

Arkansas Division of Correction



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Dexter Payne
Director

Inmate Handbook

Arkansas Division of Correction (ADC)

Inmate Handbook

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Introduction

This handbook provides basic information about the Arkansas Division of Correction (ADC) policies and procedures. This handbook is intended to assist you during the time you are incarcerated. It contains a list of prohibited acts; provides a brief description of the disciplinary process; and outlines disciplinary actions which may be taken. Read this book thoroughly as you are expected to follow all policies, rules and comply with these regulations. You are encouraged to seek clarification when you have questions or are unclear about something. The ADC is committed to professionalism and strives to meet the strict guidelines set forth by the American Correctional Association. The rights and dignity of every person are respected in a spirit of staff, management and inmate cooperation.

***The information in this handbook does not cover every possible situation, and it may not reflect recent changes in policy or procedures**

ADC policies are available to you in your unit's law library. You should always refer to the most recent policy as policies are reviewed annually for potential updates. You should focus on reentry from the day you arrive, as your actions will impact how you serve your time and whether you are better prepared upon your release.

Mission Statement

The mission of the Arkansas Division of Correction is to provide public safety by carrying out the mandates of the courts; provide a safe humane environment for staff and inmates; strengthen the work ethic through teaching of good habits; and provide opportunities for staff and inmates to improve spiritually, mentally, and physically.

Vision Statement

The vision of the Arkansas Division of Correction is to be an honorable and professional organization through ethical and innovative leadership at all levels, providing cost efficient, superior correctional services that return productive people to the community.

Intake

All inmates go through a diagnostic process called intake. During intake, inmates are given medical, mental health, and academic examination; court papers are reviewed; counselors gather information through interviews; program recommendations are made; a risk score is calculated; and a general orientation takes place. When possible, programming will begin during the intake period.

You will be photographed during intake and have an inmate identification (ID) card made containing your picture and inmate ADC number (number and bar code). If your appearance changes at any time during your incarceration, a new photograph will be taken. You must wear the ID card

around your neck on an approved device provided by the ADC. Possession of or use of another inmate's ID card is prohibited. Lost or stolen ID cards are to be reported and replaced immediately. An inmate's account shall be charged \$2 for replacing a card. Inmates will not be charged a replacement fee for cards replaced as a result of normal usage.

Intake generally takes about 3 to 5 days, but it can last longer (i.e., COVID protocols, bed needs, security dictates different, etc.). It is during intake that inmates can set up an account to purchase items from the unit commissary. Inmates cannot have visitors during intake, but you will have access to a portable phone for the PREA report line and legal calls if needed; otherwise, no telephone use while in the lockdown area of intake. Once you move into the intake step-down barracks, telephone use is allowed.

Inmate Statutory Responsibilities

While in the custody of the ADC, you must follow department policies and all state and federal laws, including the requirement to file income tax returns if you have taxable income during the tax year. If you are unable to file income tax returns, it is your responsibility to ask for assistance. If you receive an income tax refund check, the appropriate tax agency will be contacted for approval before the check is deposited into your account. Other legal obligations do not terminate due to incarceration. You are still required to fulfill certain financial/legal obligations, such as child support during incarceration. However, you can petition the court that entered the order and request a modification of the obligation.

Veterans Benefits and Social Security Income

If you are receiving Veterans benefits or Social Security Income, that agency determines whether to continue sending the benefits to you.

Initial Assignment

After intake, inmates are transferred to a parent unit for their initial assignment. Exceptions for initial assignments may be made for health reasons, security concerns or program assignments. The initial assignment lasts a minimum of 60 days. Behavior, bed space, job availability, health and institutional needs dictate future assignments.

Transfers

Any inmate may request a transfer to another ADC unit. The request must be in writing and given to your Unit Warden and/or classification officer and should be placed in the unit mail. The decision to transfer an inmate is based upon available bed space, institutional needs, security level and other factors.

