted, they remain on the residence property unless permission is granted from the Unit Warden for their removal or removed as ordered by the Warden. Planting of trees by residents must be approved by Unit Warden.
- B. No front or back yard fencing is permitted in the mobile home park.
- C. No freezer, refrigerators, or appliances of any kind are permitted outside.
- D. No tires, wheels, or automotive parts are permitted outside.
- E. All toys, bicycles, etc., must be neatly put away when not in use.
- F. Outdoor patio furniture made for that purpose is permitted.

5. OCCUPANCY

- A. Occupancy is limited to the immediate family (spouse of the employee, minor child(ren) of the employee\spouse) of the employee per mobile home park/housing area.
- B. Non-immediate family members/visiting guests living in the residence for more than fifteen (15) days must be approved by the Unit Warden.
- C. Upon notice of termination, employees agree to vacate ADC owned housing/mobile home space within thirty (30) days.
- D. Employees will not be permitted to sublet/sell a mobile home to another employee to live on state property without written consent of the Director.
- E. Rent to own agreements between employees are prohibited and may result in termination and eviction.
- F. Drunkenness, immoral conduct, drug abuse, disturbances, security violations, or any illegal act will not be tolerated.
- G. Any flagrant or repeated violation to these rules and regulations will result in the employee responsible receiving disciplinary action, which may include eviction from the park and possible termination from the ADC.

6. PETS

- A. Employees will be allowed to have pets, (i.e., dogs, cats, etc.) provided they are adequately maintained and controlled. An employee occupying department owned housing is financially responsible for any damage caused by the employee's pets.
- B. Dogs must be penned or on a leash. All pets must have a current shot record.
- C. No dogs are to be tethered outside.
- D. Pens may be constructed at the owner's expense with the approval of the Unit Warden after a design plan has been submitted for review.

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Attachment II cont.

E. Exotic pets will be not permitted.

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7. QUIET HOURS

A. No loud parties or excessive noises will be permitted at any time. Quiet hours in the mobile home park/housing area will be maintained between the hours of 10:30 p.m. and 6:00 a.m.

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B. Motorcycles, four wheelers, go carts, etc., may not be used in the mobile home park/housing area for recreational purposes.

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C. Complaints should be made to the Warden verbally, followed with a written report.

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D. The speed limit in the mobile home park/housing area is twenty (20) miles per hour.

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E. The ADC is not responsible for injuries to employees (unless work related), their spouses, children, or guests. Employees should consider renter's insurance.

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8. TRASH/GARBAGE PICKUP

A. Trash must be placed in a container in designated areas for trash pick-up.

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B. Trash pick-up will be limited to household refuse only.

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C. It shall be the responsibility of the employee to dispose of large items and appliances, tires, etc.

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D. Employees are responsible for keeping the grounds free from garbage and litter.

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E. No build-up of litter or unsightly items will be permitted.

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F. The Unit will be responsible for keeping the lawn mowed.

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9. UNDERPINNING/SKIRTING/DECKS, ETC.

A. Employee will underpin their mobile home, at their expense, with skirting material approved by the Warden, within sixty (60) days from the time the mobile home is received at the unit. Underpinning/skirting must be a commercial type.

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B. Decks for mobile homes with or without roofs shall be of a standard design as outlined in this policy. Decks with or without roofs may be constructed by Unit Maintenance upon purchase of materials by employees after approval by the Unit Warden. Existing decks with or without roofs will be inspected to determine if they meet design specification outlined in this policy.

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C. The Unit Warden must approve any additions to the mobile home such as awnings, porches, decks, or placement of storage buildings. Only commercially produced carports currently in use and approved by the Warden are allowed. No new or additional carports will be permitted.

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D. Storage Buildings currently in use must be approved by the Warden. After the effective date of this policy, any storage building added to state property must be approved by the Warden and be commercially produced. Storage buildings must be similar in color to the mobile home and should not exceed two-hundred twenty (220) sq. ft. in size. No more than one (1) storage building is permitted.

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E. Any underground installations or permanent structure on the residence property becomes property of the state upon termination unless prior arrangements have been made with the Unit Warden.

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F. Nothing will be stored under decks/porches.

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G. Foil in windows is not permitted. Non-mirrored window tint installed professionally is permitted.

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10. VEHICLES/PARKING

A. Residents may possess two (2) licensed operational vehicles (exception must be approved by the Unit Warden).

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B. Vehicles must be parked in designated parking areas only.

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Attachment II cont,

- C. Non-operational vehicles may be permitted as long as the vehicle is currently registered and insured, pending Warden's approval.
- D. Boats, campers, and utility trailers must be parked in a community parking area if available. Any non-conforming vehicle will be towed at the owner's expense.

11. PAINT, FLOORS, APPLIANCES, AND MISC.

- A. State houses will not be painted with custom colors. The acceptable colors provided by ADC will be white, off white, light tan, beige, or a light gray.
- B. Carpeting will not be replaced unless the existing carpet is worn out or cannot be cleaned. If the existing carpet is not usable, it may be replaced with flooring of the ADC's choosing.
- C. Appliances will be replaced only if the existing units are non-operable. The agency only provides stove/oven, dishwasher.
- D. Refrigerators, microwave units, washer and dryers are the occupant's responsibility.
- E. Window treatments, such as blinds, or curtains are the responsibility of the occupant.
- F. Ceiling fans are not added by the ADC but will be replaced if existing fans are not functional.
- G. Telephone, television, and internet services are not the responsibility of the ADC.
- H. Tenants shall not allow items to be attached to the roof.

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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

ACKNOWLEDGMENT
OF RULES & REGULATIONS
ADC OWNED HOUSING/MOBILE HOME PARK

I, _____, AGREE TO ABIDE BY THE RULES AND REGULATIONS GOVERNING THE UNIT FREELINE/MOBILE HOME PARK AND TO BE RESPONSIBLE FOR HIS/HER DEPENDENTS, PETS, RELATIVES AND GUESTS' CONDUCT WHILE ON STATE- OWNED PROPERTY. DRUNKENNESS, IMMORAL CONDUCT, DRUG ABUSE, DISTURBANCES, SECURITY VIOLATIONS, OR ANY ILLEGAL ACT WILL NOT BE CONDONED. ANY FLAGRANT OR REPEATED VIOLATION TO THESE RULES AND REGULATIONS WILL RESULT IN THE RESPONSIBLE EMPLOYEE RECEIVING DISCIPLINARY ACTION WHICH MAY INCLUDE EVICTION FROM THE PARK AND POSSIBLE TERMINATION FROM THE ARKANSAS DEPARTMENT OF CORRECTION.

SIGNATURE

WITNESS

DATE

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Attachment III



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

DEPARTMENT OWNED HOUSING/MOBILE HOME PARK
WEAPONS INVENTORY

NAME: _____ DATE: _____
PLEASE PRINT

<u>1.</u>	<u>MAKE/ MODEL</u>	<u>SERIAL NUMBER</u>
<u>2.</u>		
<u>3.</u>		
<u>4.</u>		
<u>5.</u>		
<u>6.</u>		
<u>7.</u>		
<u>8.</u>		
<u>9.</u>		
<u>10.</u>		
<u>11.</u>		
<u>12.</u>		

My signature acknowledges receipt of rules and regulations pertaining to personal weapons. I have listed all personal weapons maintained in my residence and understand I am responsible for notifying the Warden's office of any changes in writing.

Signature _____ Date _____

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UTILITIES EXPENSE REIMBURSEMENT¶
PAYROLL DEDUCTION AUTHORIZATION¶

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I, _____, hereby approve a payroll deduction of \$____, for reimbursement of utilities expense to the Division of Correction. Such deduction will commence with the pay period beginning on _____ and continue through the pay period corresponding to my non-occupancy of an affected dwelling.¶

¶
¶
¶

Signatures: _____ Payroll

Information:¶

¶
¶

Employee _____ Date _____ AASIS Personnel Number¶

¶

Unit _____ Position Title¶

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ARKANSAS DIVISION OF CORRECTION¶
UTILITIES EXPENSE REIMBURSEMENT¶

¶

II. HALLWAY BATHROOM						
LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS	
Bathub						
Cabinets						
Ceiling						
Commode						
Floors						
Light Fixtures						
Mirrors						
Outlets						
Sinks						
Towel Rack						
Walls						
III. DOMESTIC BATHROOM						
Bathub						
Cabinets						
Ceiling						
Commode						
Floors						
Mirrors						
Outlets						
Sink						

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LOCATION

	<u>LOCATION</u>	<u>CONDITION</u> <small>good/fair/poor N/A</small>	<u>REPAIRS NEEDED</u>	<u>REPAIRS COMPLETED</u> <small>Yes/No</small>	<u>DATE</u>	<u>INITIALS</u>
IX. DINING ROOM						
▲	<u>Ceilings</u>					
▲	<u>Doors</u>					
▲	<u>Floors</u>					
▲	<u>Light Fixtures</u>					
▲	<u>Outlets</u>					
▲	<u>Walls</u>					
▲	<u>Windows</u>					
X. HALLWAYS						
▲	<u>Attic Stairway</u>					
▲	<u>Ceiling</u>					
▲	<u>Door</u>					
▲	<u>Floors</u>					
	<u>Light Fixtures</u>					
	<u>Outlets</u>					
	<u>Walls</u>					
XI. HOUSE EXTERIOR						
▲	<u>A/C Unit</u>					
	<u>Decks/Patios</u>					
	<u>Doors (Screen)</u>					
	<u>Doors (Solid)</u>					
	<u>Gutters</u>					

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	<u>LOCATION</u>	<u>CONDITION</u> good/fair/poor N/A	<u>REPAIRS NEEDED</u>	<u>REPAIRS COMPLETED</u> Yes/No	<u>DATE</u>	<u>INITIALS</u>
	<u>Roof</u>					
	<u>Steps</u>					
	<u>Underpinning</u>					
	<u>Walls</u>					
XII.	KITCHEN					
	<u>Appliances</u>					
	<u>Cabinets</u>					
	<u>Ceilings</u>					
	<u>Counter Tops</u>					
	<u>Doors</u>					
	<u>Fire Alarms</u>					
	<u>Fire Extinguisher</u>					
	<u>Lights Fixtures</u>					
	<u>Outlets</u>					
	<u>Sinks</u>					
	<u>Walls</u>					
	<u>Windows</u>					
XIII.	LIVING ROOM					
	<u>Cabinets</u>					
	<u>Ceiling</u>					
	<u>Doors</u>					

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	<u>LOCATION</u>	<u>CONDITION</u> good/fair/poor N/A	<u>REPAIRS NEEDED</u>	<u>REPAIRS COMPLETED</u> Yes/No	<u>DATE</u>	<u>INITIALS</u>
	<u>Floors</u>					
	<u>Light Fixtures</u>					
	<u>Outlets</u>					
	<u>Walls</u>					
	<u>Windows</u>					
	XIV. UTILITY ROOM					
	<u>Cabinets</u>					
	<u>Ceiling</u>					
	<u>Doors</u>					
	<u>Floors</u>					
	<u>Light Fixtures</u>					
	<u>Outlets</u>					
	<u>Walls</u>					

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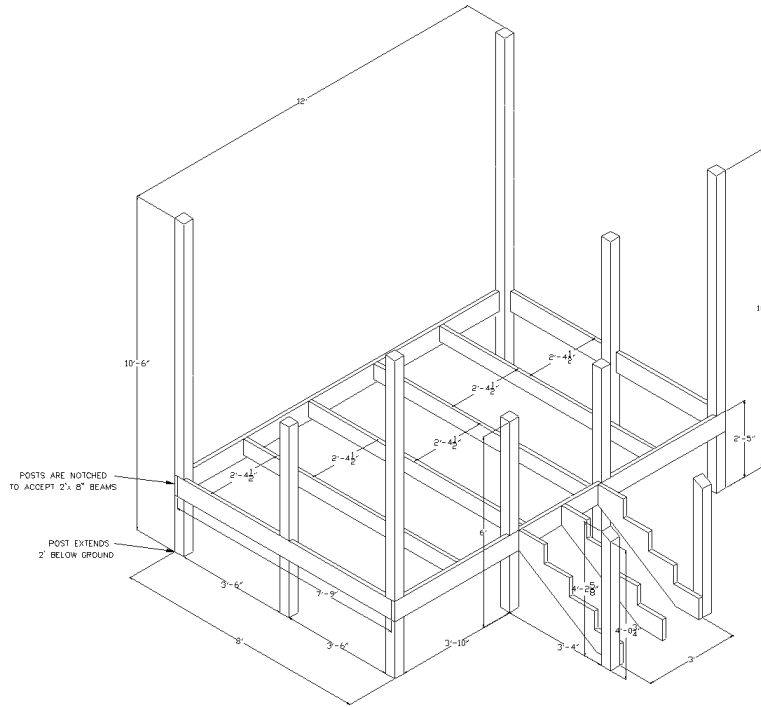
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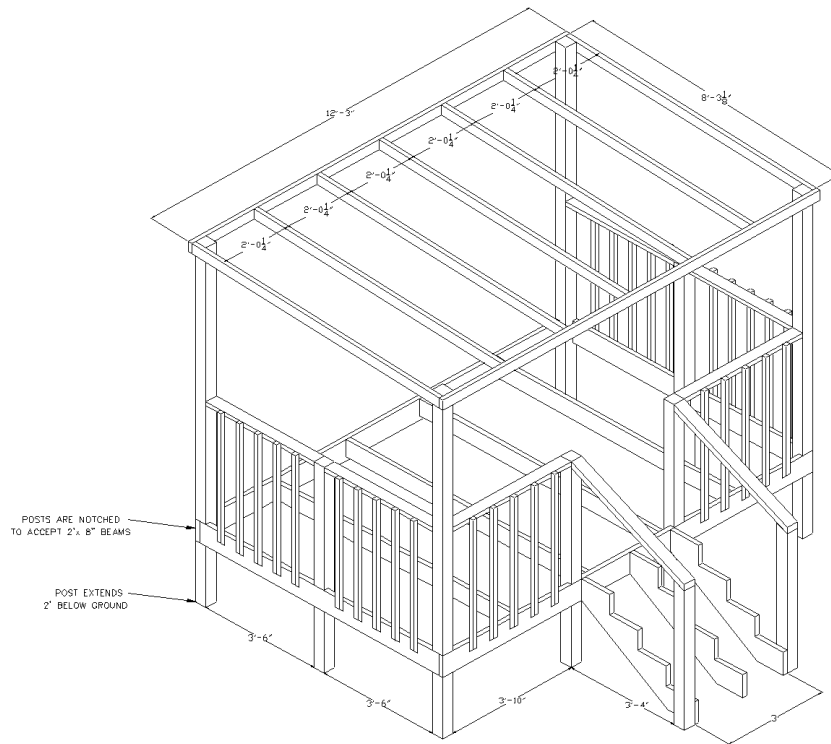
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HOME/MOBLE HOME # _____ INSPECTED BY: _____
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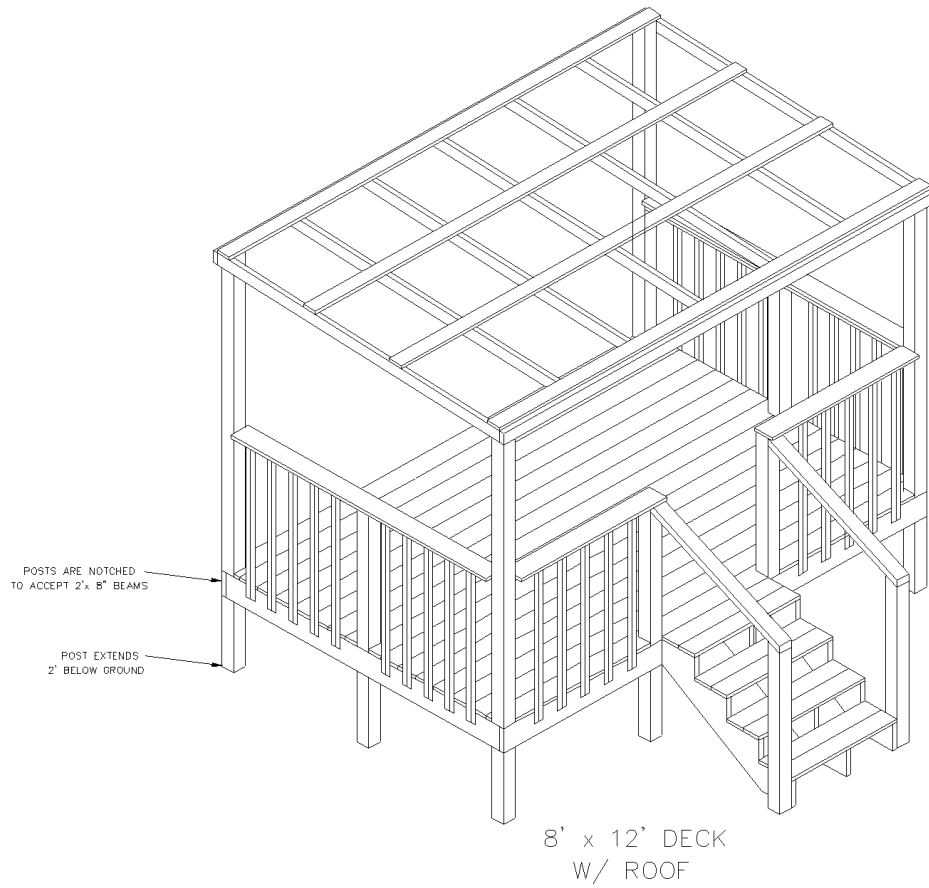
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(Maintenance/Upkeep Check List)	
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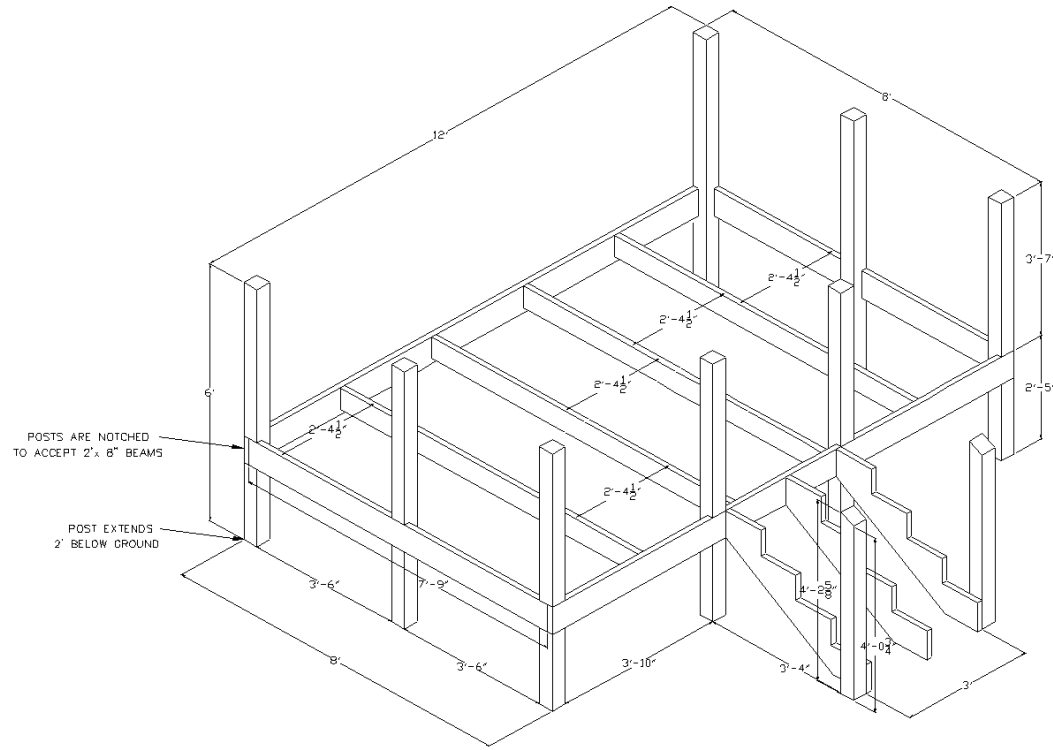


8' x 12' DECK
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W/ ROOF

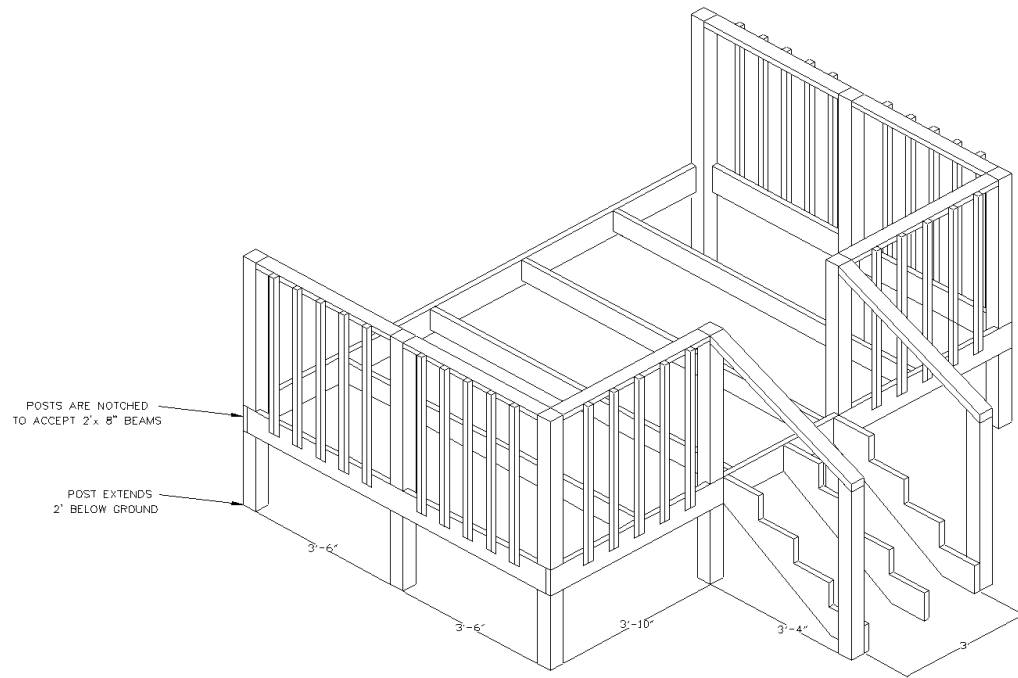


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W/ ROOF

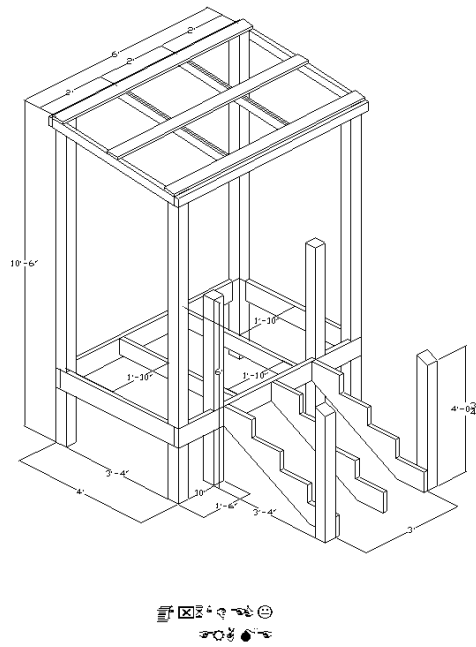
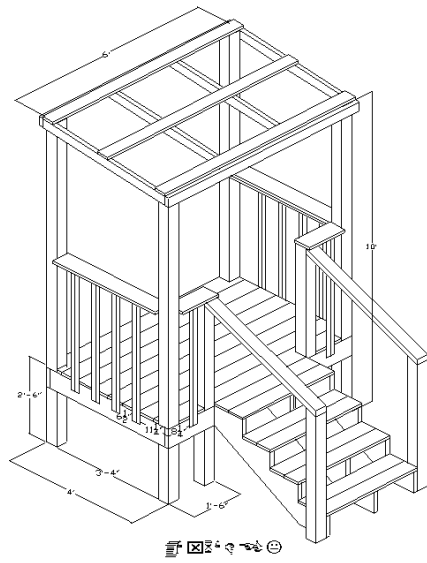




