

 <p style="text-align: center;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number: DOC 404 DCP 4.5	Page Number: 1 of 3
	Board Approval Date: 2/17/94	
	Supersedes: DOC 404 DCP 4.5 Emerg.	Dated: 2/27/92 1/19/94
	Reference:	Effective Date: 3/10/94
SUBJECT: Transporting/Escorting Offenders		

I. AUTHORITY:

The authority of the Board of Correction and Community Punishment to promulgate this Administrative Regulation is confirmed in Act 50 of 1968, First Extraordinary Session, as amended; Act 548 and 549 of 1993 (Ark. Code Ann. ss 16-93-1203 and 12-27-105 of 1993).

II. PURPOSE:

To describe policies and procedures used by the Department of Correction/Community Punishment when supervising offenders who require escorted transportation outside the units/centers.

III. APPLICABILITY:

Wardens/center supervisors; security personnel; any employees required to restrain, escort, and/or transport offenders in the performance of their duties; and offenders.

IV. DEFINITIONS:

- A. Employees: Persons hired by the Department of Correction/Community Punishment or contracted for services.
- B. Offenders: Persons sentenced to the Department of Correction or persons sentenced to the Department of Correction for judicial transfer to the Department of Community Punishment and persons confined within a community punishment center as a condition of probation, suspended imposition of sentence or post prison transfer, or, if appropriate, under the supervision of the Department of Community Punishment.
- C. Restraints: Security equipment used to prevent escape, assault, or the commission of some other offense by violent or disruptive offender(s); and to protect employees, offenders, and other individuals.

V. POLICY:

It shall be the policy of the Department of Correction/Community Punishment to ensure secure procedures and safety precautions while escorting and/or transporting offenders at all times.

VI. PROCEDURES:

A. Situations

Department employees will use proper security procedures and safety precautions when escorting and/or transporting offenders at all times including but not limited to the following:

1. while being escorted and/or transported on the unit/center;
2. transfer from one unit/center to another;
3. while being accompanied on out to court status;
4. while on off-the-unit/center activities;
5. for offenders being returned to a unit/center following escape, parole violations, or other apprehension return situations; and/or
6. for any reason offenders must be escorted, transported, or held for the good order and safety of the Department of Correction/Community Punishment.

B. Use of Restraints

1. All offenders being transported from one unit/center to another or being taken from and returned to a unit/center must be handcuffed. A security belt and/or leg irons may also be used to provide additional security. They may also be used while escorting offenders if used for the good order and security of the department. Exceptions to this policy may include:
 - a. Offenders in the least restrictive class to include I-A and I-B;
 - b. inmates being transported to a work release unit/center;
 - c. inmates being transported to and from an industry or construction job assignment;
 - d. inmates participating in the Regional Maintenance Program or community work program;
 - e. inmates participating in the Plasma Program;
 - f. inmates being transported to and from band or choir engagements; and,
 - g. inmates being transported to and from offender panel engagements.

2. Handcuffs and/or other security restraint devices employed are not to be removed until the offender is delivered to the receiving authority as specified by the unit warden/center supervisor.

C. Number of Escorts and Weapons while Transporting Offenders

1. Normally, two employees shall be assigned to escort offenders in transfer, with at least one employee being armed. Exceptions may be made by the unit warden/center supervisor to increase this security escort policy. Employees accompanying offenders must be extremely alert, especially in crowds, to guard against escape and/or the acquisition or use of any type weapon by the offender.
2. At least one escorting employee must be female when transporting a female offender.

D. Escort Instructions

1. Escorting employees shall be provided with a copy of the first page of the admission summary and a gate pass or transfer. Exceptions: Emergency medical transfers will be handled with gate passes only.
2. When accompanying offenders to court, employees are to contact the sheriff or bailiff, chief of police, or U.S. Marshal as soon as they arrive and receive orders for subsequent proceedings.
3. Should the judge order the offender remanded to a jail to await further action, escorting employees are to obtain a copy of the Court Order, if possible. Before turning an offender over to officials, one of the escorting employees will make either telephone or radio contact with the unit warden/center supervisor for instructions. Employees will secure a receipt from the sheriff, chief of police or U.S. Marshal when the offender is turned over to them.
4. If overnight travel is necessary, it is permissible for the escorting employees to spend the night in a city or town where the offender may be confined to a secure jail. Upon release from such temporary confinement, the offender shall be thoroughly searched for contraband by Department employees.

Offenders being accompanied on off the unit/center trips are not permitted visits, except for attorney/client consultations on order of the court or as approved by the warden/center supervisor.

VII. REFERENCES:

ACA Standards 3-4182; 3-4183

AR404