Classification

Inmates are classified in three ways: custody classification, good-time earning classification and medical classification. Custody classification is the result of scoring established criteria including crime, length of sentence, disciplinary record, prior violence, escape history and various other factors that determine risk to the public and risk within the institution. Custody classification is used to determine which facilities an inmate can be assigned. Good-time classification places inmates in Class I, II, III or IV status. Class I is the highest classification/class status an inmate can obtain and Class IV is the lowest class status. Class promotion is not automatic. It is up to you to earn Class I status and your class can be reduced because of disciplinary problems. Promotions in class status are decided by the Unit Classification Committee, which makes the decisions based on your past and current behavior and recommendations from your work supervisor and/or other staff. The classification committee also makes transfer decisions, housing and work assignments.

Class I - an inmate in class I status may receive a total of 30 days reduction of parole/transfer eligibility date for each month served.

Class II - an inmate in class II status may receive a total of 20 days reduction of parole/transfer eligibility date for each month served. All inmates and parole violators will be placed in Class II status upon their arrival in ADC unless the inmate is being returned as the result of disciplinary action and has been reduced below Class II status. An offender released by the Parole Board may be reduced to this class by the Hearing Judge.

Class III - an inmate in class III status may receive a total of 10 days reduction of parole/transfer eligibility for each month served.

Class IV - inmates in class IV status do not receive good time. This class is generally referred to as “flat time” or “day-for-day”.

Meritorious good time is not a right that inmates are entitled to; it is awarded based on good behavior, outstanding work record and institutional adjustment. Meritorious good time may be given for being housed in a jail or a similar secure facility while awaiting transfer to ADC, unless the sheriff or designee submits written objections to the award based on the inmates behavior, discipline and conduct while awaiting transfer.

Healthcare professionals determine medical classifications and restrictions, which are considered in making work assignments.

Work Assignments

The Unit Classification Committee or Officer will make all work assignments. Programming assignments are considered work assignments. All inmates who are medically able are expected to work and disciplinarys will be written for refusing a work assignment. ADC does not pay wages to

to inmates, nor does ADC charge for basic hygiene items, meals, laundry services, etc.

Unit Reassignments

Any inmate may be assigned or reassigned to an appropriate unit because of poor institutional adjustment, disciplinary record, security concerns or institutional needs.

Promotion and Reclassification

After completing your initial assignment, you may apply to your immediate supervisor for promotion or reclassification. Reclassification is not automatic, you must apply for consideration. Your immediate supervisor must recommend a promotion or reclassification. To be eligible for consideration, you must not be found guilty of a major rule violation for at least 60 days. If you receive a minor disciplinary, warning, reprimand or suspended sentence, you are not eligible for consideration for 30 days. If you are found guilty of a rule violation, you will not be eligible for consideration until the designated period has expired unless specifically approved by the Warden. **This period does not include time you spent in punitive isolation.**

Examples below include:

<u>Infraction</u>	<u>Time</u>
• Possession/introduction/use of cell phone	1 year
• Assault/battery of an employee or throwing any substance	1 year
• Felonious battery	1 year
• Escape or attempted escape	1 year
• Homicide or attempted homicide	1 year
• Possession/manufacture of contraband	1 year
• Third or subsequent guilty verdict for Indecent Exposure and/or Masturbation	1 year
• Sexual activity	3 months
• Tobacco, drugs and alcohol	3 months

After receiving reclassification, you must not receive a disciplinary for at least 30 days before appearing before the Unit Classification Committee to ask for another reclassification.

Detainer

A detainer is a hold placed on an inmate by a law enforcement agency that has charges pending against the inmate.

Interstate Compact

Under the Interstate Compact Agreement, an inmate can serve his/her Arkansas sentence in another state's correctional system but only under

certain circumstances and only if both states agree. Interstate Compact inmates that are housed in the ADC for another state, cannot be awarded Class IA, IB or otherwise a class status that allows the inmate to work outside the confinements of the fence without armed supervision.

Following Orders

You must follow lawful orders. If you violate the rules either by failing to act (such as reporting for work on time) or by acting in ways that are contrary to the rules, you will be disciplined. Always follow the last instructions given by staff.

Living in a Prison Setting

Your cooperation and attitude toward yourself, staff and other inmates, play an important role in how you will get along. The staff is here to help while making sure that order and safety are maintained in the institution. When talking to staff and other inmates, you are expected to use a respectful tone and words.