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W/O ROOF

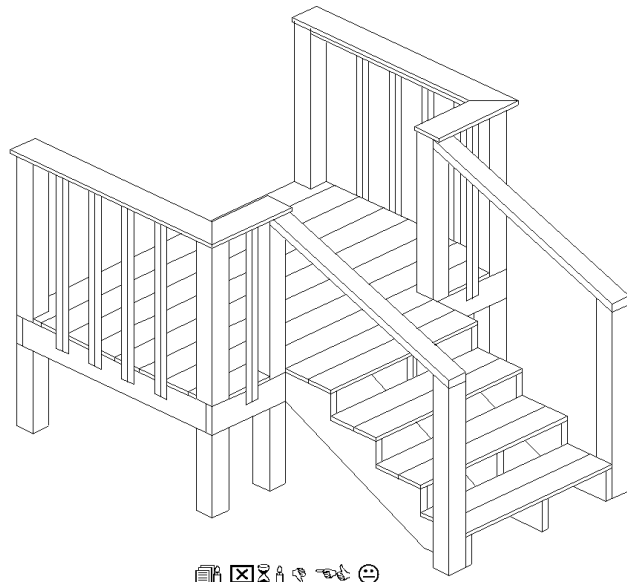


8' x 12' DECK
FRAME
W/O ROOF



4 x 6 Deck with Roof

4 x 6 Deck without Roof



MATERIALS REQUIRED FOR 4'x 6' DECK with Roof

QTY	DESCRIPTION
4	TREATED PINE 4"x4"x8'
4	TREATED PINE 4"x4"x12'
1	TREATED PINE 2"x8"x8'
1	TREATED PINE 2"x8"x12'
1	TREATED PINE 2"x6"x8'
10	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x12"x12'
9	TREATED PINE 1"x6"x12'
3	TREATED PINE 1"x4"x8'
5	GALVANIZED NAILS/LB
2	CORRUGATED ROOFING 8'

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MATERIALS REQUIRED FOR 4'x 6' DECK W/O Roof

QTY	DESCRIPTION
8	TREATED PINE 4"x4"x8'
1	TREATED PINE 2"x8"x8'
1	TREATED PINE 2"x8"x12'
1	TREATED PINE 2"x6"x8'
8	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x12"x12'
9	TREATED PINE 1"x6"x12'
5	GALVANIZED NAILS/LB

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MATERIALS REQUIRED FOR 8'x 12' DECK W/O ROOF

QTY	DESCRIPTION
8	TREATED PINE 4"x4"x8'
1	TREATED PINE 4"x4"x10'
2	TREATED PINE 2"x8"x12'
2	TREATED PINE 2"x8"x8'
4	TREATED PINE 2"x6"x8'
3	TREATED PINE 2"x12"x8'
18	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x4"x10'
22	TREATED PINE 1"x6"x12'
7	CORRUGATED ROOFING 10'
10	GALVANIZED NAILS/LB

MATERIALS REQUIRED FOR 8'x 12' DECK W/ ROOF

QTY	DESCRIPTION
2	TREATED PINE 4"x4"x14'
2	TREATED PINE 4"x4"x12'
4	TREATED PINE 4"x4"x8'
1	TREATED PINE 4"x4"x10'
2	TREATED PINE 2"x8"x12'
2	TREATED PINE 2"x8"x8'
4	TREATED PINE 2"x6"x8'
3	TREATED PINE 2"x12"x8'
18	TREATED PINE 2"x4"x8'
8	TREATED PINE 2"x4"x10'
2	TREATED PINE 2"x4"x14'
3	TREATED PINE 1"x4"x14'
22	TREATED PINE 1"x6"x12
7	CORRUGATED ROOFING 10'
10	GALVANIZED NAILS/LB

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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: Department Owned Housing/Mobile Home Park

NUMBER: 2021-13

SUPERSEDES: 19-01

APPLICABILITY: All Employees

REFERENCE: AR 217-Staff Assignments

PAGE: 1 of 2

APPROVED: Original signed by Dexter Payne **EFFECTIVE DATE:** 8/5/2021

I. POLICY:

It shall be the policy of the Arkansas Department of Corrections to provide housing for designated supervisory/administrative staff as specified by the Secretary of Corrections (Secretary). The Director of the Arkansas Division of Correction (ADC) is the Secretary’s designee for the management of ADC housing. Lots/spaces may be provided for employees residing in privately owned mobile homes.

II. PURPOSE:

- A. The Director may require administrative/supervisory personnel whose job duties require long working hours, weekend duty, and emergency attendance to live on the premises as a condition of employment. In such instances, personnel may be provided ADC owned housing.
- B. The Director may authorize personnel who are not required to live on the premises to place a personal owned mobile home on ADC property if space is available. No rent shall be charged for the space; however, such personnel will be required to pay utilities.

III. RULES AND REGULATIONS:

All employees living in ADC owned housing and/or personal owned mobile homes shall be required to follow published rules and regulations.

IV. TERMINATIONS:

- A. Upon termination of employment, those living in ADC owned housing shall vacate the premises within thirty (30) days. Those living in privately owned mobile homes shall remove the mobile home from ADC property within thirty (30) days.
- B. Exceptions to any of the above rules and regulations must be authorized by the Secretary, or the Director.

V. ATTACHMENTS:

- Attachment I. Utilities Expense Reimbursement Payroll Deduction Authorization
- Attachment II. ADC Rules and Regulations, ADC Owned Housing/Mobile Home Park
- Attachment III. ADC Owned Housing/Mobile Home Park Weapons Inventory
- Attachment IV. Maintenance/Upkeep Checklist
- Attachment V. Standardized Decking (with or without roof)
- Attachment VI. Standard Dog Pen



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

ADC RULES & REGULATIONS
DIVISION OWNED HOUSING/MOBILE HOME PARK

1. ACKNOWLEDGEMENT AND UTILITIES

- A. All employees must sign an acknowledgement and agree to abide by ADC owned Housing/Mobile Home Park Rules and Regulations prior to moving onto state property.
- B. All employees residing in the mobile home park will be required to pay a utility fee of \$_____per pay period unless otherwise authorized by the Director. The utilities expense does not apply to Department owned housing.
- C. The employee will bear the expense for moving the mobile home into/out of the park and any materials necessary for connecting utilities. (i.e., utilities include electricity, water, sewer, and telephone).
- D. The Unit Maintenance Department will inspect the utility connections to ensure industry standards are met.
- E. Telephones will be installed at the expense of the employee unless authorized by the Warden. All employees must maintain a phone, cellular or land line, for emergency contact as a condition of residing on unit ground. No computer connections or internet access will utilize a state supplied phone line.
- F. The Unit Warden or designee may enter any dwelling during reasonable hours with at least twenty-four (24) hour notice, or at any time during an emergency to inspect with regard to compliance with the rules and regulations.

2. FIREARMS/BOWS/PELLET/BB GUNS

- A. The use of firearms, bows, pellet/BB guns, fireworks or any other dangerous device is prohibited in or around the mobile home park/housing area residences. It shall be the responsibility of the employee to ensure all such devices are under adult supervision when not locked and stored.
- B. Each employee residing in the mobile home park/housing area will be responsible for ensuring weapons and ammunition are locked and stored in an approved gun/weapon safe separately and that a yearly inventory of all weapons (make, model and serial number) are submitted in writing to the Warden’s office at the beginning of the fiscal year.

3. INSPECTIONS

- A. An inspection report must be completed on all ADC owned houses/mobile homes prior to/after occupancy by an employee and thereafter annually for condition, damages, maintenance, and upkeep.
- B. Annual inspections must be completed on or before June 30th each year and must be submitted to the Assistant Director for Construction and Maintenance. The Assistant Director for Construction and Maintenance shall provide an annual report including a summary of the condition of all ADC owned houses/mobile homes to the Director of ADC and to the Secretary.
- C. Inspections shall be conducted by the Warden, or designee, and the Unit Maintenance Supervisor.

- D. A standard checklist shall be used to ensure proper maintenance/upkeep is occurring. This checklist however should not be considered all encompassing.
- E. An employee occupying ADC owned housing shall be responsible for maintaining the condition of the housing, reasonable wear and tear excepted. In addition to this financial responsibility, failure to maintain good housekeeping and reasonable care may be grounds for a disciplinary action.
- F. Personal owned mobile homes must be maintained to keep a clean, neat, non-damaged appearance.
- G. Any damage caused by any reason must be repaired within thirty (30) days from the date the damage occurred or within thirty (30) days of notice by the Unit Warden.

4. LANDSCAPPING/YARD MAINTENANCE

- A. Flowers and shrubs are permitted. Once planted, they remain on the residence property unless permission is granted from the Unit Warden for their removal or removed as ordered by the Warden. Planting of trees by residents must be approved by Unit Warden.
- B. No front or back yard fencing is permitted in the mobile home park.
- C. No freezer, refrigerators, or appliances of any kind are permitted outside.
- D. No tires, wheels, or automotive parts are permitted outside.
- E. All toys, bicycles, etc., must be neatly put away when not in use.
- F. Outdoor patio furniture made for that purpose is permitted.

5. OCCUPANCY

- A. Occupancy is limited to the immediate family (spouse of the employee, minor child(ren) of the employee\spouse) of the employee per mobile home park/housing area.
- B. Non-immediate family members/visiting guests living in the residence for more than fifteen (15) days must be approved by the Unit Warden.
- C. Upon notice of termination, employees agree to vacate ADC owned housing/mobile home space within thirty (30) days.
- D. Employees will not be permitted to sublet/sell a mobile home to another employee to live on state property without written consent of the Director.
- E. Rent to own agreements between employees are prohibited and may result in termination and eviction.
- F. Drunkenness, immoral conduct, drug abuse, disturbances, security violations, or any illegal act will not be tolerated.
- G. Any flagrant or repeated violation of these rules and regulations will result in the responsible employee receiving disciplinary action, which may include eviction from the park and possible termination from the ADC.

6. PETS

- A. Employees will be allowed to have pets, (i.e., dogs, cats, etc.) provided they are adequately maintained and controlled. An employee occupying department owned housing is financially responsible for any damage caused by the employee's pets.
- B. Dogs must be penned or on a leash. All pets must have a current shot record.
- C. No dogs are to be tethered outside.
- D. Pet Pens to accommodate the employees pets may be ordered from the Construction Division at the owner's expense with the approval of the Unit Warden.

- E. Exotic pets will be not permitted.

7. QUIET HOURS

- A. No loud parties or excessive noise will be permitted at any time. Quiet hours in the mobile home park/housing area will be maintained between the hours of 10:30 p.m. and 6:00 a.m.
- B. Motorcycles, four wheelers, go carts, etc., may not be used in the mobile home park/housing area for recreational purposes.
- C. Complaints should be made to the Warden verbally, followed with a written report.
- D. The speed limit in the mobile home park/housing area is twenty (20) miles per hour.
- E. The ADC is not responsible for injuries to employees (unless work related), their spouses, children, or guests. Employees are encouraged but not required to obtain renter's insurance.

8. TRASH/GARBAGE PICKUP

- A. Trash must be placed in a container in designated areas for trash pick-up.
- B. Trash pick-up will be limited to household refuse only.
- C. It shall be the responsibility of the employee to dispose of large items and appliances, tires, etc.
- D. Employees are responsible for keeping the grounds free from garbage and litter.
- E. No build-up of litter or unsightly items will be permitted.
- F. The Unit will be responsible for keeping the lawn mowed.

9. UNDERPINNING/SKIRTING/DECKS, ETC.

- A. Employee will underpin their mobile home, at their expense, with skirting material approved by the Warden, within sixty (60) days from the time the mobile home is received at the unit. Underpinning/skirting must be a commercial type.
- B. Decks for mobile homes with or without roofs shall be of a standard design as outlined in this policy. Decks with or without roofs may be constructed by Unit Maintenance upon purchase of materials by employees after approval by the Unit Warden. Existing decks with or without roofs will be inspected to determine if they meet design specification outlined in this policy.
- C. The Unit Warden must approve any additions to the mobile home such as awnings, porches, decks, or placement of storage buildings. Only commercially produced carports currently in use and approved by the Warden are allowed. No new or additional carports will be permitted.
- D. Storage Buildings currently in use must be approved by the Warden. After the effective date of this policy, any storage building added to state property must be approved by the Warden and be commercially produced. Storage buildings must be similar in color to the mobile home and should not exceed two-hundred twenty (220) sq. ft. in size. No more than one (1) storage building is permitted.
- E. Any underground installations or permanent structure on the residence property becomes property of the State upon termination unless prior arrangements have been made with the Unit Warden.
- F. Nothing will be stored under decks/porches.
- G. Foil in windows is not permitted. Non-mirrored window tint installed professionally is permitted.

10. VEHICLES/PARKING

- A. Residents may possess two (2) licensed operational vehicles (exception must be approved by the Unit Warden).
- B. Vehicles must be parked in designated parking areas only.

- C. Non-operational vehicles may be permitted as long as the vehicle is currently registered and insured, pending Warden's approval.
- D. Boats, campers, and utility trailers must be parked in a community parking area if available. If community parking is not available, additional accommodations for parking arrangements must be approved by the Warden or Superintendent. Any non-conforming vehicle will be towed at the owner's expense.

11. PAINT, FLOORS, APPLIANCES, AND MISC.

- A. State houses will not be painted with custom colors. The acceptable colors provided by ADC will be white, off white, light tan, beige, or a light gray.
- B. Carpeting will not be replaced unless the existing carpet is worn out or cannot be cleaned. If the existing carpet is not usable, it may be replaced with flooring of the ADC's choosing.
- C. Appliances will be replaced only if the existing units are non-operable. The agency only provides stove/oven, dishwasher.
- D. Refrigerators, microwave units, washer and dryers are the occupant's responsibility.
- E. Window treatments, such as blinds, or curtains are the responsibility of the occupant.
- F. Ceiling fans are not added by the ADC but will be replaced if existing fans are not functional.
- G. Telephone, television, and internet services are not the responsibility of the ADC.
- H. Tenants shall not allow items to be attached to the roof.



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Division of Correction – Director’s Office**

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**ACKNOWLEDGMENT
OF RULES & REGULATIONS
ADC OWNED HOUSING/MOBILE HOME PARK**

I, _____, AGREE TO ABIDE BY THE RULES AND REGULATIONS GOVERNING THE UNIT FREELINE/MOBILE HOME PARK AND TO BE RESPONSIBLE FOR MY DEPENDENTS, PETS, RELATIVES AND GUESTS’ CONDUCT WHILE ON STATE- OWNED PROPERTY. DRUNKENNESS, IMMORAL CONDUCT, DRUG ABUSE, DISTURBANCES, SECURITY VIOLATIONS, OR ANY ILLEGAL ACT WILL NOT BE CONDONED. ANY FLAGRANT OR REPEATED VIOLATION TO THESE RULES AND REGULATIONS WILL RESULT IN DISCIPLINARY ACTION WHICH MAY INCLUDE EVICTION FROM THE PARK AND POSSIBLE TERMINATION FROM THE ARKANSAS DEPARTMENT OF CORRECTIONS.

SIGNATURE

WITNESS

DATE



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

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

**DEPARTMENT OWNED HOUSING/MOBILE HOME PARK
WEAPONS INVENTORY**

NAME: _____
PLEASE PRINT

DATE: _____

MAKE/ MODEL	SERIAL NUMBER
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	

My signature acknowledges receipt of rules and regulations pertaining to personal weapons. I have listed all personal weapons maintained in my residence and understand I am responsible for notifying the Warden’s office of any changes in writing.

Signature

Date



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

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

UNIT: _____
(Maintenance/Upkeep Check List)

	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
I. MASTER BATHROOM						
	Bathtub					
	Cabinets					
	Ceiling					
	Commode					
	Floors					
	Light Fixtures					
	Mirrors					
	Outlets					
	Sinks					
	Towel Rack					

	Walls					
II. HALLWAY BATHROOM						
	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
	Bathtub					
	Cabinets					
	Ceiling					
	Commode					
	Floors					
	Light Fixtures					
	Mirrors					
	Outlets					
	Sinks					
	Towel Rack					
	Walls					
III. DOMESTIC BATHROOM						
	Bathtub					
	Cabinets					
	Ceiling					
	Commode					
	Floors					
	Mirrors					
	Outlets					
	Sink					

	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
	Towel Racks					
	Walls					
IV. MASTER BEDROOM						
	Ceiling					
	Closet Doors					
	Door					
	Floor					
	Light Fixtures					
	Outlets					
	Walls					
	Windows					
V. BEDROOM #2						
	Ceiling					
	Closet Doors					
	Door					
	Floor					
	Light Fixtures					
VI. BEDROOM #3						
	Ceiling					
	Closet Doors					
	Door					

Floor 248	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
	Light Fixtures					
	Outlets					
	Walls					
	Windows					
VII. CARPORT GARAGE						
	Ceiling					
	Floors					
	Light Fixtures					
	Outlets					
	Storage Room					
	Utility Closet Door					
	Walls					
VIII. DEN						
	Cabinets					
	Ceiling					
	Doors					
	Floors					
	Light Fixtures					
	Outlets					
	Walls					

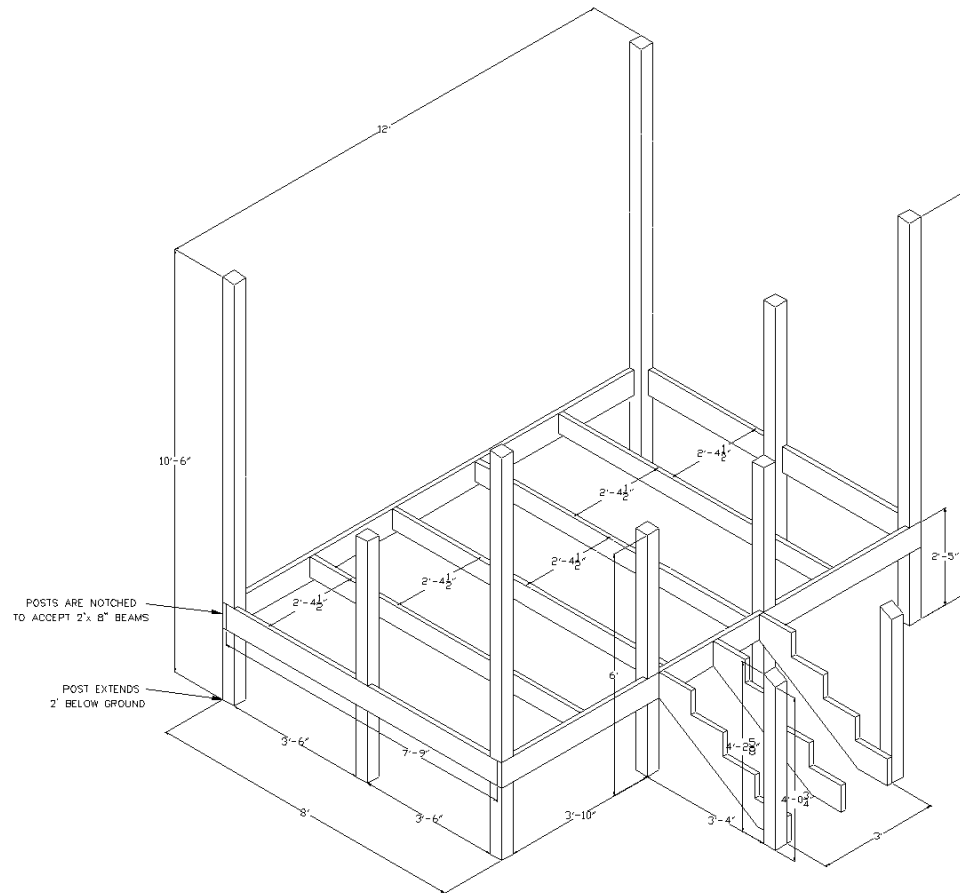
	Windows 249					
	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
IX. DINING ROOM						
	Ceilings					
	Doors					
	Floors					
	Light Fixtures					
	Outlets					
	Walls					
	Windows					
X. HALLWAYS						
	Attic Stairway					
	Ceiling					
	Door					
	Floors					
	Light Fixtures					
	Outlets					
	Walls					
XI. HOUSE EXTERIOR						
	A/C Unit					
	Decks/Patios					
	Doors (Screen)					
	Doors (Solid)					

	250 Gutters					
	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
	Roof					
	Steps					
	Underpinning					
	Walls					
XII. KITCHEN						
	Appliances					
	Cabinets					
	Ceilings					
	Counter Tops					
	Doors					
	Fire Alarms					
	Fire Extinguisher					
	Lights Fixtures					
	Outlets					
	Sinks					
	Walls					
	Windows					
XIII. LIVING ROOM						
	Cabinets					
	Ceiling					

