



OFFICE OF THE SECRETARY

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SECRETARIAL DIRECTIVE

SUBJECT: Legislative Liaison and Legislative Communication

NUMBER: 2021-07

SUPERSEDES: ADC AD 18-40 Sect. F

APB AD 17-01

APPLICABILITY: All Employees of the Arkansas Department of Corrections

REFERENCE: Ark. Code Ann. §§ 12-27-113, 16-90-802, 16-93-202, 25-43-103, 25-43-105, 25-43-107, and 25-43-403 et seq.; AR 007 Legislative Liaison and/or Inquiries.

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APPROVED: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 5/3/2021

I. POLICY:

- A. 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 effective communication between the DOC and members and staff of the General Assembly. The Chief of Staff is designated as the DOC’s primary Legislative Liaison to members and staff of the General Assembly.

II. PROCEDURES:

- A. Subject to direction from the Board of Corrections (Board) or the Governor, the Secretary shall have the sole authority to approve legislative proposals on behalf of the DOC and its various divisions; in addition to determining the position of the DOC on proposals initiated by stakeholder groups or individual legislators.
- B. Notwithstanding any other provisions in this directive, the Secretary may authorize employees to respond to routine inquiries within the scope of his or her duties. Any high profile or unusual requests shall be elevated to the Chief of Staff for coordination or response. For individual offender inquiries from or on behalf of a member of the General Assembly, the Chief of Staff shall be made aware of the request and any planned response to the inquiry.
- C. The Department’s Chief of Staff is responsible for providing regular and timely updates regarding legislative matters; to include but not limited to during, Regular, Fiscal, and Extraordinary Sessions of the General Assembly.

1. The Chief of Staff will provide legislative updates to the Secretary's Executive Staff, DOC Leadership Team, the Board, and Governor's Office.
 2. Any entity submitting a report, publication, dataset, etc., to a legislator or legislative staffer, shall provide a copy in advance of submission to Chief of Staff. The Chief of Staff will ensure notification is provided to the Board and Governor's Office.
- D. Upon request, the Chief of Staff is authorized to provide presentations and testimony to the various legislative committees having oversight over the operations of the DOC. Additionally Division Directors or employees, who are subject-matter experts in a particular area, will also be tasked with this responsibility.
- E. No employee of the DOC shall engage in any activity which would require registration as a lobbyist pursuant to A.C.A. § 21-8-601.
- F. An employee may speak on behalf of the DOC to a member of the General Assembly or their staff when authorized by the Secretary, Chief of Staff, or their Division Director.
1. However, an employee is free to address legislative issues impacting them personally outside of normal business hours. If an employee wishes to address a legislative committee regarding a personal matter, or a matter outside the scope of their position, the employee must take leave time if the presentation is during business hours.
 2. Nothing in this policy restricts an employee from making a report under the Arkansas Whistle-Blower Act, codified in A.C.A. § 21-1-601 *et. seq.*
- G. In accordance with A.C.A. § 16-90-802, the Arkansas Sentencing Commission (ASC) will independently prepare and submit to the General Assembly a fiscal impact assessment to determine the impact on resources and budget consequences of any proposed legislation affecting sentence length.
1. Divisions within the DOC shall provide any requested data to the ASC to assist with the preparation of fiscal impact assessments in a timely manner.
 2. Upon request of the ASC Director, the Secretary may temporarily or permanently reassign DOC personnel to assist with the preparation of fiscal impact assessments.
- H. In accordance with A.C.A. § 12-27-113, the Division of Correction (ADC) shall ensure that authorized legislative committee staff has access to view a full and complete record of every current or former inmate committed to the ADC, along with a photograph of the inmate and data.
1. Requests for review of records must be made in good faith and in writing.
 2. Records under this subsection may be viewed only by a member of the General Assembly or an employee assigned to the Senate Committee on the Judiciary, the House Committee on the Judiciary, or the Charitable, Penal and Correctional Institutions Subcommittee of the Legislative Council.
 3. A record requested to be viewed under this section is privileged and confidential and shall not be shown to any person not authorized to have access to the record under this section. The record shall not be used for any political purpose, including without limitation political advertising, fundraising, or campaigning.

- I. In accordance with A.C.A. § 16-93-202, the Arkansas Parole Board (APB) shall ensure that authorized legislative committee staff has access to view all classification, disciplinary, demographic, and parole hearing records of a current or former inmate or parolee who is currently or was formerly granted parole by the Board.
 1. Requests for review of records must be made in good faith and in writing.
 2. Records under this subsection may be viewed only by a member of the General Assembly or an employee assigned to the Senate Committee on the Judiciary, the House Committee on the Judiciary, or the Charitable, Penal and Correctional Institutions Subcommittee of the Legislative Council.
 3. A record requested to be viewed under this section is privileged and confidential and shall not be shown to any person not authorized to have access to the record under this section. The record shall not be used for any political purpose, including without limitation political advertising, fundraising, or campaigning.