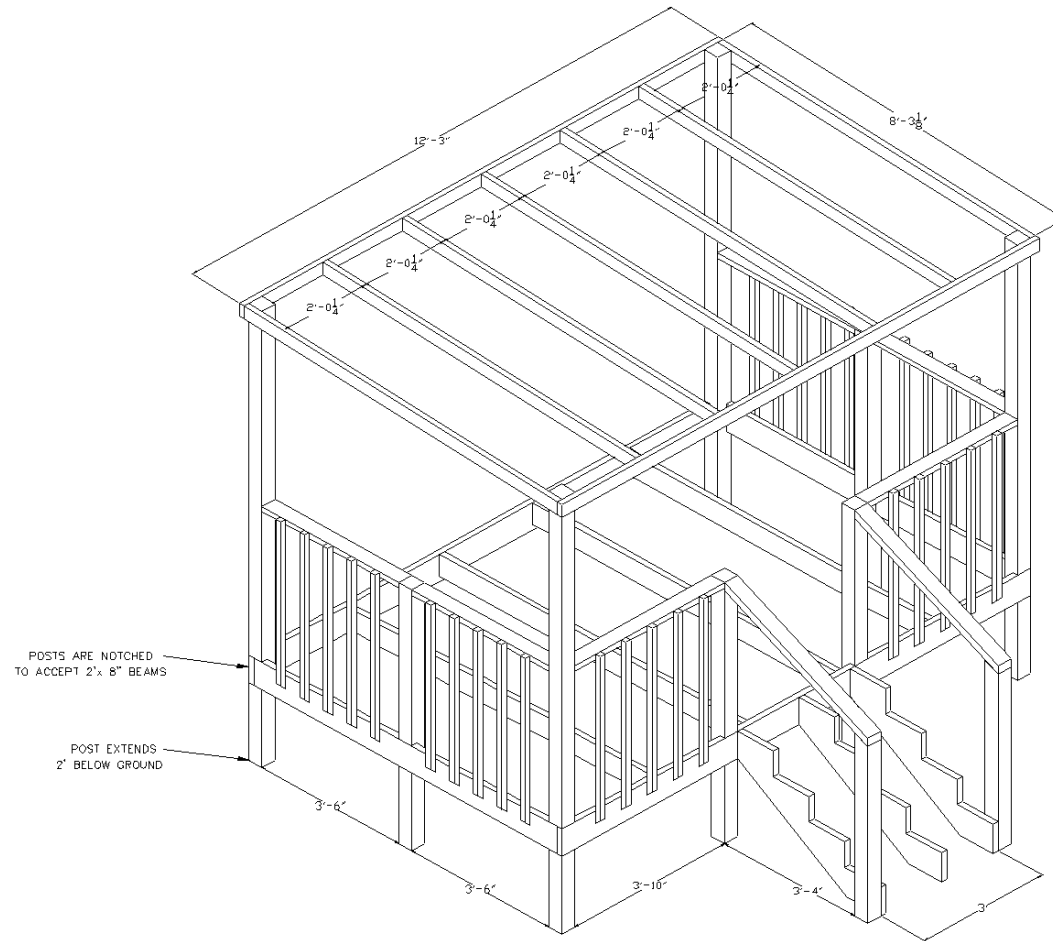
	251 Doors					
	LOCATION	CONDITION good/fair/poor N/A	REPAIRS NEEDED	REPAIRS COMPLETED Yes/No	DATE	INITIALS
	Floors					
	Light Fixtures					
	Outlets					
	Walls					
	Windows					
XIV. UTILITY ROOM						
	Cabinets					
	Ceiling					
	Doors					
	Floors					
	Light Fixtures					
	Outlets					
	Walls					

HOME/MOBLE HOME # _____ INSPECTED BY: _____

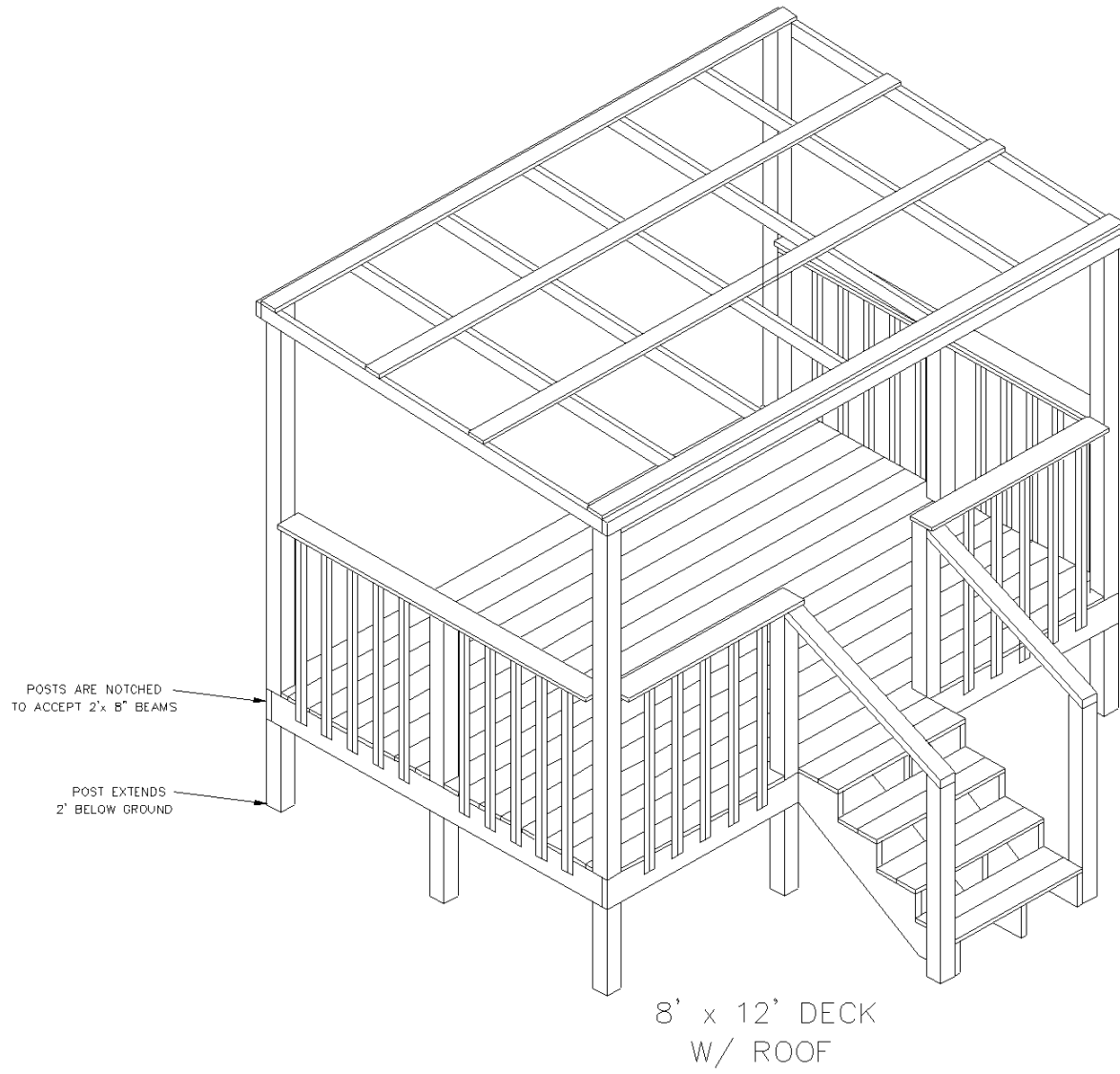
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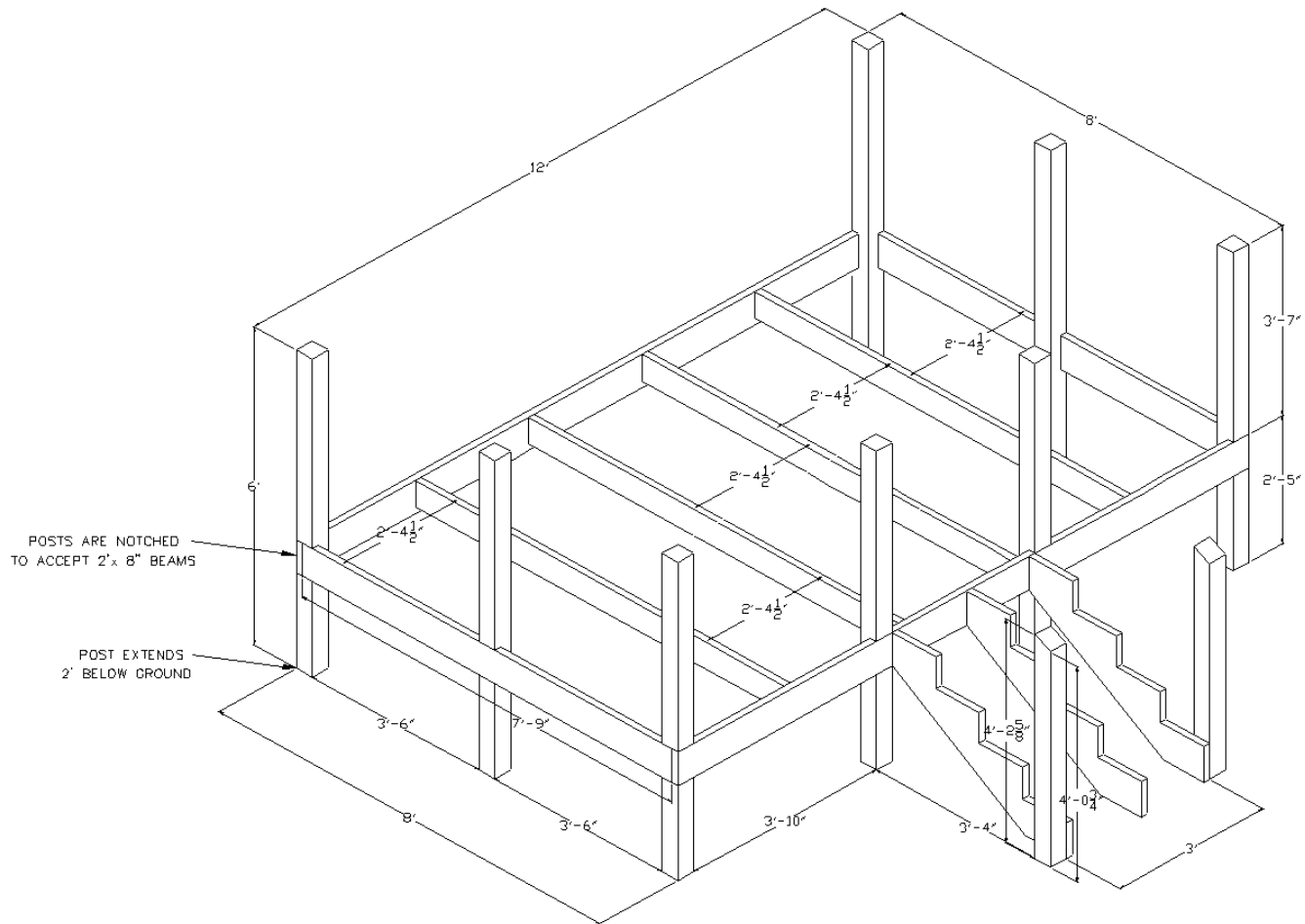


8' x 12' DECK
FRAME
W/ ROOF

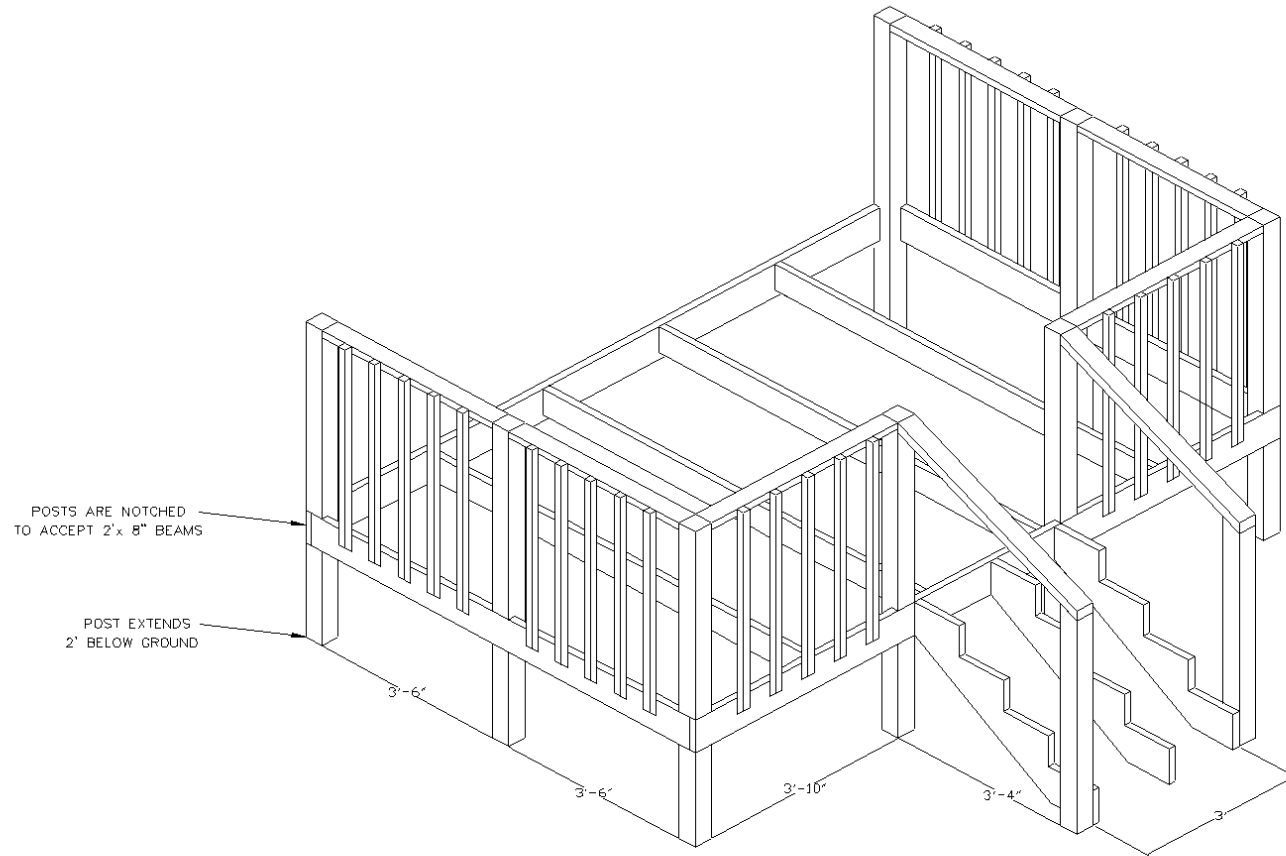


8' x 12' DECK
FRAME
W/ ROOF

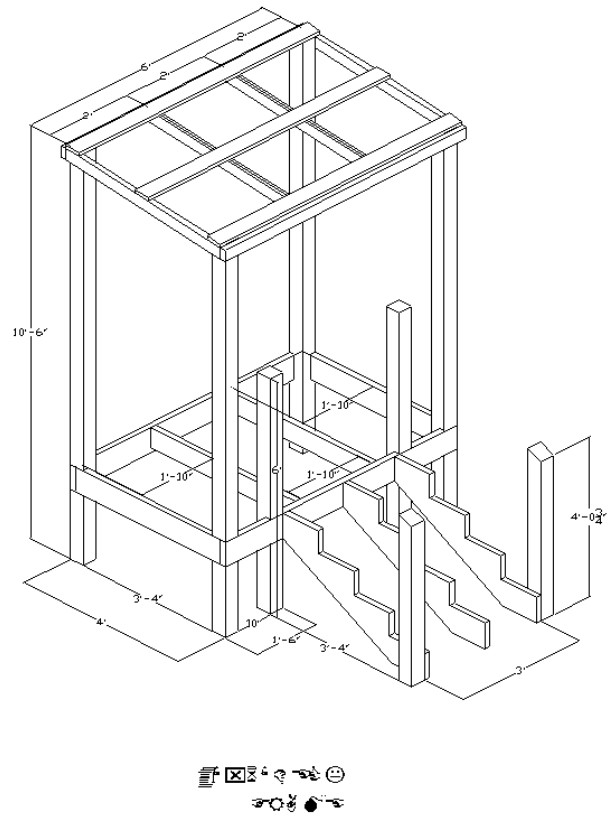
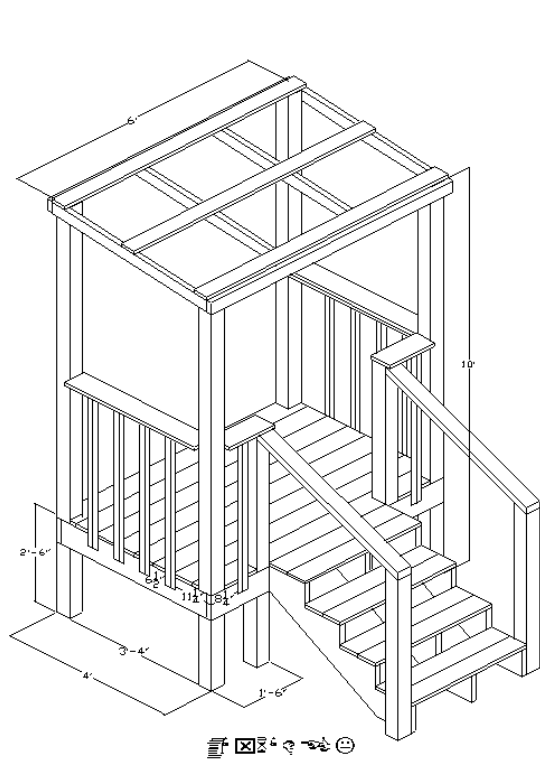




8' x 12' DECK
 FRAME
 W/O ROOF

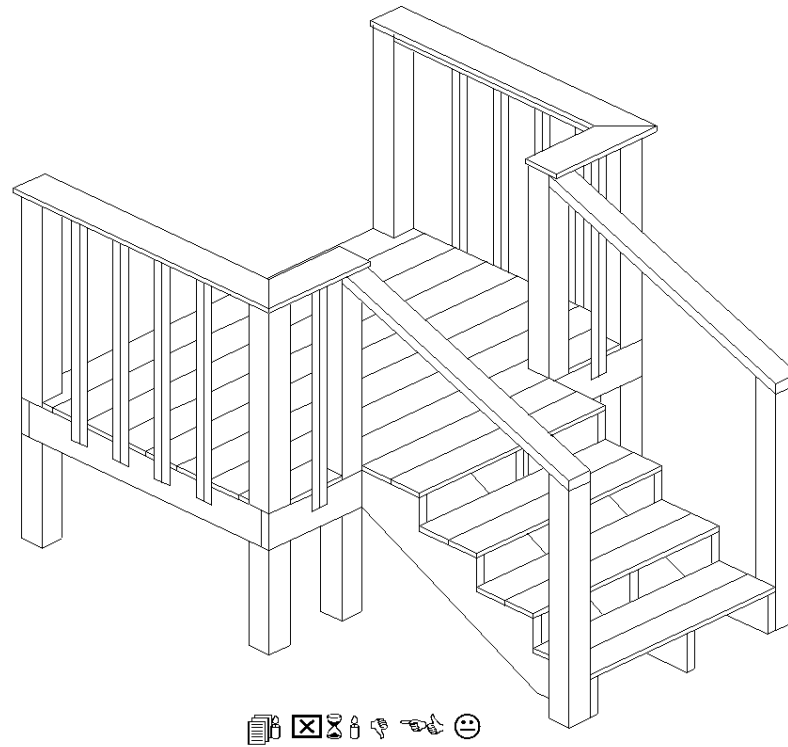


8' x 12' DECK
FRAME
W/O ROOF



4 x 6 Deck with Roof

4 x 6 Deck without Roof



MATERIALS REQUIRED FOR 4'x 6' DECK with Roof

QTY	DESCRIPTION
4	TREATED PINE 4"x4"x8'
4	TREATED PINE 4"x4"x12'
1	TREATED PINE 2"x8"x8'
1	TREATED PINE 2"x8"x12'
1	TREATED PINE 2"x6"x8'
10	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x12"x12'
9	TREATED PINE 1"x6"x12'
3	TREATED PINE 1"x4"x8'
5	GALVANIZED NAILS/LB
2	CORRUGATED ROOFING 8'

MATERIALS REQUIRED FOR 4'x 6' DECK W/O Roof

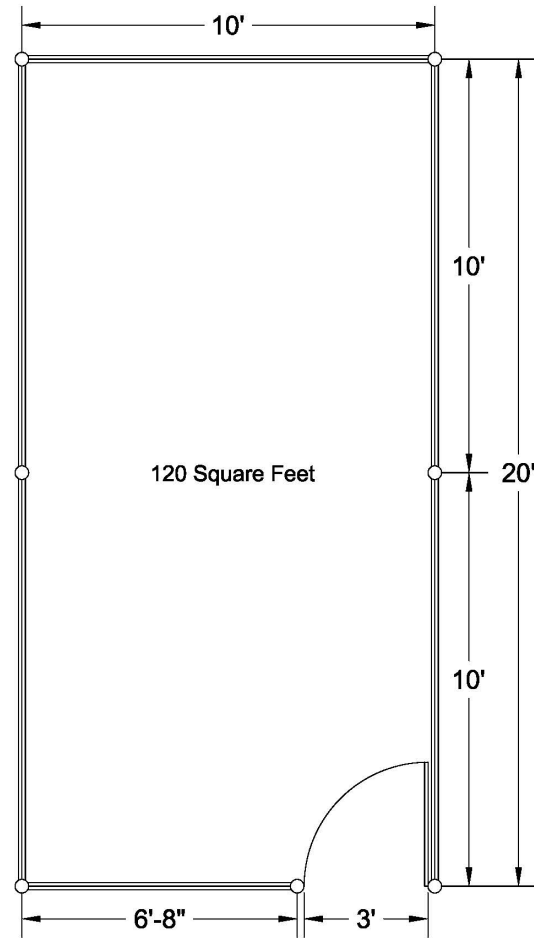
QTY	DESCRIPTION
8	TREATED PINE 4"x4"x8'
1	TREATED PINE 2"x8"x8'
1	TREATED PINE 2"x8"x12'
1	TREATED PINE 2"x6"x8'
8	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x12"x12'
9	TREATED PINE 1"x6"x12'
5	GALVANIZED NAILS/LB

MATERIALS REQUIRED FOR 8'x 12' DECK W/O ROOF

QTY	DESCRIPTION
8	TREATED PINE 4"x4"x8'
1	TREATED PINE 4"x4"x10'
2	TREATED PINE 2"x8"x12'
2	TREATED PINE 2"x8"x8'
4	TREATED PINE 2"x6"x8'
3	TREATED PINE 2"x12"x8'
18	TREATED PINE 2"x4"x8'
1	TREATED PINE 2"x4"x10'
22	TREATED PINE 1"x6"x12'
7	CORRUGATED ROOFING 10'
10	GALVANIZED NAILS/LB

MATERIALS REQUIRED FOR 8'x 12' DECK W/ ROOF

QTY	DESCRIPTION
2	TREATED PINE 4"x4"x14'
2	TREATED PINE 4"x4"x12'
4	TREATED PINE 4"x4"x8'
1	TREATED PINE 4"x4"x10'
2	TREATED PINE 2"x8"x12'
2	TREATED PINE 2"x8"x8'
4	TREATED PINE 2"x6"x8'
3	TREATED PINE 2"x12"x8'
18	TREATED PINE 2"x4"x8'
8	TREATED PINE 2"x4"x10'
2	TREATED PINE 2"x4"x14'
3	TREATED PINE 1"x4"x14'
22	TREATED PINE 1"x6"x12'
7	CORRUGATED ROOFING 10'
10	GALVANIZED NAILS/LB



Floor Plan

- 3" x 3" galvanized round pipe posts embedded 12" in 3000 psi concrete
- 3" x 3" galvanized round pipe top rail continuous
- 8' chain link fence knuckle over knuckle
- 3'-0" x 8'-0" 2" round pipe door and latch on three 3" hinges

Standard Dog Pen
 Floor Plan
 Drawn by Paul Gatzke 7/22/2021
 Scale: 3/8"=1'-0"

A-1



BUILDING NUMBER: _____

DESCRIBE CONDITION OF HOME UPON ARRIVAL AND DEPARTURE

	ARRIVAL	DEPARTURE	Estimated Cost of Repair /Replacement
LIVING ROOM			
Floors and Floor Coverings			
Drapes and Window Coverings			
Walls and Ceilings			
Light Fixtures			
Windows, Screens and Doors			
Front Door & Locks			
Fireplace			
Other			
Other			
KITCHEN			
Floors and Floor Coverings			
Walls and Ceilings			
Light Fixtures			
Cabinets			
Counters			
Stove/Oven			
Refrigerator			
Dishwasher			
Garbage Disposal			
Sink & Plumbing			
Windows, Screens and Doors			
Other			
Other			
BATHROOMS			
<i>Specify which bathroom (hallway, master bdr) if any repairs are needed</i>			
Floors and Floor Coverings			
Walls and Ceilings			
Windows, Screens and Doors			
Light Fixtures			
Bathtub/Shower			
Sinks & Counters			
Toilet			
Other			
Other			
BEDROOMS			
<i>Specify which bedroom (#1, #2, #3, master) if any repairs are needed</i>			
Floors and Floor Coverings			
Windows, Screens and Doors			
Walls and Ceilings			
Light Fixtures			
Other			
Other			
CARPORT/GARAGE			
Ceiling			
floor			
Light Fixtures			
Outlet			
Storage Room			
Walls			
OTHER AREAS			
Heating System			
Air Conditioning			
Lawn/Garden			
Stairs & Hallway			
Patio, Terrace, Deck			
Parking Area			
External Lighting			
Roof			
Facia, Soffit, & Gutters			

REVIEW UPON ARRIVAL

Reviewed by _____ Date _____
(PLEASE PRINT)

Accepted by _____ Date _____
(PLEASE PRINT)

SIGNATURE

SIGNATURE

REVIEW UPON DEPARTURE

Reviewed by _____ Date _____
(PLEASE PRINT)

Accepted by _____ Date _____
(PLEASE PRINT)

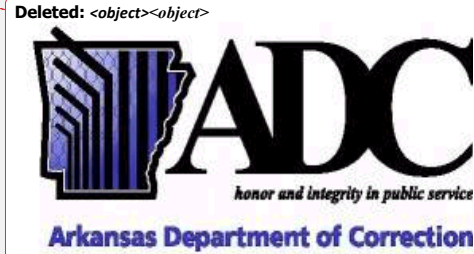
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ARKANSAS DEPARTMENT OF CORRECTIONS
Division of Correction – Director’s Office

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



ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Work Craft Program

NUMBER: 2021- **SUPERSEDES:** 16-49

APPLICABILITY: All Employees and Inmates

REFERENCE: AR 841 Inmate Property Control; **PAGE:** 1 of 4
AD Tool Control;
AD Inmate Property Control;
AD Inmate Disciplinary Manual;
AD Inmate Withdrawal Requests; and
ACA Standards

APPROVED: **EFFECTIVE DATE:**

I. POLICY

It shall be the policy of the Arkansas Division of Correction (ADC) to afford inmates the opportunity to make constructive use of leisure time by participating in approved work craft programs carried out under staff supervision, where available within institutions. All inmate activities should be regulated by written guidelines that define the activity’s purpose and scope including program coordination and supervision, facilities and equipment, and activities initiated by inmates.

II. DEFINITIONS

- A. **Major Disciplinary Infraction.** Violation(s) of the institutional rules, policy, and procedures that govern inmate conduct.
- B. **Work Crafts.** Activities such as leatherwork, crocheting, knitting, woodwork, artwork, string art, or other approved craft pursuits as approved by the Warden. No metal jewelry or electronic repair will be approved.
- C. **Work Craft Supervisor (WCS).** Staff member designated by the Warden to oversee the work craft program at the facility.
- D. **Warden.** For the purpose of this policy, means Warden or Center Supervisor.

III. PROCEDURES

To the extent that institutional security permits, the Warden may authorize work craft activities. The Warden may designate a work craft area and hours of operation in which

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Wendy Kellev... ...FFECT
DATE: 12/09/2016
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II. EXPLANATION: ¶
¶

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crocheting, knitting, woodwork, artwork, bead craft, ...tring art,
or other approved craft pursuits as approved by the
Warden./Center Supervisor....
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B. ...Work Craft Supervisor (WCS): : ...taff member designated
by the Warden./Center Supervisor

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authorized inmates may engage in certain activities under the supervision of the WCS or designee. In addition, the Warden may authorize work craft activities that may be performed in the inmate's living area. The number of work craft permits for certain activities may be limited.

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A. Eligibility Criteria

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1. To participate in the Work Craft Program, an inmate must not be determined to be a threat to the security and good order of institutional operations. The inmate must obtain a work craft permit that is approved by the WCS. In addition, the inmate must meet the following criteria:

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In order t...o participate in the Ww...rk Cc...aft Pp...ogram, anthe... inmate must not be determined to be a threat to the security and good order of institutional operations. The inmate must shall...obtain a wW...rk cC...aft pP...rmit that is approved by the Work ...raft ...upervisor...

a. Maintained Class I for a period of at least ninety (90) days.

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Inmates must have m...aintained Class I for a period of at least ninety (90) days;¶

b. No Major Disciplinary Infractions within ninety (90) days of application of work craft permit.

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c. Must not have an institutional record that reflects a pattern of violent or assaultive behavior or trafficking of contraband; and

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¶
Must be approved by the Work Craft Supervisor.¶
¶
No inmate who is determined to be a threat to the security and good order of institutional operations will be allowed to participate. The inmate m...ust not have an institutional record that reflects a pattern of violent or assaultive behavior n...r trafficking ofin...contraband; and... ¶

2. If a participant is found guilty of a Major Disciplinary Infraction, his/her work craft privileges will be revoked for a period of at least six (6) months. Upon completion of the six-month period, he/she may reapply for reinstatement of a work craft permit; however, the Warden must approve the reinstatement.

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5. ...f a participant is found guilty of a Mm...jor Dd...sciplinary li

B. Work Craft Materials and Supplies

1. Inmates shall be permitted to use only those work craft materials and supplies authorized for use by the Warden or designee.

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a. All materials and supplies must be ordered from a pre-approved vendor and authorized by the WCS. Payment to vendor shall include sales tax or use tax. Payment must be made in accordance with the Administrative Directive (AD) on Inmate Withdrawal Requests.

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1. ...nmates shall be permitted to use only those work craft materials and supplies authorized for use by the Warden/Center Supervisor

b. No materials or supplies may be given to other inmates or taken to an inmate's job assignment unless otherwise approved by the Warden.

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ork ...raft ...upervisor... ayment to vendor shall include sales tax or use tax. ...Payment must be made in accordance with the Administrative Directive (AD) on Inmate Withdrawal Requests.¶

c. No flammable, toxic, or caustic materials will be allowed.

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d. All materials and supplies must remain in their original containers.

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c. ...o flammable, toxic, or caustic materials will be allowed.¶

e. Inmates are prohibited from combining orders of materials, supplies, and tools with other inmates.

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d. ...ll materials and supplies must remain in their original containers. ¶

f. Inmate-to-inmate transfer of funds is prohibited regarding work craft.

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¶
e. ...nmates are prohibited from combining orders of materials, supplies, and tools with other inmates.¶

2. All tools shall be maintained in accordance with the AD on Tool Control.

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f. ...nmate-to-inmate transfer of funds is prohibited with...regarding to

a. All Class A tools are only approved for use in designated work craft areas and shall be secured in an appropriate storage cabinet inaccessible to unauthorized persons. An inmate's use of a Class A tool must be under staff supervision and must be accounted for after each use.

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b. All tools must be maintained on an inventory for each participant in the area where the tools are stored. The WCS must check this inventory at least monthly.

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- c. All tools utilized must be marked with the inmate's ADC number.
- d. Participants allowed to engage in work craft activities in their living areas may not utilize scissors other than the round-tipped safety type.
- e. Lost, broken, or destroyed tools must be accounted for by the WCS in accordance with the AD on Tool Control.
- 3. If necessary, the participants are responsible for purchasing an approved storage box. The amount of tools/equipment will not exceed the amount that will fit into the approved storage area. Excess supplies and materials will be disposed of in accordance with the AD on Inmate Property Control.
- 4. Lost or stolen work craft supplies, materials, tools, or finished products must be immediately reported to the WCS for investigation.
 - a. If the WCS determines that the ADC is responsible for the loss of the inmate's work craft tools or materials, the ADC will reimburse up to the sum authorized in the AD on Inmate Property Control.
- 5. If an inmate is transferred to another facility, his/her work craft materials must accompany him/her along with personal property. If the new unit of assignment does not offer a work craft program, the materials and supplies will not be allowed and shall be disposed of in accordance with the AD on Inmate Property Control. If the new unit does have a work craft program, the Warden may increase his/her slots as necessary to allow the inmate to participate when transferred for institutional need.

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b. All tools must be maintained on an inventory for each participant in the area where the tools are stored. The Work Craft Supervisor must check this inventory at least monthly. ¶
¶
c.

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d. Participants allowed to engage in work craft activities in their living areas may not utilize scissors other than the round-tipped safety type. ¶
¶
e. Lost, broken or destroyed tools must be accounted for by the Work Craft Supervisor in accordance with the departmental policy on Tool Control.¶

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C. Contracts and Sales

- 1. The WCS shall ensure that no contract or sale is approved that may be detrimental to the security, discipline, or good order of the institution, or if it is likely to facilitate criminal activity. Inmates may not enter in a contract for the purchase of work craft products.
- 2. Before receiving a work craft permit, each participating inmate must sign an agreement stating the following:
 - a. May not sell, give away, loan, or sublet any work craft tools/equipment to other inmates;
 - b. They are accountable for all tools and equipment at all times;
 - c. If tools are stolen or missing, they must immediately report it to the WCS and Shift Supervisor and may be required to fill out a Report of Stolen Property form (attachment III);
 - d. Violation of any of the Work Craft rules will result in disciplinary action and revocation of permit and may result in a permanent revocation of permit; and
 - e. Inmates may not send work craft products out for resale.
- 3. Work Craft Supervisors are responsible for the following:
 - a. Ensuring that the Work Craft Purchase Agreement or appropriate contract has been properly filled out and signed by the appropriate parties;

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and ...t...ey are accountable for all tools and /...quipment at all times;.

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b.... If tools are stolen or missing, they must immediately report it to the Work ...raft ...upervisor...and Shift Supervisor and may be required to fill out a Report of Stolen Property form (attachment III);.

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c.... Violation of any of the Work Craft rules will result in disciplinary action and revocation of permit and may result in a permanent revocation of permit; and.

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- b. Providing the Business Manager with copies of receipts, contracts, and related money to be deposited;
 - c. Determining whether the item(s) being sent out is a legitimate sale;
 - d. Visually verifying that the item(s) has been completed as specified in the Work Craft Purchase Agreement or appropriate contract;
 - e. Signing and dating the Work Craft Purchase Agreement or appropriate contract upon the completion and delivery of the item(s); and
 - f. Retaining all Work Craft Purchase Agreements or appropriate contracts in accordance with the AD on Records Retention.
4. Finished work craft products shall be distributed through the WCS as approved by the Warden.
- a. Program participants desiring to mail items through the mailroom are responsible for all postage.
 - b. Items sent out during visitation will only be to persons on an inmate's approved visitation list.
5. The Warden may determine how often work craft displays may be held at the institution, based on space availability.
6. All persons desiring to purchase a work craft item(s) must sign the Work Craft Purchase Agreement (Attachment) or appropriate contract as approved by the WCS. Work pursuant to a Work Craft Purchase Agreement will not be initiated until payment has been received in full.
7. Inmates will not be permitted to purchase work craft items for themselves or others.
8. Inmates may donate completed items to approved fundraisers, such as Paws in Prison. Such items may then be sold by the approved fundraiser. The proceeds of such sales are retained in full by the fundraiser.
9. Funds from sale of work craft products shall be receipted and credited to the inmate's account as described in Control and Deposit of Receipts, and Receipt of Inmate Funds at Unit Location procedures in the Accounting Control Procedures Manual.
10. The ADC is not responsible for the quality of work produced by an inmate participating in the work craft program. Any inmate who defaults on an agreement may have his or her work craft permit suspended or permanently revoked.

V. ATTACHMENTS

- I. Work Craft Purchase Agreement
- II. Inmate Work Craft Agreement
- III. Report of Stolen Property

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b. items sent out during visitation will only be to persons on an inmate's approved visitation lists

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7. ...mates may donate completed items to approved fundraisers, such as Paws in Prison. ...uch items may then be sold by the approved fundraiser.

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The Department of CorrectionADC is not responsible for the quality of work produced by an inmate participating in the work craft program. Any inmate who defaults on an agreement may have his or her work craft permit suspended or permanently revoked.¶

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Attachment I

INMATE WORK CRAFT PURCHASE AGREEMENT UNIT

I, _____, request to have the following Work Craft item(s) _____
(Print Name)
made by the inmate listed below. This item is for personal use only and is not intended for resale. My signature below indicates my commitment to purchase the item(s) and pay in full the amount listed below.

ITEM(s)	COLORS	NAME ON ITEM & SIZE
#1	_____	_____ \$ _____
#2	_____	_____ \$ _____
#3	_____	_____ \$ _____
#4	_____	_____ \$ _____
#5	_____	_____ \$ _____

Total Price \$ _____

Craft Card Type and Number _____

Signature of Work Craft Inmate and ADC # _____

Signature of Customer _____

_____/_____/_____
Date of Agreement

Signature of Work Craft Supervisor

_____/_____/_____
Completion Date

Signature of Work Craft Supervisor

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¶11May27¶

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Arkansas Department Division of Correction¶

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Attachment II

DIVISION OF CORRECTION
INMATE WORK CRAFT AGREEMENT

I understand that I have thirty (30) days from the date that my work craft card was issued to place an order for work craft tools and materials from a pre-approved vendor. I understand that this request for materials must be submitted to the Work Craft Supervisor and approved by the Deputy Warden.

I understand that I may not sell, give away, loan, or sublet any of my craft tools and/or supplies to other inmates. I understand that I am required to purchase a combination lock that is key accessible, and sold at the Unit Commissary, which will be used to secure my tools and materials.

I understand that I am accountable for the workstation and Locker Box/Storage Cabinet assigned to me. I will clean my workstation before leaving the work craft area. I understand my Locker Box/Storage Cabinet is to be used only to store my work craft tools and materials, and it is not to be used to store personal property. I am aware that all supplies, tools, and crafts must fit in my Locker Box/Storage Cabinet. Any items which are too large for storage in my Locker Box/Storage Cabinet are subject to confiscation and will be disposed of in accordance with guidelines stated in the Inmate Property Control Administrative Directive. If my tools and/or materials are stolen, I will report the theft immediately to the Shift Supervisor and to the Work Craft Supervisor.

I understand that I must be active in my craft. If it is determined that I am not active in any way (i.e. no sales, no purchases, etc.) within a twelve (12) month timeframe, my work craft privileges may be revoked. I understand that violations of any work craft policies or procedures or any of the above rules may result in disciplinary action and/or revocation of my work craft privileges.

I, inmate ADC#, affirm the following:

- 1. I have read and understand this work craft agreement.
2. I have read and understand the current Administrative Directive governing Inmate Work Craft Programs
3. I have received a copy of the Unit Policy concerning the Inmate Work Craft Program; and
4. I agree to abide by all rules, policies, and procedures.

Inmate Signature Date

Work Craft Supervisor Date

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Arkansas Department of Corrections logo
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Commented [LW1]: How is authorization indicated? Also in writing? Who does the inmate submit the request for materials to? The vendor directly? Is there a form at the unit level?
Commented [TW2R1]: Per R. Pierce: Any tool order goes thru the Hobby Craft Supervisor and then to the appropriate deputy warden. The order form would have a withdrawal form attached for approval/disapproval of the order.
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Commented [LW3]: I would suggest striking this and just put locker box. Or Storage Cabinet. If Dexter prefers to leave it, make sure you use Locker Box/Storage Cabinet each time.
Commented [TW4R3]: Per DW Pierce: I would agree on the locker box/storage box. I would use one or the other. In most cases I believe they refer to them as a Hobby Craft Box.
Commented [TW5R3]: Per Mr. Payne: Keep as it is because all units do not have locker boxes and vice versa.
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Commented [LW6]: Is there a form for reporting? Or is this a verbal report?
Commented [TW7R6]: In the case of missing hobby craft tools, it would be verbally reported to the Hobby Craft Supervisor and Security Staff. The inmate would be required to complete a witness statement and possible a Lost or Stolen Report.
Commented [TW8R6]: I attached the form.
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Attachment III

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DIVISION OF CORRECTION

REPORT OF STOLEN PROPERTY

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Date: _____

To: _____ Chief Security Officer

Inmate Name: _____ ADC # _____

List Missing Property: _____

Give a complete description of property and where property was last seen:

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Inmate Signature

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Staff Signature

200-25

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11May27



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Work Craft Program

NUMBER: 2021-14

SUPERSEDES: 16-49

APPLICABILITY: All Employees and Inmates

REFERENCE: AR 841 Inmate Property Control;
AD Tool Control;
AD Inmate Property Control;
AD Inmate Disciplinary Manual;
AD Inmate Withdrawal Requests; and
ACA Standards

PAGE: 1 of 4

APPROVED: Original Signed by Dexter Payne **EFFECTIVE DATE:** 8/5/2021

I. POLICY

It shall be the policy of the Arkansas Division of Correction (ADC) to afford inmates the opportunity to make constructive use of leisure time by participating in approved work craft programs carried out under staff supervision, where available within institutions. All inmate activities should be regulated by written guidelines that define the activity’s purpose and scope including program coordination and supervision, facilities and equipment, and activities initiated by inmates.

II. DEFINITIONS

- A. Major Disciplinary Infraction. Violation(s) of the institutional rules, policy, and procedures that govern inmate conduct.
- B. Work Crafts. Activities such as leatherwork, crocheting, knitting, woodwork, artwork, string art, or other approved craft pursuits as approved by the Warden. No metal jewelry or electronic repair will be approved.
- C. Work Craft Supervisor (WCS). Staff member designated by the Warden to oversee the work craft program at the facility.
- D. Warden. For the purpose of this policy, means Warden or Center Supervisor.

III. PROCEDURES

To the extent that institutional security permits, the Warden may authorize work craft activities. The Warden may designate a work craft area and hours of operation in which

authorized inmates may engage in certain activities under the supervision of the WCS or designee. In addition, the Warden may authorize work craft activities that may be performed in the inmate's living area. The number of work craft permits for certain activities may be limited.

A. Eligibility Criteria

1. To participate in the Work Craft Program, an inmate must not be determined to be a threat to the security and good order of institutional operations. The inmate must obtain a work craft permit that is approved by the WCS. In addition, the inmate must meet the following criteria:
 - a. Maintained Class I for a period of at least ninety (90) days;
 - b. No Major Disciplinary Infractions within ninety (90) days of application of work craft permit;
 - c. Must not have an institutional record that reflects a pattern of violent or assaultive behavior or trafficking of contraband; and
2. If a participant is found guilty of a Major Disciplinary Infraction, his/her work craft privileges will be revoked for a period of at least six (6) months. Upon completion of the six-month period, he/she may reapply for reinstatement of a work craft permit; however, the Warden must approve the reinstatement.

B. Work Craft Materials and Supplies

1. Inmates shall be permitted to use only those work craft materials and supplies authorized for use by the Warden or designee.
 - a. All materials and supplies must be ordered from a pre-approved vendor and authorized by the WCS. Payment to vendor shall include sales tax or use tax. Payment must be made in accordance with the Administrative Directive (AD) on Inmate Withdrawal Requests.
 - b. No materials or supplies may be given to other inmates or taken to an inmate's job assignment unless otherwise approved by the Warden.
 - c. No flammable, toxic, or caustic materials will be allowed.
 - d. All materials and supplies must remain in their original containers.
 - e. Inmates are prohibited from combining orders of materials, supplies, and tools with other inmates.
 - f. Inmate-to-inmate transfer of funds is prohibited regarding work craft.
2. All tools shall be maintained in accordance with the AD on Tool Control.
 - a. All Class A tools are only approved for use in designated work craft areas and shall be secured in an appropriate storage cabinet inaccessible to unauthorized persons. An inmate's use of a Class A tool must be under staff supervision and must be accounted for after each use.
 - b. All tools must be maintained on an inventory for each participant in the area where the tools are stored. The WCS must check this inventory at least monthly.

- c. All tools utilized must be marked with the inmate's ADC number.
 - d. Participants allowed to engage in work craft activities in their living areas may not utilize scissors other than the round-tipped safety type.
 - e. Lost, broken, or destroyed tools must be accounted for by the WCS in accordance with the AD on Tool Control.
3. If necessary, the participants are responsible for purchasing an approved storage box. The amount of tools/equipment will not exceed the amount that will fit into the approved storage area. Excess supplies and materials will be disposed of in accordance with the AD on Inmate Property Control.
 4. Lost or stolen work craft supplies, materials, tools, or finished products must be immediately reported to the WCS for investigation.
 - a. If the WCS determines that the ADC is responsible for the loss of the inmate's work craft tools or materials, the ADC will reimburse up to the sum authorized in the AD on Inmate Property Control.
 5. If an inmate is transferred to another facility, his/her work craft materials must accompany him/her along with personal property. If the new unit of assignment does not offer a work craft program, the materials and supplies will not be allowed and shall be disposed of in accordance with the AD on Inmate Property Control. If the new unit does have a work craft program, the Warden may increase his/her slots as necessary to allow the inmate to participate when transferred for institutional need.

C. Contracts and Sales

1. The WCS shall ensure that no contract or sale is approved that may be detrimental to the security, discipline, or good order of the institution, or if it is likely to facilitate criminal activity. Inmates may not enter in a contract for the purchase of work craft products.
2. Before receiving a work craft permit, each participating inmate must sign an agreement stating the following:
 - a. May not sell, give away, loan, or sublet any work craft tools/equipment to other inmates;
 - b. They are accountable for all tools and equipment at all times;
 - c. If tools are stolen or missing, they must immediately report it to the WCS and Shift Supervisor and may be required to fill out a Report of Stolen Property form (attachment III);
 - d. Violation of any of the Work Craft rules will result in disciplinary action and revocation of permit and may result in a permanent revocation of permit; and
 - e. Inmates may not send work craft products out for resale.
3. Work Craft Supervisors are responsible for the following:
 - a. Ensuring that the Work Craft Purchase Agreement or appropriate contract has been properly filled out and signed by the appropriate parties;

- b. Providing the Business Manager with copies of receipts, contracts, and related money to be deposited;
 - c. Determining whether the item(s) being sent out is a legitimate sale;
 - d. Visually verifying that the item(s) has been completed as specified in the Work Craft Purchase Agreement or appropriate contract;
 - e. Signing and dating the Work Craft Purchase Agreement or appropriate contract upon the completion and delivery of the item(s); and
 - f. Retaining all Work Craft Purchase Agreements or appropriate contracts in accordance with the AD on Records Retention.
4. Finished work craft products shall be distributed through the WCS as approved by the Warden.
 - a. Program participants desiring to mail items through the mailroom are responsible for all postage.
 - b. Items sent out during visitation will only be to persons on an inmate's approved visitation list.
 5. The Warden may determine how often work craft displays may be held at the institution, based on space availability.
 6. All persons desiring to purchase a work craft item(s) must sign the Work Craft Purchase Agreement (Attachment) or appropriate contract as approved by the WCS. Work pursuant to a Work Craft Purchase Agreement will not be initiated until payment has been received in full.
 7. Inmates will not be permitted to purchase work craft items for themselves or others.
 8. Inmates may donate completed items to approved fundraisers, such as Paws in Prison. Such items may then be sold by the approved fundraiser. The proceeds of such sales are retained in full by the fundraiser.
 9. Funds from sale of work craft products shall be receipted and credited to the inmate's account as described in Control and Deposit of Receipts, and Receipt of Inmate Funds at Unit Location procedures in the Accounting Control Procedures Manual.
 10. The ADC is not responsible for the quality of work produced by an inmate participating in the work craft program. Any inmate who defaults on an agreement may have his or her work craft permit suspended or permanently revoked.

IV. ATTACHMENTS

- I. Work Craft Purchase Agreement
- II. Inmate Work Craft Agreement
- III. Report of Stolen Property



Attachment I

**INMATE WORK CRAFT PURCHASE AGREEMENT
UNIT _____**

I, _____, request to have the following Work Craft item(s)
(Print Name)
made by the inmate listed below. This item is for personal use only and is not intended for resale. My signature below indicates my commitment to purchase the item(s) and pay in full the amount listed below.

<u>ITEM(s)</u>	<u>COLORS</u>	<u>NAME ON ITEM & SIZE</u>	
#1 _____			\$ _____
#2 _____			\$ _____
#3 _____			\$ _____
#4 _____			\$ _____
#5 _____			\$ _____
Total Price			\$ _____

Craft Card Type and Number

Signature of Work Craft Inmate and ADC #

Signature of Customer

_____/_____/_____
Date of Agreement

Signature of Work Craft Supervisor

_____/_____/_____
Completion Date

Signature of Work Craft Supervisor



Attachment II

DIVISION OF CORRECTION INMATE WORK CRAFT AGREEMENT

I understand that I have thirty (30) days from the date that my work craft card was issued to place an order for work craft tools and materials from a pre-approved vendor. I understand that this request for materials must be submitted to the Work Craft Supervisor and approved by the Deputy Warden.

I understand that I may not sell, give away, loan, or sublet any of my craft tools and/or supplies to other inmates. I understand that I am required to purchase a combination lock that is key accessible, and sold at the Unit Commissary, which will be used to secure my tools and materials.

I understand that I am accountable for the workstation and Locker Box/Storage Cabinet assigned to me. I will clean my workstation before leaving the work craft area. I understand my Locker Box/Storage Cabinet is to be used only to store my work craft tools and materials, and it is not to be used to store personal property. I am aware that all supplies, tools, and crafts must fit in my Locker Box/Storage Cabinet. Any items which are too large for storage in my Locker Box/Storage Cabinet are subject to confiscation and will be disposed of in accordance with guidelines stated in the Inmate Property Control Administrative Directive. If my tools and/or materials are stolen, I will report the theft immediately to the Shift Supervisor and to the Work Craft Supervisor.

I understand that I must be active in my craft. If it is determined that I am not active in any way (i.e. no sales, no purchases, etc.) within a twelve (12) month timeframe, my work craft privileges may be revoked. I understand that violations of any work craft policies or procedures or any of the above rules may result in disciplinary action and/or revocation of my work craft privileges.

I, inmate _____ ADC# _____, affirm the following:

1. I have read and understand this work craft agreement,
2. I have read and understand the current Administrative Directive governing Inmate Work Craft Programs
3. I have received a copy of the _____ Unit Policy concerning the Inmate Work Craft Program; and
4. I agree to abide by all rules, policies, and procedures.

Inmate Signature

Date

Work Craft Supervisor

Date



Attachment III

DIVISION OF CORRECTION
REPORT OF STOLEN PROPERTY

Date: _____

To: _____ Chief Security Officer

Inmate Name: _____ ADC # _____

List Missing Property: _____

Give a complete description of property and where property was last seen: _____

Inmate Signature

Staff Signature

200-25

ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2021- SUPERSEDES: 19-28

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

REFERENCE: AR 836 Segregation; PAGE: 1 of 6
AD Disciplinary Court Review;
AD Punitive Segregation-Restriction;
AD Step-Down Program; and
SD Prison Rape Elimination Act

APPROVED: EFFECTIVE DATE:

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.

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/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

1. 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.
2. Restrictive Housing (RH). Placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.
3. Extended Restrictive Housing. Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day 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.

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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. 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. Any inmate who exhibits chronic unruly behavior shall be evaluated by the Mental Health Staff upon request by the Warden or his/her designee. The results of the evaluation shall be considered by the Classification Committee in determining the RH status of the inmate.
8. Confinement of pregnant inmates or inmates who are Seriously Mentally Ill (SMI) in Extended RH is prohibited.
9. An inmate will not be placed in RH based on Gender Identity alone.

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 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 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.

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3. 3. The Classification Committee will hold the hearing to determine assignmentAssignment within seven (7) days of placementPlacement and after the inmate has received written notice, along with other provisions listed above.¶

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<#>¶ 2. The inmate will receive written notification of the hearing not less than twenty- four (24) hours prior to the hearing.¶

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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 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/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.

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<#>1. Opportunity for exercise, a minimum of one (1) hour of exercise per day, five (5) days per week, unless security or safety dictates otherwise. Opportunities to exercise outdoors, weather permitting. Reasons for the imposition of any constraints should be documented in the log and justified in writing. Inmates who have out-of-cell work Assignments are not required to receive the one-hour exercise period.

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Note: 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.

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E. 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

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a. For any youthful inmate housed in punitive housing or restrictive housing, the ¶

<#> Warden or designee will provide a written authorization stating the specific ¶

<#> reasons for housing the youthful inmate outside of the general population youthful ¶

<#> inmate housing area. The statement shall include a release plan specifying what ¶

<#> behaviors need to be modified and under what conditions the youthful inmate may ¶

<#> be returned to the general population youthful inmate housing area. ¶

<#> b. The Warden or designee will provide the written authorization for every twenty-¶

<#> four (24) hour period during which the youthful inmate remains in punitive ¶

<#> housing or restrictive housing after the initial twenty-four (24) hour placement. ¶

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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

RESTRICTIVE HOUSING PLACEMENT

Attachment 1

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.

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Deleted: Administrative Directive 2019-28 Page 11 of 11

RESTRICTIVE HOUSING CLASSIFICATION COMMITTEE WAIVER

Attachment

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:

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Signature: _____

Date: _____

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

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 Pine Bluff, Arkansas 71602
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ADMINISTRATIVE DIRECTIVE

SUBJECT: Restrictive Housing

NUMBER: 2021-15

SUPERSEDES: 19-28

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

REFERENCE: AR 836 Segregation;
 AD Disciplinary Court Review;
 AD Punitive Segregation-Restriction;
 AD Step-Down Program; and
 SD Prison Rape Elimination Act

PAGE: 1 of 6

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.

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/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

1. 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.
2. Restrictive Housing (RH). Placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.
3. Extended Restrictive Housing. Placement in housing that separates the inmate from contact with general population while restricting an inmate to his/her cell for twenty-two (22) hours per day 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.

4. Restrictive Recreation. A status Assignment allowing the Classification Committee or Warden/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.
5. 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.
6. 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.
7. 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.
8. Disciplinary Court Review (DCR). The confinement of an inmate in RH until a disciplinary hearing is completed due to an alleged disciplinary infraction.
9. Placement. Removal of an inmate from general population to a RH Assignment.
10. Assignment. A decision by the Institutional Classification Committee that RH is appropriate.
11. 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.
12. 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.
13. 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 absent approval 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. 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. Any inmate who exhibits chronic unruly behavior shall be evaluated by the Mental Health Staff upon request by the Warden or his/her designee. The results of the evaluation shall be considered by the Classification Committee in determining the RH status of the inmate.
8. Confinement of pregnant inmates or inmates who are Seriously Mentally Ill (SMI) in Extended RH is prohibited.
9. An inmate will not be placed in RH based on Gender Identity alone.

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 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 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.

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. Inmates who have out-of-cell work Assignments are not required to receive the one-hour exercise period.
- e. If assigned work duties, the job will be within the limits of the inmate's medical classification/restrictions.
- f. Regularly scheduled meals may be served in cells instead of the chow hall.
- g. Chaplains will visit the RH area at least weekly and upon request.
- 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.
- 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.
- j. Commissary purchases will be limited to \$10 weekly due to security requirements on inmates in RH. Items not allowed include ice cream, razors, any sharp objects, canned items, and others as designated in writing by unit policies.
- k. Appropriate clothing will be issued. Jumpsuits may replace pants/tops due to strings necessary for pants and other security concerns.
- l. A reasonable amount of reading material and educational material approved by the Educational Department.
- m. Bedding is to be changed weekly and weekly laundry services are to be provided.
- n. Access to legal materials upon request and in accordance with unit policy.
- o. Access to attorney of record via legal mail and telephone.
- 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. 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.

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 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/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.

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



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

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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.



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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.



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**RESTRICTIVE HOUSING STATUS REVIEW
RECORD OF RELEASE CONSIDERATION**

Attachment III

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

- | | |
|---|---|
| <p><input type="checkbox"/> 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):

_____</p> | <p><input type="checkbox"/> 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</p> <p><input type="checkbox"/> Release pending completion of RH Restrictive Release Plan</p> |
|---|---|

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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RESTRICTIVE HOUSING RELEASE PLAN

Attachment IV

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



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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): _____

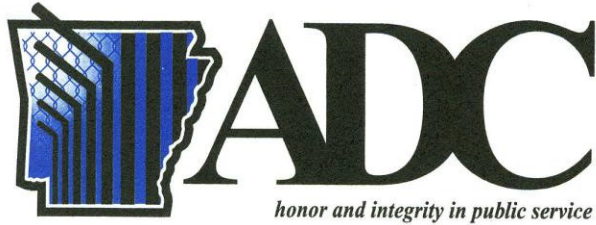
RHCC Member Signature: _____

Date: _____

Witness Name (Please print): _____

Witness Signature: _____

Date: _____



Arkansas Department of Correction

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~~ADMINISTRATIVE DIRECTIVE~~

~~SUBJECT: AGENCY WEBSITE~~

~~NUMBER: 18-09~~

~~SUPERSEDES: 15-11~~

~~APPLICABILITY: All employees and inmates within the Department of Correction.~~

~~REFERENCE: AR 009 Public & Community Relations — PAGE 1 of 4
 and AR 804 Inmate Records~~

~~APPROVED: Original signed by Wendy Kelley~~

~~EFFECTIVE DATE: 02/2/18~~

~~I. POLICY:~~

~~It shall be the policy of the Department of Correction to allow convenient public access to information related to its programs, services, and events; in addition to information related to an inmate's criminal history, offense(s), sentencing and institutional behavior.~~

~~II. PURPOSE:~~

~~In keeping with the Department's Strategic Plan, the goals of the Department's public website will be to:~~

- ~~1. Improve accountability;~~
- ~~2. Improve relationships with other elements of the criminal justice system;~~
- ~~3. Improve public relations; and~~
- ~~4. Educate the public.~~

III.—PROCEDURES:

A. Agency Operations

~~The Department's public website shall include information related to the Department's operations to include at a minimum:~~

- ~~1. The current Strategic Plan;~~
- ~~2. The current Organizational Chart;~~
- ~~3. The contact information for each correctional facility and administrative office;~~
- ~~4. The location of each correctional facility and a description of its operations;~~
- ~~5. Pertinent information for institutional visitors;~~
- ~~6. A list of current escapees, to include their most recent photograph and instructions for reporting information on their whereabouts;~~
- ~~7. A list of inmates currently sentenced to death;~~
- ~~8. A list of currently available job openings and instructions for applicants;~~
- ~~9. A prominent display of available Online Services;~~
- ~~10. Research studies and reports required to be posted by A.C.A. § 12-1-102; and~~
- ~~11. Publications prepared by the Department which will advance the public's knowledge of the Department's programs, services, and events.~~

B. Inmate Records

~~To the extent permitted by federal law, the Department shall post and maintain on its public website the following inmate records:~~

- ~~1. The offense and sentence for any conviction for which the inmate is incarcerated, including:
 - ~~a) Whether the inmate is subject to a suspended sentence, if known; and~~
 - ~~b) The terms of the suspended sentence, if applicable.~~~~
 - ~~2. The disciplinary record for each inmate.~~
 - ~~a) For the purpose of this listing, the term "disciplinary record" means a list of each major disciplinary violation and the date of the violation occurring after July 1, 2015, for which the inmate has been found guilty.~~
-

- ~~b) The disciplinary record for each inmate during the time the inmate is being considered for parole. For the purpose of this listing, the term “disciplinary record” means a list of all disciplinaries and the date of the disciplinaries for which the inmate has been found guilty, regardless of the date;~~
- ~~3. The risk assessment scores (except scores completed as part of mental health treatment) for each inmate completed after April 1, 2015. The risk assessment listing shall include the name of the state agency that completed the risk assessment, the date the risk assessment was conducted, and the level of assessment. A general explanation of how risk assessments are scored will be posted on the web site;~~
- ~~4. The inmate’s custody and classification level;~~
- ~~5. Any known aliases of the inmate;~~
- ~~6. A current photograph of the inmate;~~
- ~~7. A description of the inmate’s scars, marks, and tattoos on file with the Department;~~
- ~~8. A complete felony conviction summary for the inmate to the extent that such information is available to the Department;~~
- ~~9. To the extent the information is available to the Department, the existence of any order of protection, no contact order, or other order from an in-state or out-of-state court that prohibits contact or communication with another person by the inmate;~~
- ~~10. All detainers for the inmate, filed with the Department, and their current status;~~
- ~~11. Any programs (except drug treatment programs) completed by the inmate while in custody;~~
- ~~12. The inmate's parole eligibility date or date he or she is to be released from incarceration as well as a general explanation of how an inmate’s parole eligibility date is calculated, including an explanation of good time credits.~~

~~C. Hosting~~

~~The Department’s public website shall be hosted through the Arkansas government web portal, Arkansas.gov, or its successor.~~

~~D. Maintenance~~

- ~~1. The Department’s Public Information Officer (PIO) is designated as the Department’s Webmaster and is responsible for the maintenance of the public website. However, the PIO may delegate functions related to this role to subordinate staff.~~
 - ~~2. The PIO, or their designee, will consult with the Information Technology Section on issues related to the maintenance of the Department’s public website.~~
-

3. ~~The PIO shall seek, and receive, the approval of the Director prior to authorizing any of the following actions:-~~
 - a) ~~Adding content to the website not specifically authorized by this directive; or~~
 - b) ~~Making substantive changes to the design and layout of the website.~~

E. ~~Feedback~~

1. ~~The PIO shall periodically seek the input of other Department staff on issues related to the content, form, and function of the Department's public website.~~
2. ~~The website shall contain a method for members of the general public to contact the webmaster with issues related to the content, form, and function of the website.~~

REPEALED

ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Welfare Fund

NUMBER: 2021-

SUPERSEDES: 13-77

APPLICABILITY: All Employees

REFERENCE: AR 100 Fiscal Accounting Operations
A.C.A. § 12-29-107; 12-29-108

PAGE: 1 of 1

APPROVED:

EFFECTIVE DATE:

I. POLICY:

Arkansas Code Annotated 12-29-107 authorizes establishment of an inmate welfare fund. Any moneys held as inmate welfare funds, or received as inmate welfare funds through contributions, profits, or sale of products to inmates, or otherwise, shall be held as a special fund to be administered and controlled by the Director for the general benefit of the inmates under rules and regulations as established by the Board of Corrections (Board).

II. PROCEDURES:

- A. Interest earned on the inmate trust fund account shall be deposited in the Inmate Welfare Fund.
- B. Arkansas Code Annotated 12-29-108 prescribes that unauthorized cash found in the possession of inmates shall be confiscated upon completion of required investigation process and deposited into the Inmate Welfare Fund. Unauthorized negotiable instruments that are cash equivalents are included in the definition of cash.
- C. Expenditures from the Inmate Welfare Fund requires approval as follows:
 1. Board and Secretary of Corrections approval for an amount of \$10,000 and greater.
 2. The Director's approval for an amount of \$1,000 to \$9,999.
 3. Administrative Services Chief Financial Officer approval for an amount of \$1,000 or less.
- D. Through regulation and past usage of proceeds of the Inmate Welfare Fund, expenditure shall be limited to items of mutual benefit for all inmates and operating expenses of the account required to support inmate commissary operations. Maintenance projects that improve the safety or health of inmates may be paid from the Inmate Welfare Fund. Repairs or maintenance resulting from deliberate destruction or damage caused by inmate may be paid from the Inmate Welfare Fund after proper investigation and approval of investigative findings by the Director.

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Division of Correction – Director’s Office

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ADMINISTRATIVE DIRECTIVE

SUBJECT: Inmate Welfare Fund

NUMBER: 2021-16

SUPERSEDES: 13-77

APPLICABILITY: All Employees

REFERENCE: AR 100 Fiscal Accounting Operations
 A.C.A. § 12-29-107; 12-29-108

PAGE: 1 of 1

APPROVED: Original Signed by Dexter Payne

EFFECTIVE DATE: 8/24/2021

I. POLICY:

Arkansas Code Annotated 12-29-107 authorizes establishment of an inmate welfare fund. Amounts held as inmate welfare funds, or received as inmate welfare funds through contributions, profit from sale of products to inmates, or otherwise, shall be held as a special fund to be administered and used by the Director for the general benefit of the inmates under rules and regulations as established by the Board of Corrections (Board).

II. PROCEDURES:

- A. Interest earned on the inmate trust fund account shall be deposited in the Inmate Welfare Fund.
- B. Arkansas Code Annotated 12-29-108 prescribes that unauthorized cash found in the possession of inmates shall be confiscated upon completion of required investigation process and deposited into the Inmate Welfare Fund. Unauthorized negotiable instruments that are cash equivalents are included in the definition of cash.
- C. Expenditures from the Inmate Welfare Fund requires approval as follows:
 1. Board and Secretary of Corrections approval for an amount of \$10,000 and greater.
 2. The Director’s approval for an amount of \$1,000 to \$9,999.
 3. Administrative Services Chief Financial Officer approval for an amount of \$1,000 or less.
- D. Through regulation and past usage of proceeds of the Inmate Welfare Fund, expenditures shall be limited to items of mutual benefit for all inmates and operating expenses of the account required to support inmate commissary operations. Maintenance projects that improve the safety or health of inmates may be paid for from the Inmate Welfare Fund. Repairs or maintenance resulting from deliberate destruction or damage caused by inmates may be paid from the Inmate Welfare Fund after proper investigation and approval of investigative findings by the Director.



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ADMINISTRATIVE DIRECTIVE

~~SUBJECT: Americans with Disabilities Amendments Act~~

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~~NUMBER: 17-14~~ ~~SUPERSEDES: 15-24~~

~~APPLICABILITY: Employees~~

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~~REFERENCE: AR 204 Employment and Act 98 of 2011~~ ~~PAGE: 1 of 7~~

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~~APPROVED: Original Signed by Wendy Kelley~~ ~~EFFECTIVE DATE: 03/02/2017~~

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~~I. POLICY:~~

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

~~II. EXPLANATION:~~

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

~~III. DEFINITIONS:~~

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~~Act The Americans with Disabilities Amendments Act.~~

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

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

~~B. ADC The Arkansas Department of Correction, its divisions, offices and programs:~~

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~~C. Agency ADA Employment Coordinator, Human Resource Administrator or designee.~~

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~~D. Individuals with Disabilities—Persons who have a physical or mental impairment that substantially limits one or more of the major life activities; a record of such impairment; or is regarded as having such impairment. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. If the impairment is episodic or in remission, it is a disability if it would substantially limit a major life activity when active.~~

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~~E. Major Life Activities—An average person can perform these activities with little or no difficulty. Examples are: caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.~~

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~~F. Being Regarded as Having Such an Impairment—An individual meets the requirement of “being regarded as having such an impairment” if the individual establishes that he or she has been subjected to an action prohibited under this policy because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.~~

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~~1. Transitory Impairment—Impairment with an actual or expected duration of six months or less is not considered a disability for purposes of this policy.~~

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~~2. The definition of disability shall be construed in favor of broad definition, making for broad coverage under terms of this policy.~~

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~~3. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.~~

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~~4. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.~~

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~~5. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the beneficial (improving) effects of reasonable measures such as:~~

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~~a. medication, medical supplies, equipment, or appliances, low vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetic including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices or oxygen therapy equipment and supplies:~~

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~~(1) the term "ordinary eyeglasses or contact lenses" means lenses that are intended to fully correct visual acuity or eliminate refractive error; and~~

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~~(2) the term "low vision devices" means devices that magnify, enhance or otherwise augment a visual image.~~

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~~b. use of assistive technology;~~

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~~c. reasonable accommodations or auxiliary aids or services; or~~

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~~d. learned behavioral or adaptive neurological modifications.~~

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~~G. Qualification Standards and Tests Related to Uncorrected Vision— Notwithstanding the above, the Agency shall not use qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision unless the standard, test, or other selection criteria, as used by the Department, is shown to be job related for the position in question for the protection of the security and good order of its institutions.~~

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~~H. Reasonable Accommodation— A modification or adjustment to a job, the work environment or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Examples for non-security positions include acquiring or modifying equipment or devices, job restructuring, part time or modified work schedules, providing readers or interpreters, or making the workplace accessible to and usable by individuals with disabilities. An employer is not required to accommodate an employee or applicant's disability if doing so would impose an undue hardship on the operation of the business. However, an employer is not required to reallocate essential~~

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

~~I. **Undue Hardship.** An action that requires significant difficulty or expense in relation to the size of the business, the resources available and the nature of the program. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, and disruptive or that would fundamentally alter the nature or operation of the business adversely affect the security and good order of the operation of the department.~~

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~~J. **Employment Discrimination.** Unlawful discrimination based on a disability in the terms and conditions of the Department's employment.~~

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

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

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~~1. A concern or complaint must be filed in writing.~~

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~~2. The complaint must be filed within five (5) days after the alleged violation has occurred. A representative may file a complaint on behalf of the injured party.~~

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~~3. Within fifteen (15) business days of receipt of the complaint, the Human Resources Administrator will initiate an investigation, which shall include a meeting with the complainant. This process contemplates an informal, but thorough investigation, affording all interested persons and their representatives an opportunity to submit evidence relevant to the complaint.~~

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~~4. The results of the investigation will be reviewed by the Warden, Administrator, etc., of the unit or area where the complaint occurred, the Human Resources Administrator and an interested similarly disabled person, if possible.~~

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~~5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Human Resources Administrator and a copy forwarded to the complainant. The response should be issued within thirty (30) business days from the filing of the complaint, unless the Human Resources Administrator determines that the complexity of the issues gives rise to good cause for the delay.~~

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~~6. The complainant may request a reconsideration of the case in instances where the complainant can provide specific information contrary to the final ruling. The request for reconsideration must be made in writing within five (5) working days to the Human Resources Administrator. The Administrator will reconsider the case if merited.~~

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~~7. This procedure shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the Department complies with the Act and it is implementing regulations.~~

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

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~~A. Requests for Reasonable Accommodation~~

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

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

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

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

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

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

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~~7. The Human Resources Administrator will issue a final response in writing to the employee and the Warden/Administrator regarding the provision of the reasonable accommodation and the placement of the employee based on the employee's ability to qualify for a vacant position within the Department.~~

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~~B. Need for Accommodation is Determined on a Case by Case Basis/Taking into Consideration:~~

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~~1. the specific disabling condition;~~

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

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

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~~4. the work environment; and~~

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

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~~V. EMPLOYMENT:~~

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

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

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

~~VI. REFERENCES:~~

~~Americans with Disabilities Amendments Act~~

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REPEALED



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: Testing Inmates for Human Immunodeficiency Virus (HIV)

NUMBER: 2021-~~_____~~ **SUPERSEDES:** 20-14~~_____~~

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APPLICABILITY: All inmates and health service providers

REFERENCE: AR 833, ACA Standards for Adult Correctional Institutions 5th Edition, 2019, A.C.A. §§16-82-101, 5-14-103, 5-14-110, 5-14-124, 5-14-125, 5-14-126, 5-14-127, 5-26-202, and 5-70-102.

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PAGE: 1 of 3

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I. POLICY:

It is policy of the Arkansas Division of Correction (ADC) to minimize the spread of communicable diseases. The ADC shall require HIV testing or screening of inmates upon intake. The ADC shall facilitate appropriate counseling and treatment options if an inmate tests positive for HIV and shall determine proper housing of HIV infected inmates during their term of confinement.

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H. DEFINITIONS:

A. Acquired Immunodeficiency Syndrome (AIDS). A disease process whereby the human immune system is made dysfunctional and/or incapable of resisting or fighting an infection. The Centers for Disease Control (CDC) defines AIDS as being HIV Positive and having one (1) of the two following conditions: a CD4 cell count less than 200 cells per milliliter of blood or if they develop certain opportunistic infections.

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B. ADC HIV Coordinator. The staff member responsible for maintaining a monthly reporting system on HIV and/or AIDS patients and monitoring the institutional behavior and tracking the care of HIV infected inmates.

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C. Aggressive/Assaultive Behavior. Any threat to infect another, any attempt to bite, scratch, or otherwise establish blood-to-blood contact, any ejection of bodily fluids on another, or like behavior.

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D. HIV Testing. Standard laboratory procedures which analyze human blood or bodily fluids for evidence of exposure to, or the presence of HIV.

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E. HIV Positive. The result of being serologically identified as having been exposed to and/or carrying HIV. A test for HIV is considered positive when a blood or body fluid specimen has demonstrated a reactive assay and is thereafter confirmed by a confirmatory Enzyme Immunoassay (EIA) and Western Blot.

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F. Human Immunodeficiency Virus (HIV). A virus that attacks the body’s immune system and the causative agent of AIDS and related clinical manifestations.

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~~G. Infection Control Coordinator. The Medical Vendor's assigned staff member responsible for the collection and reporting of health care information/data related to communicable diseases in the ADC and advising agency health care clinicians and managers as to the recommend management/care of community infection(s). Other duties of the Infection Control Coordinator are to:~~

- ~~1. Schedule and conduct specialty HIV Clinics;~~
- ~~2. Notify all new HIV Positive inmates of their status; and~~
- ~~3. Provide training/education on HIV to staff and inmates;~~

~~H. Inmate Initiated. Health care services requested by an inmate, typically through a Sick Call Request.~~

~~I. Restrictive Housing. A placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.~~

~~J. Sexual Behavior. Any sexual behavior with another person or any masturbatory act leaving seminal fluid in a place where others are likely to come in contact with it.~~

~~K. Universal or Standard Precautions. The practice of treating all bodily fluids (except sweat) as known to be infectious for HIV, Hepatitis B Virus (HBV), and other blood borne pathogens regardless of an individual's history.~~

III. PROCEDURE:

~~A. General. All inmates shall be tested for HIV at the time of their reception into the ADC.~~

~~B. Specific~~

- ~~1. Inmates housed in the ADC will be tested for HIV in accordance with the Centers for Disease Control (CDC) and the Arkansas Department of Health (ADH) guidelines.~~
- ~~2. HIV Testing will also be provided upon the request of an inmate (no more than once every twelve (12) months), or as determined to be clinically necessary by an attending physician/nurse practitioner, and/or as may be requested due to Aggressive/Assaultive or Sexual Behavior.~~
- ~~3. Inmates who receive a disciplinary for Sexual or Aggressive/Assaultive Behavior may be asked to submit to HIV Testing and shall be counseled about the possible consequences of such behavior.~~
- ~~4. A person arrested and charged with violating the following Arkansas Code Annotated (A.C.A.) may be required by the court having jurisdiction of the criminal prosecution to be tested for the presence of HIV or any antibody to HIV, and the results of the tests shall be provided to the victim:

 - ~~• A.C.A. § 5-14-103, Rape;~~
 - ~~• A.C.A. § 5-14-110, Sexual Indecency with a child;~~
 - ~~• A.C.A. § 5-14-124, Sexual Assault in the first degree;~~
 - ~~• A.C.A. § 5-14-125, Sexual Assault in the second degree;~~
 - ~~• A.C.A. § 5-14-126, Sexual Assault in the third degree;~~
 - ~~• A.C.A. § 5-14-127, Sexual Assault in the fourth degree;~~
 - ~~• A.C.A. § 5-26-202, Incest;~~
 - ~~• A.C.A. § 5-70-102, Prostitution.~~~~
- ~~5. The victim of a sexual assault may request that the person arrested and charged with the offense be tested for the presence of HIV.~~

~~Deleted: H- Inmate Initiated. Health care services requested by an inmate, typically through a Sick Call Request.~~

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~~AIDS: An acronym, which stands for acquired immunodeficiency syndrome; a disease process whereby the human immune system is made dysfunctional and/or incapable of resisting or fighting an infection. The Centers for Disease Control (CDC) defines AIDS as being HIV positive and having one of the two following conditions: CD4 count less than 200 or if they develop certain opportunistic illnesses.~~

~~HIV testing: Refers to standard laboratory procedures, which analyze human blood or bodily fluids for evidence of exposure to or the presence of HIV. The most commonly used tests are the Enzyme Immunoassay (EIA) and the Western Blot.~~

~~HIV positive: The result of being serologically identified as having been exposed to and/or carrying HIV. A test for HIV is considered positive when a blood or body fluid specimen has demonstrated a reactive assay and is thereafter confirmed by a confirmatory EIA and Western Blot.~~

~~Deleted: Restrictive Housing. A placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.~~

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~~Deleted: Sexual Behavior. Any sexual behavior with another person or any masturbatory act leaving seminal fluid in a place where others are likely to come in contact with it.~~

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~~Deleted: Universal or Standard Precautions. The practice of treating all bodily fluids (except sweat) as known to be infectious for HIV, Hepatitis B Virus (HBV), and other blood borne pathogens regardless of an individual's history.~~

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~~Moved up [2]: A test for HIV is considered positive when a blood or body fluid specimen has demonstrated a reactive assay and is thereafter confirmed by a confirmatory EIA and Western Blot.~~

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~~Deleted: may be required by the court having jurisdiction of the criminal prosecution to be tested for the presence of HIV or any antibody to HIV, and the results of the tests shall be provided to the victim;~~



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

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

ADMINISTRATIVE DIRECTIVE

SUBJECT: Testing Inmates for Human Immunodeficiency Virus (HIV)

NUMBER: 2021-17

SUPERSEDES: 20-14

APPLICABILITY: All inmates and health service providers

REFERENCE: AR 833, ACA Standards for Adult Correctional Institutions 5th Edition, 2019 A.C.A. §§16-82-101, 5-14-103, 5-14-110, 5-14-124, 5-14-125, 5-14-126, 5-14-127, 5-26-202, and 5-70-102.

PAGE: 1 of 3

APPROVED: Original signed by Dexter Payne

EFFECTIVE DATE: 9/27/2021

I. POLICY:

It is policy of the Arkansas Division of Correction (ADC) to minimize the spread of communicable diseases. The ADC shall require HIV testing or screening of inmates upon intake. The ADC shall facilitate appropriate counseling and treatment options if an inmate tests positive for HIV and shall determine proper housing of HIV infected inmates during their term of confinement.

II. DEFINITIONS:

- A. Acquired Immunodeficiency Syndrome (AIDS). A disease process whereby the human immune system is made dysfunctional and/or incapable of resisting or fighting an infection. The Centers for Disease Control (CDC) defines AIDS as being HIV Positive and having one (1) of the two (2) following conditions: a CD4 cell count less than 200 cells per milliliter of blood or if they develop certain opportunistic infections.
- B. ADC HIV Coordinator. The staff member responsible for maintaining a monthly reporting system on HIV and/or AIDS patients and monitoring the institutional behavior and tracking the care of all HIV infected inmates.
- C. Aggressive/Assaultive Behavior. Any threat to infect another, any attempt to bite, scratch or otherwise establish blood-to-blood contact, any ejection of bodily fluids on another, or like behavior.
- D. HIV Testing. Standard laboratory procedures which analyze human blood or bodily fluids for evidence of exposure to, or the presence of HIV.
- E. HIV Positive. The result of being serologically identified as having been exposed to and/or carrying HIV. A test for HIV is considered positive when a blood or body fluid specimen has demonstrated a reactive assay and is thereafter confirmed by a confirmatory Enzyme Immunoassay (EIA) and Western Blot.
- F. Human Immunodeficiency Virus (HIV). A virus that attacks the body’s immune system and the causative agent of AIDS and related clinical manifestations.

- G. Infection Control Coordinator. The Medical Vendor's assigned staff member responsible for the collection and reporting of health care information/data related to communicable diseases in the ADC and advising agency health care clinicians and managers as to the recommended management/care of community infection(s). Other duties of the Infection Control Coordinator are to:
1. Schedule and conduct specialty HIV Clinics;
 2. Notify all new HIV Positive inmates of their status; and
 3. Provide training/education on HIV to staff and inmates.
- H. Inmate-Initiated. Health care services requested by an inmate, typically through a Sick Call Request.
- I. Restrictive Housing. A placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.
- J. Sexual Behavior. Any sexual behavior with another person or any masturbatory act leaving seminal fluid in a place where others are likely to come in contact with it.
- K. Universal or Standard Precautions. The practice of treating all bodily fluids (except sweat) as if known to be infectious for HIV, Hepatitis B Virus (HBV), and other blood-borne pathogens, regardless of an individual's history.

III. PROCEDURE:

- A. General. All inmates shall be tested for HIV at the time of their reception into the ADC.
- B. Specific
1. Inmates housed in the ADC will be tested for HIV in accordance with the Centers for Disease Control (CDC) and the Arkansas Department of Health (ADH) guidelines.
 2. HIV Testing will also be provided upon the request of an inmate (no more than once every twelve (12) months), or as determined to be clinically necessary by an attending physician/mid-level practitioner, and/or as may be requested due to Aggressive/Assaultive or Sexual Behavior.
 3. Inmates who receive a disciplinary for Sexual or Aggressive/Assaultive Behavior may be asked to submit to HIV Testing and shall be counseled about the possible consequences of such behavior.
 4. A person arrested and charged with violating the following Arkansas Code Annotated (A.C.A.) may be required by the court having jurisdiction of the criminal prosecution to be tested for the presence of HIV or any antibody to HIV, and the results of the tests shall be provided to the victim:
 - A.C.A. § 5-14-103, Rape;
 - A.C.A. §5-14-110, Sexual Indecency with a child;
 - A.C.A. §5-14-124, Sexual Assault in the first degree;
 - A.C.A. §5-14-125, Sexual Assault in the second degree;
 - A.C.A. §5-14-126, Sexual Assault in the third degree;
 - A.C.A. § 5-14-127, Sexual Assault in the fourth degree;
 - A.C.A. §5-26-202, Incest;
 - A.C.A. §5-70-102, Prostitution.
 5. The victim of a sexual assault may request that the person arrested and charged with the offense be tested for the presence of HIV.

6. If the person arrested and charged with the offense is in the custody of the ADC, the test shall be administered by a medical professional working within the ADC.
 7. Inmates identified as HIV Positive will have an alert code entered into the ADC's electronic Offender Management Information System (eOMIS). The code will not be unique to HIV Positive individuals, nor will it carry information as to the nature of the disorder.
 8. Individuals who are HIV Positive and demonstrate Aggressive/Assaultive Behavior or engage in Sexual Behavior, consensual or otherwise, may be placed in Restrictive Housing as recommended by the Division's HIV Coordinator and approved by the Division's Administrator of Medical Services.
 9. Medical Services will have written protocols regarding the management and treatment of HIV and AIDS. Clinics and services will be provided in accordance with the guidelines of the CDC and the ADH.
 10. The ADC will support all efforts to prevent transmission of HIV through training of staff, education of inmates, provision of rubber gloves, issuance of disposable pocket masks for mouth-to-mouth resuscitation, provision for cleaning bodily fluid spills, and the like. These efforts will be monitored by the ADC HIV Coordinator and the Medical Vendor's Infection Control Coordinator. The Medical Vendor's Infection Control Coordinator will report monthly on the status of such efforts.
 11. No identification of HIV Positive individuals shall be made outside of health records, files of the HIV Coordinator or Infection Control Coordinator, password protected computer files, records of the ADH, and such documentation essential to accomplish movement and assignment. Universal Precautions are followed in all medical spaces, so that identification should not be necessary in those settings.
- C. Assessment of Co-Pay Fees. The Co-pay fee is set by the Board of Corrections (BOC) and is to be charged for inmate-initiated services. That amount is currently three dollars (\$3) but may be adjusted by the BOC.
1. There is no co-pay fee assessment for policy-directed HIV testing.
 2. A co-pay fee may be assessed for inmate-initiated request(s) for HIV testing.



*"Service with Excellence
& Integrity"*

Arkansas Department of Community Correction

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105 West Capitol, 2nd Floor
Little Rock, Arkansas 72201-5731
(501) 682-9510 — Fax: (501) 682-9513

ADMINISTRATIVE DIRECTIVE: 11-03 — COMPUTER, CELL PHONE, COPIER AND TECHNOLOGY RESOURCES

TO: — DEPARTMENT OF COMMUNITY CORRECTION EMPLOYEES

FROM: DAVID EBERHARD, DIRECTOR

SUPERSEDES: AD 10-06 — PAGE 1

APPROVED: Signature on File — EFFECTIVE DATE: March 10, 2011

I. APPLICABILITY. This policy applies to Department of Community Correction (DCC) employees, contractors, volunteers, extra help, offenders, and others authorized by the Director to use DCC electronic systems.

II. POLICY. Computer resources are to be used only for official State business.

III. DEFINITIONS.

A. DCC Domain. DCC.ARKGOV.NET is the agency domain for access to DCC computer resources and systems managed by the IT staff.

B. Electronic Hardware. Any computer (e.g., desktop, laptop, server, workstation), handheld electronic device, palm-top, smart phone, scanner, copier, printer, disk drive, flash memory, thumb drive, memory card, floppy disk, compact disk, digital video disk, or other electronic device capable of accessing, storing or transmitting data using any state domain or network resource.

C. Data Storage Device. A hard disk drive (HDD)/hard disk or other common data storage device that stores various information (operating systems, applications, folders, and files) on internal magnetic disks, platters, or solid state architecture.

D. Information System. The working combination of electronic hardware, software, and data communications devices used to perform DCC duties.

E. ITA. Information Technology Administrator.

F. ITS. Information Technology Section.

- ~~G. **Mission-Critical Data.** Any DCC work related information that more than one DCC employee must retain or access to fulfill their official duties.~~
- ~~H. **Network.** A system of computers, printers, scanners, copiers, audio/visual display devices, and/or telephones interconnected by telecommunication equipment, cables, or wireless technology used to receive, store and/or transmit information.~~
- ~~I. **Permissions.** The varying levels of rights to access specific network computers, equipment, systems, servers, folders, files, or databases as granted to various users by the ITA.~~
- ~~J. **Server.** Specifically configured computers used to make applications, databases, websites, and files available to computers throughout the network.~~
- ~~K. **Technology Resources.** All communication devices, hardware, software, and related system architectural equipment used by the agency or which can be used to access DCC or state systems.~~
- ~~L. **User.** Any person authorized to access the DCC network.~~

~~IV. COMPUTER GUIDELINES.~~

~~A. Purpose for Computer Resources~~

- ~~1. DCC provides information systems to ensure effective access to and use of State resources to perform DCC duties. A systematic method is used for various technology and electronic hardware and software acquisition, operation, security, maintenance and/or upgrades, technical support, access control and repair to optimize DCC and State resources. (4 ACRS 7D-05[P])~~
- ~~2. The ITA manages the DCC Information Technology Plan for maintaining information system resources consistent with budget approvals and in accordance with the Arkansas Information Systems Act 914 of 1997 (Ark. Code Ann. §25-4-101 et. Seq.).~~

~~B. Privacy/Confidentiality~~

- ~~1. All DCC provided computers, servers, software, email accounts and messages and information stored in the same are State property. There is no expectation of privacy related to the information entered, received, or transmitted on these systems. Management has the authority and capability to monitor, track, and record any and all activities involving DCC systems. Monitoring is not done to intimidate or harass, rather it is to ensure proper use of computer resources. DCC users will cooperate with management and~~

~~Internal Affairs regarding any audit requests. Internal Affairs will conduct random audits of computer resources to ensure compliance with this policy.~~

- ~~2. Users who have access to privileged or sensitive information shall not disclose that information to any source except to those authorized by the DCC Director and for no other purpose than conducting approved DCC business. (2-CO-1F-06, 3-3111)~~

~~C.—Security.~~

- ~~1. General. The ITA or designee reserves the right to review and adapt any and all security measures related to DCC computer systems to ensure the security of all information which these systems transmit or store.~~
- ~~2. User Accounts. The ITA or designee will assign user identifications (IDs). The user ID will be made available only for the period of employment with DCC or as otherwise authorized by the Director. The ITA is authorized to suspend or deactivate user accounts being used for unauthorized purposes.~~
- ~~3. Passwords:

 - ~~a. Users are assigned an initial password to log into the DCC network, but are required to change it to a secret password known only to the user. Users are required to change passwords every 90 days. Passwords must be at least nine characters in length and include at least three of the following four character types: upper case (A-Z), lower case (a-z), special characters (!@#%&*^&()), and numerals (0-9).~~
 - ~~b. The combination of user ID and password uniquely identifies each user within the DCC/State network. Users must keep passwords private and must not divulge their password to any other person. Users must immediately notify ITS if they have reason to believe their password has been compromised.~~~~
- ~~4. Physical Security. Supervisors and any assigned property custodian must ensure computers are in a secure location as office layout permits. Computer displays should face away from windows and doors to minimize the possibility of information being viewed by unauthorized persons. Doors to offices containing computers are to be locked when the user is absent for an extended period. Users may request electronic security services such as proximity or biometric devices for those computers used around offenders (e.g., in kitchen areas of the Centers) to prevent possible access by unauthorized persons. All DCC computers are configured to automatically enter a password-protected screen saver mode after 10 minutes of inactivity.~~

5. ~~Electronic Security.~~

- a. ~~Users are to be aware, and notify ITS of any attempts to compromise DCC systems or information by unauthorized parties.~~
- b. ~~DCC employees *shall not* store or transport any confidential information on any external storage media or devices, such as floppy disks, CD-ROMS, DVD-ROMS, external hard drives, flash memory including thumb drives and memory cards, without prior written approval of the Director.~~

6. ~~Supervisor's Security Responsibilities.~~

- a. ~~Monitor user's computer use and take action to resolve situations of abuse. When considered appropriate, contact the next person in the supervisory chain to analyze.~~
- b. ~~Require service/repair personnel to be properly identified and ensure the presence of a DCC employee while repairs are being made.~~
- e. ~~Immediately notify ITS when user's employment is terminated.~~

7. ~~Offender Rules Pertaining to Computer Resources. Offenders are prohibited from using any DCC computer that is connected to the State network or the Internet unless authorized in writing by the DCC Director. In such cases, the access shall be restricted, secured, and used only for that specific project or purpose.~~

D. ~~Backup and Recovery.~~

- 1. ~~Server data will be backed up on a regular basis to an external media to facilitate secure off-site storage. Backups will cover reasonable recent use periods as well as archival timeframes.~~
- 2. ~~Recovery tests are conducted with every backup job.~~

E. ~~Computer Resource Use and Rules.~~ ~~Computer resources are to be used only for official State business. Upon entering the assigned user ID and password, users automatically agree to accept responsibility for and compliance with this policy and to use DCC computers appropriately.~~

- 1. ~~Users must not~~
 - a. ~~connect a personally owned computer to the DCC network without written authorization from the ITA and the Chief Deputy Director.~~
 - b. ~~use, submit, publish, display, or transmit information to or from a DCC computer which violates or infringes on the rights of another person, is defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, discriminatory or illegal, or any other content which could in any way, shape, or form offend another person or cause public embarrassment to the DCC.~~

- e. ~~restrict or inhibit other DCC users from using DCC computer resources.~~
 - d. ~~use or attempt to use unauthorized computer resources, monitoring tools, network programs/testers, packet sniffing, remote access, key stroke recognition technology, or remote control equipment and software.~~
 - e. ~~misuse DCC email accounts. DCC email accounts are not to be used for such correspondence as personal memberships, accounts, newsletters, advertising, auctions, or others that may result in a return of spam-type email traffic.~~
 - f. ~~use the system for any illegal purpose, or for personal gain.~~
 - g. ~~use or initiate processes that degrade the efficiency of the computer system(s) such as unofficial chat rooms, channel subscriptions, or receipt of streaming or broadcast audio or video via the Internet.~~
 - h. ~~mask or otherwise falsify the user's identity.~~
 - i. ~~modify computer configurations, installed programs or system facilities.~~
 - j. ~~compromise or attempt to compromise the integrity of any computer system.~~
 - k. ~~establish unauthorized network services including web pages, servers, FTP servers, and Telnet services.~~
 - l. ~~move or delete files that do not pertain to your assigned work.~~
 - m. ~~download or share audio (music), mp3, games, computer software or video files that could expose DCC to legal claims based on copyright infringement or other legal challenges.~~
 - n. ~~Use DCC computer resources inappropriately.~~
 - o. ~~send such mail as chain letters, virus hoaxes, urban legends.~~
2. ~~Users must~~
- a. ~~comply with information disclosure policies. Files and electronic messages may be accessible under the Freedom of Information Act.~~
 - b. ~~comply with the Department's Record Management policy. Information contained or transmitted via the DCC systems, including e-mail, is subject to the Arkansas Records Retention Act. It is the responsibility of each user to understand which records must be maintained. Refer to policy regarding Records Management for further information.~~

- e. ~~ensure data entry into DCC electronic systems is accurate. Supervisors are responsible to periodically check for data accuracy through routine verification techniques and ensure systems that have staff input (e.g., intranet team sites) contain appropriate material. Policies pertaining to specific computer systems may provide further requirements for data verification. (3-3111[P]).~~
- d. ~~store mission-critical data in appropriate Departmental folders to ensure availability for appropriate personnel. Permissions and access to Departmental folders is granted to respective departmental members only. Contact ITS for any questions regarding folder structure and permissions setup.~~
- e. ~~store work-related but “personal data” (i.e., prefilled out leave or time records) within a users’ server-based personal folders. Mission Critical data can only be stored on the space on a server drive for temporary periods or work-in-progress situations. Personal folders’ size is limited. All are viewable only to their owners, however they are randomly scanned by ITS periodically for inappropriate material.~~
- f. ~~immediately notify the supervisory chain of any evidence of child-pornography on any computer system and await further instructions. **DO NOT TOUCH THE COMPUTER ANY FURTHER NOR TURN IT OFF.**~~
- g. ~~immediately notify supervisors if inappropriate web pages are accidentally viewed. Failure to properly notify management will be considered intentional viewing by the user.~~
- h. ~~notify the supervisor of any abnormal or suspect activities seen on computer resources and the supervisor will contact the ITA.~~

F. Installing Software. ~~Software is pre-installed on computers and configured by the ITS. To comply with copyright laws and ensure compatibility with the DCC and the State networks, only authorized software may be installed. Users must obtain written permission from the ITA before installing any software on DCC computer resources. Unless specifically authorized, employees may not install, download or access any software or programs such as chat rooms or instant messengers, peer-to-peer file sharing, screensavers, antivirus, spyware or malware tools, toolbars, hard drive or system imaging or ghosting. Users must not change any of the ITS system configuration default settings.~~

~~G. Technical Support.~~

- ~~1. ITS will provide primary technical support for all DCC systems. Users are encouraged to attempt to resolve issues themselves using any appropriate support information provided.~~
- ~~2. Users must not allow persons outside the agency to use or attempt to fix computers unless approved by the ITA or designee to provide support.~~

~~H. Planning for Computer Resources.~~ DCC provides the use of computers and electronic services to ensure effective use of State resources. A systematic method is used for computer hardware and software acquisition, operation, security, maintenance and/or upgrades, technical support, access control and repair to optimize DCC and State resources. (4-ACRS-7D-05[P])

~~I. Ordering Technology Resources & Related Services.~~ Purchase requests for networkable electronic hardware, software and related services require written justification and the approval of the Chief Deputy Director to ensure compatibility and consistency with the Information Technology Plan.

The Director is the authority for acquiring all fee-based online services, e.g., electronic subscriptions. Prior to processing such requests, the ITA must be in receipt of written approval of the Director.

~~J. Outside Agency Systems.~~ The Chief Deputy Director, Deputy Director or Assistant Director will authorize access to specific protected outside agency databases (e.g., e-OMIS, ACIC/NCIC) as appropriate and deemed necessary for employees to perform their job functions. Activity involving those data bases shall be governed by the rules and regulations imposed by the agency providing access.

~~K. New Technology.~~ Due to the ever-changing nature of electronics and computer systems, new technology will inevitably arise that may not be fully covered within this policy. Any and all new technology not covered must be evaluated and authorized by the ITA through the Chief Deputy Director prior to use on the DCC network.

~~L. Penalties for Violations.~~ Violations of this policy will be dealt with in accordance with the Employee Code of Ethics and Rules of Conduct and the Employee Discipline policies.

~~M. Quantity of Employees with Internet Access.~~ Of the DCC employees, approximately 70% will be assigned personal computers. Approximately 78% of all the DCC employees will have continual access to Internet services through personal work stations or common access stations.

~~V. CELL PHONE/COMMUNICATION DEVICE GUIDELINES. Agency issued cell phones and other communication devices are for state business use only. No employee is authorized to download games, ring tones, ring back tones or any other personalized, non-business related feature of the device. Any employee that downloads non-business features shall reimburse the agency for the expense and may be subject to disciplinary action.~~

~~Employees with communication devices are responsible for the following:~~

- ~~A. Securing and maintaining the device.~~
- ~~B. Immediately reporting any missing and/or stolen device.~~
- ~~C. Adhering to any building restrictions on use or possession of the device while on that property. Under no circumstances are DCC employee's allowed to carry a non-state issued cell phone or other communication device into a DCC or ADC residential facility.~~
- ~~D. Limiting outgoing text messages to State business and not to exceed 300 per month.~~
- ~~E. Notifying the supervisor when authorized out-of-state travel will likely cause roaming charges.~~



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ADMINISTRATIVE DIRECTIVE: 14-20 Processing Procedures for Computer Equipment

FROM: _____ Sheila Sharp, Director

SUPERSEDES: None _____ **PAGE 1**

APPROVED: Signature on File _____ **EFFECTIVE: July 31, 2014**

- I. **APPLICABILITY.** This policy applies to ACC employees, especially those assigned to the Information Technology Section (IT) and the Administrative Services Division.
- II. **POLICY.** It is ACC policy to accurately label/document and track electronic computer and associated equipment purchased, deployed, transferred and serviced by or through the ACC IT Section.
- III. **GUIDELINES.** The procedures below apply to the purchase, transfer, deployment, repair and disposal of computer equipment, which includes desktop, laptop, and tablet computers, terminals, iPads, iPhones, desktop printers and other computer-related devices and accessories being or to be processed through the IT Section.
 - A. In all cases, computer equipment will be received by the IT Section at the ACC Central Office.
 - B. The ACC Asset Manager will purchase and maintain pre-numbered Asset Inventory tags, assign a sleeve of tags to the IT Business Operations Specialist (IT Specialist) and record the numbers assigned. The IT Specialist will sign for, maintain, safeguard and account for the tags at all times.
 - C. The IT staff will complete and sign an Asset Transfer Form (ATF) for each new or existing equipment item received in the IT Section. IT will store the equipment in a secure area, including the central warehouse, if needed, until it is configured, repaired or deployed.
 - D. When purchasing computer equipment, the IT Specialist will create a purchase requisition (PR) in AASIS, send the PR to a buyer in the Purchasing Section assigned to the area, who will create a purchase order (PO) and return it to the IT

~~Specialist to place the order from a State-approved vendor. The PO will generate an asset shell number provided by the Purchasing Section. When the orders are received, the IT Specialist will receive them in AASIS (MIGO), place the next sequential pre-numbered asset tag on the asset, and enter that corresponding number in the Asset Database in AASIS.~~

- ~~E. To avoid loss of data, computer files should be saved to the S drive (network) or a disk, not the personal computer hard drive, especially since many times if IT cannot resolve a computer hardware issue, it may be reconfigured or wiped clean to resolve the problem.~~
- ~~F. Following configuration, repair or deployment, the IT staff will notify the appropriate user when the equipment is ready and arrange a time for pickup. The IT Administrator must ensure a backup person is in place to maintain efficient (timely) processing of exchanges. An ATF must be signed as the user takes possession of the equipment and a copy of the ATF must be provided to the user. NOTE: Supervisors are responsible for tracking and control of equipment assigned to their office/facility and/or employees.~~
- ~~G. For M & R disposal of computer equipment, IT will collect and examine whether the computer equipment should be sent to M & R. If so, IT will complete and provide a copy of the ATF to the user and the Accounting Asset Section.~~
- ~~H. When there is enough equipment to send to M & R, the IT staff will destroy any hard drives and list [on the Surplus Disposal Form (ADF)] the equipment to be sent to M & R and provide a copy to the Accounting/Asset Section. Accounting will submit a SDF to M & R who will contact IT and arrange a pickup time.~~



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Disposal of Equipment Section Repealed

ADMINISTRATIVE DIRECTIVE: 17-27 Equipment Inventory, Transfer and Disposition

TO: Arkansas Community Correction Employees

FROM: Sheila Sharp, Director **SUPERSEDES:** None

APPROVED: Signature on file **EFFECTIVE:** April 28, 2017

- I. APPLICABILITY.** This policy applies to all Arkansas Community Correction (ACC) employees.
- II. POLICY.** ACC policy is to properly account for equipment by following proper inventory, transfer and disposition policy guidance.
- III. GUIDANCE.**
 - A. Equipment Inventory Requirements.**
 1. Weapons, computers, laptops, and AWIN radios (Arkansas Wireless Information Network) must be on the AASIS inventory regardless of the cost, but any other equipment valued at \$500 to \$2,500 does not need to be on AASIS inventory.
 2. Equipment that is a fixed or movable tangible asset with a useful life greater than a year and a unit cost of \$5,000 or more must be on the AASIS inventory.
 3. Low Value Equipment with a useful life greater than one year and a unit cost between \$2,500 and \$5,000 must be on the AASIS inventory.
 4. Area Managers and Center Supervisors must keep a supplemental inventory apart from AASIS for computers, signature pads, weapons, vests, cell phones, vehicles and vehicle radios.
 5. Equipment procured for an amount less than the threshold amounts above (established on July 1, 2001) that is currently on the department's asset master records must remain on inventory until proper disposition.

B. Equipment Not Tracked. The following items do not need to be on inventory:

- **Replacement Parts.** Replacement parts for an inventory item such as a motor or an air conditioner compressor will not be entered into inventory.
- **Integral Parts of a System.** Items that constitute an integral part of a system such as a pump or motor or chemical mixer for water or sewer systems are capitalized as part of the building or structure.
- **Permanent Fixtures.** An item that is a permanent fixture, such as a hot water heater, range vent-a-hood, walk-in freezer, or built-in heating and air conditioning is capitalized as a part of the building or structure, and not shown in AASIS as capital equipment.

C. Accountability, Roles and Responsibilities

Employees are responsible for proper care, use and protection of agency property. Property includes physical property items such as buildings, vehicles, computers, guns, and supplies, and other property such as software and offender records whether or not such property is on inventory records. Any employee can be made to pay for lost, stolen, or damaged property when reasonable care was not taken to properly use and protect the property.

Any employee may have another employee sign a temporary property transfer receipt when property is borrowed. However, permanent property transfer records in AASIS must be updated when property is transferred. Any employee who regularly uses an item on the inventory list must sign form “Receipt of ACC Property,” or “Authorization and Receipt for Weapons and Security Equipment,” and provide it to the designated Local Resource Control Officer and/or Weapons Control Officer. Employees must make their Local Resource Control Officer aware of inventoried property when it is relocated permanently by providing a copy of the appropriate transfer form.

D. Deputy Directors / Area Managers / Center Supervisors

Deputy Directors must perform or delegate these inventory accounting responsibilities for their equipment/staff at Central Office and ensure Area Managers and Center Supervisors are fulfilling their responsibilities.

Area Managers and Center Supervisors must:

- Perform the duties of, or assign and supervise, a Local Resource Control Officer and, when applicable, a Weapons Control Officer
- Ensure inventories are conducted properly
- Ensure inventory records are maintained, and
- Ensure compliance with this policy and the Weapons and Security Equipment policy.

E. Local Resource Control Officer

The Local Resource Control Officer performs administrative functions on behalf of the responsible supervisor. The supervisor may assign the following responsibilities to this person:

- Receipt, inventory and transfer of acquired equipment
- Obtaining completed forms “Receipt of ACC Property” or “Receipt for and Authorization to Carry Weapons and Security Equipment” from each employee who regularly uses equipment on the AASIS and ACC inventory lists
- Conducting an initial investigation when property cannot be found, and timely reporting such property to the appropriate supervisor.

F. Central Physical Asset Control Officer

The Central Physical Asset Control Officer is located in the Administrative Services division at Central Office and is responsible for the following:

- Training Local Resource Control Officers
- Assisting area offices/centers with annual inventories
- Processing the required forms and transactions for AASIS inventory transactions that are not assigned to the Local Resource Control Officers
- Removing equipment from asset listing upon authorization from the DFA Marketing and Redistribution section (M&R)
- Report to Arkansas Legislative Audit a loss of public funds that amounts to one thousand dollars (\$1,000) or more in one calendar year, including without limitation:
 - Apparent unauthorized disbursements of public funds; or
 - The apparent theft or misappropriation of public funds or property (Arkansas law section 25-1-124).

G. Weapons Control Officer

The Weapons Control Officer follows guidance in the weapons policy to control and inventory weapons.

H. Receipt and Inventorying of Acquired Equipment

The Local Resource Control Officer of the area/center must:

- update AASIS equipment records, including description, serial number, room number, license plate number and date last inventoried fields. This requires Asset Technician role mapping in AASIS. To update the AASIS asset master record, use the transaction

AS02 and the asset shell number. To obtain the equipment's asset shell number, review the account assignment tab on the applicable purchase order in AASIS:

- General Tab
 - “Serial Number” - Enter equipment's serial number
 - “Inventory” - Enter the ACC tag number
 - Time-Dependent Tab
 - “Room Number” - Enter area of the physical assignment location of the equipment
 - “License Plate Number” - Enter any additional location information
- affix an ACC tag number to the equipment upon receipt

I. Transfer of Equipment to another Area Office, Center or Central Office

The Local Physical Asset Control Officer must use the “Equipment Transfer” form when inventoried equipment/property is transferred to another ACC Area, Correction Center or the Central Office. The form must be filled out completely and be signed by the Local Physical Asset Control Officer. Included on the form must be the AASIS asset shell number, description serial numbers and property tag numbers. However, the sending location must not update the room number field for the new location of the equipment. The sending location must send the original form with the equipment being transferred and retain a copy for their records.

The receiving location must verify the information on the form, sign and return a copy to the sending location for their files and send a copy to the Central Physical Asset Control Officer. The receiving location must update the room number in AASIS to reflect the new location of the equipment.

J. ~~Disposal of Equipment~~

~~It is a violation of State law to dispose of any equipment without the authorization of Department of Finance Administration, Marketing & Redistribution Division (M&R). Broken, inoperable, or obsolete equipment must be safeguarded and kept on inventory the same as any serviceable equipment item until it is disposed of as described in this section.~~

~~When equipment is no longer needed or is unused, the Local Resource Control Officer must ask other ACC departments if they can use it unless the equipment is obviously of no use, is beyond repair, or is too expensive to repair.~~

~~If unable to relocate surplus equipment within the department and for non-working equipment that is beyond repair or too expensive to repair, the following must occur:~~

- ~~1. The Local Resource Control Officer must submit an Equipment Disposal Request form to the Central Physical Asset Control Officer.~~

2. ~~The Central Physical Asset Control Officer must process Equipment Disposal Request forms as follows:~~

- ~~• for computer and electronic equipment, forward the form to the Information Technology section.~~
- ~~• for other equipment, submit an electronic request to the state Marketing and Redistribution office (M&R) asking for approval to dispose of the equipment.~~

3. ~~The Information Technology section, upon receipt of an “Equipment Disposal Request form, will determine whether the equipment needs to be redistributed within the agency, turned in to Information Technology for processing or turned in to M&R.~~

~~Note: The intent of Arkansas law sections 25-34-101 through 111 is to achieve the maximum possible benefit from use of agency owned computers, electronics, and peripherals; to achieve maximum benefit from the sale of surplus agency assets; and to protect the public health, safety, and the environment by mandating steps be taken to address the solid waste management of computers and other electronic solid waste statewide.~~

~~The Information Technology section has 30 days evaluate whether the computer or electronic equipment can be put to further use by the agency. Before making a determination that equipment should be disposed of, the Information Technology section must determine that the agency does not anticipate using the equipment within the next six months and that the equipment is not needed by the agency. (Reference: Department of Information Systems policy guidance)~~

~~The Information Technology section must ensure all hard drives of surplus computer equipment are degaussed, cleared of all data and software, and are otherwise prepared for sale within 90 days after replacement. (Arkansas law section 25-34-104)~~

~~The Information Technology section may keep a back stock of computer hardware and electronics for the purpose of parts harvesting for the repair, maintenance, and upgrade of computers in use. This back stock must not exceed ten percent of the number of state-employee computers in the agency. (Arkansas law section 25-34-104)~~

4. M&R will send to the Central Physical Asset Control Officer an approved “Certificate of Property Disposal” form stating the approved type of disposal, which may differ from the requested method. The form will be forwarded to the Local Physical Asset Control Officer for appropriate action.

5. The Local Physical Asset Control Officer must follow instructions provided by M&R and use the Equipment Transfer form.

6. If equipment is turned in to M&R, the M&R office will send electronic notice to the Central Physical Asset Control Officer informing him/her the equipment has been “REC” (received) and then the equipment may be removed from inventory.

~~7. If equipment is approved by M&R to be disposed of locally, the Local Physical Asset Control Officer must follow M&R guidance for disposal and documentation; and process the Equipment Transfer form. The Central Physical Asset Control Officer will in turn process the paperwork with M&R to obtain approval to remove the equipment from inventory.~~

K. Lost/Stolen Equipment on AASIS and ACC Inventory

Any equipment deemed to be lost or stolen must immediately be reported to the appropriate Area Manager, Center Supervisor, Deputy Director, Internal Auditor and Central Physical Asset Control Officer.

For lost or stolen weapons and security equipment, also see the Reporting and Investigating Incidents, Hazards and Maltreatment policy and Weapons and Security Equipment policy.

For equipment that is on the AASIS inventory, when a report of an item deemed to be lost or stolen is received, the Central Physical Asset Control Officer must ensure actions described in the DFA Financial Management Guide are taken in a timely manner. The Central Physical Asset Control Manager must ensure the responsible Deputy Director is aware of the process and he/she manages the process to ensure requirements are met.

L. Physical Inventory of Equipment

Deputy Directors, Area Managers and Center Supervisors are responsible for the safeguarding and the accountability of the equipment assigned to their physical location. Physical equipment inventories must be made upon changes in key personnel.

All locations within the department must conduct an annual physical equipment inventory during the months of January, February and March. The inventory must be coordinated through the Administrative Services Section, which will report the results to the Management Team.

IV. REFERENCE / FORMS.

AD 17-27 Form 1, Receipt of ACC Property
 AD 17-27 Form 2, Equipment Transfer
 AD 17-27 Form 3, Equipment Disposal Request



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~~ADMINISTRATIVE DIRECTIVE: 18-08 Procurement and Receiving~~

~~TO: Arkansas Community Correction Employees~~

~~FROM: Sheila Sharp, Director~~

~~SUPERSEDES: AD 18-03~~

~~APPROVED: Signature on File EFFECTIVE: March 16, 2018~~

- ~~**I. APPLICABILITY.** This policy applies to Arkansas Community Correction (ACC) employees involved in procurement and receiving commodities and services.~~
- ~~**II. POLICY.** It is ACC policy to process documents for procurement and receiving commodities and services in compliance with applicable state and federal laws and Board of Corrections (Board) guidelines. Direction regarding procurement and receiving activities requiring prior Board approval is contained in this administrative directive.~~
- ~~**III. DEFINITIONS.**~~
- ~~**A. Emergency Procurement.** Acquisition of commodities or services, which if not immediately initiated, will endanger human life or health, state and/or federal property, or the functional ability of a state and/or federal agency.~~
- ~~**B. Procurement.** Purchasing, renting, leasing, contracting, or otherwise obtaining commodities or services.~~
- ~~**C. Sole Source Procurement.** Acquisition of commodities or services that by virtue of specifications, are available only from a single source.~~

IV.—GUIDELINES.

A. Purchasing of Commodities and Services.

1. Procedures for procurement and receiving of commodities and services are governed by applicable state and federal laws and policies of agencies with authority to administer these activities.
2. Procurement actions within approved operating budgets, which are not identified as being subject to other authorizations, may be approved by the Chief Deputy Director, the Deputy Directors and the Assistant Directors.
3. Resident Services Cash Fund. Procurement from the Resident Services Cash Fund of merchandise for resale and food items may be procured by the Center Supervisor. Other procurement from the Resident Services Cash Fund requires the following approvals:
 - a. Purchases less than \$10,000 require approval of the Chief Deputy Director and the Deputy Director of Residential Services.
 - b. Purchases of \$10,000 or more also require approval of the Director and Board.
4. Emergency procurements must be approved by the Director or, in his/her absence, the Chief Deputy Director or a Deputy Director in collaboration with the Deputy Director of Administrative Services.
5. Sole source purchase of equipment requires approval of the Director. Sole source purchase of equipment exceeding \$50,000 also requires approval of the Board.
6. Procurement of capital equipment items from all fund sources requires the Director's approval; however, the Director may delegate approval authority to the Chief Deputy Director or the appropriate Deputy Director for procurement of specific capital equipment items and/or for specific dollar amounts.
7. Procurement of commodities and services required for authorized construction/renovation projects must be approved by the Chief Deputy Director and the Deputy Director designated by the Director to oversee each project.

B. Receiving Notification. Each Area Manager, Center Supervisor, and Central Office Departmental Manager should delegate the responsibility of receiving to one person and along with a back-up person. Receiving reports must be submitted to the Procurement Office within 48 hours of receiving item(s) or services, and submitted reports should be made on actual material received, not on shipping tickets or purchase orders.

C. Disposition of Commodities. Sale or disposition of buildings and land and sales contracts exceeding \$50,000 require Director and Board approval. Demolition of any building requires the Director and Board approvals regardless of the building's value.

~~D. New and Renewal Leases.~~

- ~~1. Lease of office and storage space requires approval of the Director; however, if a new lease/purchase agreement will exceed \$50,000 or an existing lease agreement will increase by more than 5% per year, Board approval is also required.~~
- ~~2. Lease of office space resulting in relocation requires Director and Board approvals.~~
- ~~3. Lease of equipment over \$10,000 per year requires the Director's approval.~~
- ~~4. Lease of land or buildings to house offenders requires Director and Board approvals.~~

~~E. Procurement of Land, Buildings, Construction and/or Renovation Projects.~~

~~Procurement of land, buildings, construction and/or renovation projects require the following approvals:~~

- ~~1. Procurement of land, buildings, construction and/or renovation less than \$50,000 requires approval of the Director.~~
- ~~2. Procurement of land, buildings, construction and/or renovation projects at or exceeding \$50,000 require Director and Board approvals~~

~~F. Contracts Administered by ACC.~~ The list below reflects the approvals required for contracts. Amendments that adjust the amount of fees, the percentages of the total amounts to be paid or the scope of services or that increase the cost per offender per day contract bid rate previously approved require the same approvals as initially required:

- ~~1. Professional and/or Consultant Services require the Director's approval. Contracts of \$50,000 or more also require Board approval.~~
- ~~2. Architectural and/or engineering services for new construction and renovations require Board selection and approval. The Board may choose to select and approve contractors by participating on an interview committee or based upon the Director's recommendation.~~
- ~~3. Medical Services require Board selection and approval. In addition to the amendments above, any changes in the method of calculation of compensation and other adjustments to fees to be paid require Board approval.~~
- ~~4. Outside legal services for agency representation require Board approval.~~
- ~~5. Residential facility operation services require Board approval. In addition to the amendments above, changes in the method of calculation of compensation and other adjustments to fees to be paid also require Board approval.~~
- ~~6. All contracts require legal review by the ACC general counsel prior to submission to the approval authority.~~

~~**G. Emergency Board Approval.** Should an emergency situation necessitate immediate procurement of commodities or services that require Board approval, the Director will contact the Board to request a special meeting for the Board's consideration and approval.~~

~~**H. Reports.** The Director will provide monthly reports to the Board of new and/or renewed contracts of \$10,000 or more.~~

~~**V. STANDARDS.** Arkansas Code section 19-11-101; American Correctional Association (ACA) Standards for Adult Community Residential Services, fourth edition, standard 4-ACRS-7D-26.~~

REPEALED



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ADMINISTRATIVE DIRECTIVE: 16-17 Agency Description and Public Information

TO: Arkansas Community Correction Employees

FROM: Sheila Sharp, Director

SUPERSEDES: AD15-11

HIGHLIGHTED SECTIONS REPEALED

APPROVED: Signature on File **EFFECTIVE:** September 24, 2016

- I. APPLICABILITY.** This policy applies to Arkansas Community Correction (ACC) employees and its agents and is made available to the public to provide general information about the agency.
- II. POLICY.** Arkansas Community Correction (ACC) encourages appropriate employee interaction with the public and media to facilitate community awareness of the agency mission, goals, objectives, achievements and to facilitate community involvement and support. It is ACC policy to administer a uniform process for responding to requests for public records in accordance with the Arkansas Freedom of Information Act. Arkansas law beginning at section 25-19-101. (4-ACRS-7F-01 and -7F-04;)
- III. AGENCY INFORMATION.**
 - ~~**A. Citizen or Media Inquiries.** The agency website provides information of interest to the public. Additional information about Arkansas Community Correction may be obtained by contacting the ACC Communications Office. When submitting written requests, including requests made under the Arkansas Freedom of Information Act, please provide your name, address and phone number; the date of the request and a detailed description of the records or information sought. A fee of 25 cents per page may be charged. Payment should be made by check or money order payable to Arkansas Community Correction.~~
 - ~~**B. Social Media.** In addition to the public website, ACC may use social media to provide information about the agency, its operations and programs. The agency has an official [ACC Facebook page](#), which provides timely information.~~
 - ~~**C. Contact Information.** The general public is encouraged to make inquiries directly to the ACC Communications Office. The postal/e-mail addresses and phone numbers for ACC offices are available from the ACC website at <http://www.dec.state.ar.us/>~~

~~**D. Agency Description.** Arkansas Community Correction provides statewide adult parole and probation services and operates community-based residential and non-residential programs. The agency organization chart is located at the ACC website.~~

~~**E. Agency Careers and Job Openings.** ACC job openings and career information may be found at the state jobs website www.arstatejobs.com.~~

F. Agency Mission. “To enhance public safety by enforcing state laws and court mandates through community partnerships and evidence-based programs that hold offenders accountable while engaging them in opportunities to become law-abiding, productive citizens”

G. Agency Philosophy. “We place our priority on public safety while providing opportunities for positive change.”

H. Agency Motto. “Serving Justice”

I. Administration. Administration includes Interstate Compact, public information, legislative affairs, internal investigations, legal counsel, EEO/Grievance office, human resources, payroll services, employee benefits, purchasing, training, policy development, research and evaluation, grants, accreditation, information technology, budget preparation, fee collection, and management; for example, purchasing, travel reimbursement, inventory, and fleet management.

J. Residential Services. The Residential Services Division operates regional community correctional centers and Technical Violator Programs. Offender’s daily activities are structured under a behavior modification program known as Modified Therapeutic Community (MTC) with supplemental programs addressing addiction, anger management, life skills, and parenting skills. Qualifying offenders perform community service work such as beautification projects. In addition to the MTC program, two centers operate a program for male and female offenders who are dually-diagnosed (addiction with mental health issues). The Little Rock and West Memphis centers also house short-term treatment programs for offenders sent from the state’s Drug Courts.

The agency also operates a technical violator program (TVP) for women at the West Memphis Center. A TVP for men is operated at the Texarkana center and the Omega Technical Violator Center in Malvern. The TVP is an intense program for parolees who have failed to meet conditions of supervision. Counselors at the TVP use behavior modification treatment models similar to the models used in community correction centers. The goal is to facilitate development of permanent lifestyle changes so residents will be successful, contributing, law-abiding citizens while in the facility and upon return to the community.

The primary approaches used to affect resident behavior are therapeutic jobs, therapeutic confrontations, positive peer pressure, learning experiences, role modeling, daily social interaction and integration of the 12-Step program in the daily activity of members of the community.

The 12-Step Program is used to treat wrong thinking associated with addictive behavior including alcohol abuse, drug abuse, sexually deviant behavior, gambling, overeating or overspending. As an integral part of the MTC Process, the 12-Steps assist residents in restructuring their values. The change in values may ultimately alter the way a resident thinks feels and views the world. An expanded understanding of each step of the 12-Step process is gained during the orientation phase of the MTC treatment program. Volunteers from local community 12-Step groups conduct education and support meetings at the Residential Centers. Residents also facilitate their own peer support groups with staff oversight.

The treatment goal is for each resident to leave the MTC program having mastered the following basic recovery techniques and abilities:

1. Ability to recognize personal problems
2. Inclination to accept responsibility for solving his or her problem(s)
3. Inclination to accept responsibility and accountability for personal life choices
4. Realization that helps is usually necessary
5. Inclination to seek needed help through the 12-Step Program and/or alternative peer support groups, and
6. Inclination to develop pro-social life skills.

K. Parole/Probation Services.

Parole. Parole is early release from state prison to community supervision. The parolee must follow strict conditions of release, which are set by the Parole Board and include reporting to a parole officer. If a parole condition is violated, the offender may be incarcerated again.

Probation. Probation is a court-ordered alternative to prison where the offender remains in the community and is subject to conditions of behavior. The offender must report regularly to a probation officer. Probation may be revoked for violation of the terms and conditions and as a result, the offender may be sent to prison or a community correction center or have other sanctions imposed.

Parole/Probation Services. Parole/Probation Services has employees at each state prison and residential community correction center to manage the transfer of offenders from incarceration to parole supervision in the community. Parole/Probation Services staff at 43 offices throughout the state use a case management system to supervise parolees and probationers. Some areas operate special programs including specialty courts and day reporting centers. Staff refer offenders to other programs as appropriate and in many cases provides services such as 12-Step Alcohol/Drug self-help support groups, counseling, education/training referrals, employment referrals, community service work projects, and classes on thinking skills, anger management, life skills, and parenting skills. In addition to making referrals, some Parole/Probation Officers conduct classes and work with local employers to help offenders obtain jobs.

~~**L. ACC Policy.** Arkansas Community Correction policies are available at www.DCC.state.ar.us.~~

~~**M. Rules and Directives.** The agency's administrative rules and directives are available on the ACC web site.~~

N. ACC Records. Following is a list with brief descriptions of the primary records maintained by ACC. There are federal and state restrictions on the release of some records maintained by the agency. ~~The policy entitled “Public Release of Offender Information” describes which offender information can be released by ACC.~~

1. Employee Personnel Record: This record contains job-related information including hiring paperwork and performance evaluations.
2. Employee Medical Record: Job related medical or mental health information pertaining to an employee is kept in a separate record.
3. Compliance Audit Files: Files containing each American Correctional Association Standard and related samples of policy and activity to demonstrate compliance with the standard.
4. Offender Medical Records: A medical record is kept for each resident of a residential center.
5. Offender Mental Health Record: A record of mental health treatment maintained for residents at the residential center.
6. Offender Treatment Record: A record of treatment maintained by counselors that may include individual or group counseling sessions and behavior modification class work.
7. Offender Disciplinary Record: A record of rule violations committed by a center resident or sanctions imposed by violations by a parolee or probationer.
8. Offender Case Record: Information concerning legal, demographic, and supervision activities of offenders during their supervision or confinement by ACC.
9. electronic Offender Management Information System (eOMIS) An electronic database containing offender records and information such as a description and photo, demographics, criminal and disciplinary history and more.
10. Internal Investigations: Documentation of investigations conducted regarding agency activity.
11. Grievances: Records of grievances filed by offenders and employees.
12. Administrative Records: A variety of administrative records are maintained.

IV. ACC STAFF GUIDANCE.

- A. External Organizations.** Agency staff is encouraged to cooperate with community organizations, civic clubs and educational institutions to the extent their qualifications, experience and schedules permit. ACC staff may provide guest lectures, present special program information, or provide consultation services for a specific project or program when requested and approved by the employee's direct or indirect supervisor. With proper administrative approval, ACC offices or centers may partner with higher education to establish internships, or provide tours or other special programs within a facility or at an office as approved by the appropriate Deputy Director.
- B. Criminal Justice Organizations.** Staff is encouraged to cooperate, consult, plan and participate with local criminal justice agencies in activities related to their responsibilities. With supervisor approval and following applicable policy, employees are encouraged to share appropriate information, sponsor exchange tours with other law enforcement groups and coordinate planning efforts in areas of mutual interest.
- C. Release of Information and Communications.**
- ~~1. All ACC staff that release information or communicate with the public and other agencies must be aware of and follow appropriate policy guidance concerning release of information. In general, individual employees are not restricted from speaking to the media; however, employees must coordinate with the Communications Office supervisor, or appropriate Management Team member for media requests requiring the agency's perspective or response to an issue. To the extent practical, all media contact should be handled by or coordinated through the Communications Office to better ensure a consistent and informed response.~~
 - ~~2. The release of certain information is prohibited or restricted by state and federal laws. Such restrictions are addressed in the "Public Release of Offender Information" and the "Offender Records" policies.~~
 - ~~3. Requests for Public Records.~~
 - ~~a. To ensure responses to requests are accurate and timely, an ACC employee receiving a request for public records should ask the requester to submit the request in writing, to include the name, address and phone number of the requester, the date of the request, and a detailed description of the record(s) sought. However, no request will be denied if the requester refuses to submit the request in writing.~~
 - ~~b. All requests for public records and responses must be coordinated through the ACC Communications Office, which should be contacted immediately upon receipt of a request.~~

~~4. Inspection and Copying of a Public Record:~~

- ~~a. Department records disclosed pursuant to the Arkansas Freedom of Information Act must be available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. on regular work days.~~
- ~~b. Pursuant to the Arkansas Freedom of Information Act, ACC is not obligated to provide copying service. Whenever ACC provides a copy of any requested documents, the requester may be charged 25 cents per page, paid in advance. The fee must be paid by check or money order made payable to the ACC.~~

~~D. Internet and Social Media.~~ Guidance that is applicable to Internet use and social media is found in the following policies:

- ~~“Code of Ethics and Rules of Conduct” policy~~
- ~~“Computer, Cell Phone, Copier and Technology Resources” policy~~

E. Citizen Complaints. Citizen complaints should be reported promptly to the appropriate supervisor who will notify others as appropriate and assist in preparing a response. This does not prohibit employees from handling minor concerns within their scope of responsibility.

~~F. Media and Tour Access to Residential Centers.~~

- ~~1. The Center Supervisor or designee may allow representatives of the media access to the community correction center pursuant to established policy.~~
- ~~2. When a journalist requests a face-to-face interview with a resident, the resident must sign a statement indicating his/her consent to be interviewed prior to an interview. The “Offender Consent for Media Interview” form may be used for this purpose. Residents should be allowed access to the media unless limitations are necessary to maintain order and security. Generally, photos of residents should be taken in a manner that faces are not recognizable unless the resident grants written permission to have his/her pictures used. (4-ACRS-7F-02 and 7F-03 and 2-CO-1A-27-1)~~
- ~~3. Facility tours may be approved by the Center Supervisor or designee. Tour groups must be escorted while on facility grounds.~~

~~G. Requests from Federal, State, and Local Legislative or Agency Executive Representatives.~~ To maintain agency integrity and credibility, requests for information from legislative or other agency executive representatives should be answered fully and promptly. Employees who receive these requests must immediately inform their supervisor and/or the Communications Office and provide appropriate input to ensure a timely response.

H. Central Office Communication. To establish and maintain an effective and efficient line of communication across all areas of the operation, the Director will meet at least monthly with division heads and key staff members who represent the same.

I. Planning of Goals and Objectives. The ACC Director will ensure development and revision of short and long term agency goals and objectives. They will be reviewed annually by top management. (2-CO-1A-09)

V. ATTACHMENTS.

~~AD 16-17 Form 1 Offender Consent for Media Interview~~

~~Arkansas Community Correction
OFFENDER CONSENT FOR MEDIA INTERVIEW~~

~~Printed Name of Requestor~~

I agree decline to be interviewed and/or photographed and to allow any resulting information, recordings or photographs to be published or broadcast by the media outlet and its affiliates.

I release and save harmless Arkansas Community Correction and its employees and agents from any and all claims of damages for libel, slander, invasion of the right of privacy or any other claims based on any such use.

My consent is given freely and voluntarily by me without any threats, duress or promises.

Signature of Offender

Date

Printed Name of Offender

Offender Number

- a. Ability to recognize personal problems;
- b. Inclination to accept responsibility for solving his or her problem(s);
- c. Inclination to accept responsibility and accountability for personal life choices;
- d. Realization that help is usually necessary;
- e. Inclination to seek needed help through the 12-Step Program or alternative peer support groups; and
- f. Inclination to develop pro-social life skills.

In addition to the MTC program, three (3) centers Little Rock, Osceola, and West Memphis operate a program for male and female offenders who are dually diagnosed with addiction and medical/mental health issues and short-term treatment programs for offenders sent from Drug Courts.

2. The SSP for women is operated at the East Central Arkansas Center (EACC) in West Memphis, Arkansas. An SSP for men is operated at the Texarkana Center in Texarkana, Arkansas and at the Omega Technical Violator Center in Malvern, Arkansas. Counselors at the SSP use behavior modification treatment models similar to the models used in community correction centers. The goal is to facilitate development of permanent lifestyle changes so residents will be successful, contributing, law-abiding citizens upon release. The primary approaches used to change resident behavior are:

- a. Therapeutic jobs;
- b. Therapeutic confrontations;
- c. Positive peer pressure;
- d. Learning experiences;
- e. Role modeling; and
- f. Daily social interaction; and
- g. Integration of the 12-Step program in the daily activity of members of the community.

3. The 12-Step Program addresses SUDs. As an integral part of the MTC Process, the 12-Steps assist residents in restructuring their values. The change in values may ultimately alter a resident's way of thinking, feeling, and views of the world. An expanded understanding of each step of the 12-Step process is gained during the orientation phase of the MTC treatment program. Volunteers from local community 12-Step groups conduct education and support meetings at the Residential Centers. Residents also facilitate their own peer support groups with staff oversight. The treatment goal is for each resident to leave the MTC program having mastered the following basic recovery techniques and abilities:

- a. Recognition of existing personal problems;
- b. Inclination to accept responsibility:
 - i. For solving his or her problem(s);
 - ii. And accountability for personal life choices;
 - iii. To seek needed help through the 12-Step Program or alternative peer support groups; and
 - iv. To develop pro-social life skills.
- c. Realization that help is usually necessary.

E. Parole/Probation Services

- 1. Parole. Parolees must follow strict conditions of release, which are set by the Arkansas Parole Board (APB) and include reporting to a parole officer. If the offender violates parole conditions, he or she may be reincarcerated.
- 2. Probation. Offenders must report regularly to a probation officer. Probation may be revoked for violation of the terms and conditions and as a result, the offender may be sent to prison or a community correction center or have other sanctions imposed.
- 3. Probation/Parole Services. Institutional release officers are at each DOC, prison and residential

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The Treatment Staff provide outpatient behavioral health services that include SUD treatment and mental health services. Individual and group sessions are provided to drug court program participants and participants in the SUD Program for general population. Other services include assessment and referral to treatment in the community as needed as well as referral to educational institutions, employment opportunities, and other wrap-around services in the community.

F. ACC Records. Following is a list with brief descriptions of the primary records maintained by ACC. Pursuant to provisions stated in A.C.A. § 12-12-312, some records maintained by ACC are confidential and privileged, which require direction of a court of competent jurisdiction or the prosecuting attorney having jurisdiction over the criminal case for release.

1. Employee Personnel Record. Job-related information including hiring paperwork and performance evaluations.
2. Employee Medical Record. Job related medical or mental health information pertaining to an employee that is kept in a separate record.
3. Compliance Audit Files. Files containing each American Correctional Association (ACA) Standard and related samples of policy and activity to demonstrate compliance with the standard.
4. Offender Medical Records. A medical record that is kept for each resident of a residential center.
5. Offender Mental Health Record. A record of mental health treatment maintained for residents at the residential center.
6. Offender Treatment Record. A record of treatment maintained by counselors that may include individual or group counseling sessions and behavior modification class work.
7. Offender Disciplinary Record. A record of rule violations committed by a center resident or sanctions imposed by violations by a parolee or probationer.
8. Offender Case Record. The official record of the offender while under DOC supervision.
9. Grievances. Records of grievances filed by offenders and employees.

IV. ACC STAFF GUIDANCE

1. External Organizations. ACC Staff are encouraged to cooperate with community organizations, civic clubs and educational institutions to the extent their job qualifications, experience, and schedules permit. ACC Staff may provide guest lectures, present special program information, or provide consultation services for a specific project or program when requested and approved by the employee's direct supervisor or a member of the management team. With proper administrative approval, ACC offices or centers may partner with higher education institutions to establish internships or provide tours or other special programs within a facility or at an office as approved by the appropriate Deputy Director and the Communications Director.
2. Criminal Justice Organizations. ACC Staff are encouraged to cooperate, consult, plan and participate with local criminal justice agencies in activities related to their job responsibilities subject to the Secretarial Directive on Public Relations and Release of Information.

V. RELEASE OF INFORMATION AND COMMUNICATIONS

1. Citizen Complaints. Subject to limitations found in the Secretarial Directive on Public Relations and Release of Information, Citizen complaints should be reported promptly to the appropriate supervisor who will work in compliance with appropriate staff to assist in preparing a response. This does not prohibit employees from handling minor concerns within their scope of responsibility.
2. Planning of Goals and Objectives. The Director will ensure development and revision of short- and long-term Division goals and objectives. These goals and objectives will be reviewed annually by the Management Team. (2-CO-1A-09)

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

1302 Pike Avenue, Suite B
 North Little Rock, Arkansas 72114
 Phone: (501) 682-9510 | Fax: (501) 682-9513

ADMINISTRATIVE DIRECTIVE

SUBJECT: Division of Community Correction Description and Objectives

NUMBER: 2021-01

SUPERSEDES: 16-17

APPLICABILITY: All Employees

REFERENCE: A.C.A. § 12-12-312, 12-27-125, 25-19-101

PAGE: 1 of 3

APPROVED: Original Signed by Director Jerry Bradshaw

EFFECTIVE: 9/30/2021

I. POLICY

The purpose of this policy is to provide the public with general information about the Division of Community Correction (ACC) and to facilitate community involvement and support. ACC encourages employee interaction with the public to facilitate community awareness of ACC’s mission, goals, objectives, and programs.

II. DEFINITIONS

- A. Administration. Interstate Compact, Legal Counsel, Purchasing, Policy Development, Research and Evaluation, Grants, Accreditation, Budget Preparation, Fee Collection, and Management.
- B. electronic Offender Management Information System (eOMIS). An electronic database containing offender records and information such as a physical description, photo, demographics, criminal history, disciplinary history, case records, external movements, etc.
- C. Internal Investigations. Documentation of investigations conducted by, or regarding the Division
- D. Modified Therapeutic Community Program (MTC). A behavior modification program where the daily activities of offenders are structured under supplemental programs addressing addiction, anger management, life skills, and parenting skills.
- E. Parole. Early release from state prison to community supervision
- F. Probation. A court-ordered alternative to prison where the offender remains in the community and is subject to conditions of behavior.
- G. Substance Use Disorder (SUD). When the recurrent use of alcohol and/or drugs causes clinically significant impairment, including health problems, disability, and failure to meet major responsibilities at work, school, or home.
- H. Supervision Sanction Program (SSP). An intense program for parolees who have violated conditions of parole or who have failed to meet conditions of supervision.

III. DIVISION INFORMATION

- A. Mission. ACC’s mission is to enhance public safety by enforcing state laws and court mandates through community partnerships and evidence-based programs that hold offenders accountable while engaging them in opportunities to become law-abiding, productive citizens. Priority is given to public safety, serving justice, and providing opportunities for positive change.
- B. Philosophy. We place our priority on public safety while providing opportunities for positive change.
- C. Division Motto. Serving Justice
- D. Residential Services. The Residential Services Division operates regional community correctional centers under MTC and SSP.

1. Qualifying offenders in the MTC perform community service work such as beautification projects. The treatment goal for each resident in the MTC program is to master the following basic recovery techniques and abilities:
 - a. Ability to recognize personal problems;
 - b. Inclination to accept responsibility for solving his or her problem(s);
 - c. Inclination to accept responsibility and accountability for personal life choices;
 - d. Realization that help is usually necessary;
 - e. Inclination to seek needed help through the 12-Step Program or alternative peer support groups; and
 - f. Inclination to develop pro-social life skills.

In addition to the MTC program, three (3) centers Little Rock, Osceola, and West Memphis operate a program for male and female offenders who are dually diagnosed with addiction and medical/mental health issues and short-term treatment programs for offenders sent from Drug Courts.

2. The SSP for women is operated at the East Central Arkansas Center (EACC) in West Memphis, Arkansas. An SSP for men is operated at the Texarkana Center in Texarkana, Arkansas and at the Omega Technical Violator Center in Malvern, Arkansas. Counselors at the SSP use behavior modification treatment models similar to the models used in community correction centers. The goal is to facilitate development of permanent lifestyle changes so residents will be successful, contributing, law-abiding citizens upon release. The primary approaches used to change resident behavior are:
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3. Probation/Parole Services. Institutional release officers are at each DOC facility to manage the transfer of offenders from incarceration to parole supervision in the community. Offices are located throughout the state and are staffed with probation/parole officers, specialty court staff, treatment staff, and support staff.

The Treatment Staff provide outpatient behavioral health services that include SUD treatment and mental health services. Individual and group sessions are provided to drug court program participants and participants in the SUD Program for general population. Other services include assessment and referral to treatment in the community as needed as well as referral to educational institutions, employment opportunities, and other wrap-around services in the community.

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