Rehabilitation is a word that you will hear a lot. It means a rebuilding of attitudes, values, work skills, and education. The ADC provides many programs that can help you with the rebuilding process, and you are encouraged to take advantage of the services offered, including substance abuse treatment, classes to assist with anger management, religious programs, reentry programs, academic education, career and technical education and work programs. Seek out opportunities to improve your skills to be successful in the future.

Lights Out

Normally, bedtime/lights out will be at 10:30 p.m. nightly. At that time, all televisions will be turned off. The Warden **may**, at his/her discretion, occasionally authorize special events beyond this time. At the discretion of the Warden, if you have an approved radio, MP3 Player or MP4 Player with headphones or a tablet, you may continue to listen after lights out. Radios can be purchased through the commissary and tablets are issued at each facility if the inmate meets the criteria. Tablets are returned upon release (i.e., parole or discharge).

Cleanliness

You are expected to be neat and clean, and the ADC provides basic items necessary for good grooming. During intake, you are issued personal hygiene items and clothing, which will be laundered regularly and kept in good condition. You may buy additional grooming items from the commissary. You are encouraged to shower regularly. Barber or beautician services are available that comply with the ADC grooming policy.

Any time you leave your living area, you should be dressed properly. This means shoes, socks, pants, shirts, and other apparel.

It is your responsibility to keep your living area clean and orderly. You are not allowed to attach anything to any walls, windows, ceiling, or floor of the institution, whether you live in a barracks, cell or room. Your bed should be neatly made before leaving your living area.

Grooming Policy

All inmates are expected to conform to the grooming policy. All inmates must maintain a hair style that is worn loose, clean and neatly combed. No styles are permitted that make it difficult to search the hair. No extreme styles are permitted, including cornrows, braids, ponytails, dread locks or mohawks. No inmates are permitted to wear or possess hairpieces, weaves, or wigs. If an inmate chooses to maintain facial hair, it must be worn loose, clean and neatly combed. If an inmate chooses to maintain facial hair, he will be required to shave so that his appearance without facial hair can be documented. Nails on hands and feet will be clipped so as not to extend beyond the tip of fingers or toes.

You must maintain standards of hygiene that do not create a health hazard or public nuisance. If your personal hygiene falls below these standards, the Chief of Security (CSO) may order steps to gain your compliance. Failure to abide by grooming standards is grounds for disciplinary action.

Personal Clothing

The ADC provides uniforms, undergarments, a pair of shoes, soap, toothbrush, toothpaste, safety razor with blade, bath towels and feminine hygiene items. Seasonal items may also be provided such as a toboggan cap, jacket or coat and thermal underwear.

Jewelry

Personal jewelry allowed includes one wristwatch, one plain metal ring or wedding band and one religious medal or emblem worn on your ID chain. The religious medal/emblem must be approved by the chaplain. The value of each item cannot exceed \$50. A wedding band can have a higher value, but you must sign a waiver of liability.

Inmate Lockers/Locks

When lockers are necessary, the ADC may provide them to you; however, at some facilities we may not. If lockers are provided, locks are available in the commissary. The lock's combination must be provided to the security office. The administration reserves the right to maintain access to all lockers. If the combination is not made available to the administration, entry will be made at your expense.

Property

Property is defined as:

1. *Personal Property* - items that are owned by you and are authorized to be retained on your person or in your living or storage area.
2. *State Issued Property* - items that are issued to you by the institution and may be retained within a reasonable amount.

Property Transfer

If you are transferred to another unit, your property will also be transferred. If there are excessive items or items not allowed at that unit, you may send the items home at your expense, have someone pick up the items at the unit, or authorize the destruction of the items.

When an emergency situation is declared, the ADC is not responsible for any property that is lost, stolen, damaged, consumed or discarded.

Photographs

You may have up to five personal photographs that are not nude or sexually suggestive. Photographs cannot contain subject matter that is disruptive in nature or would threaten security or the good order of the institution. Digital pictures or images generated by a computer and xerox copies are considered to be photographs. Photographs may not be any larger than 8 1/2 x 11 inches. Such photographs may contain either single or multiple digital images/pictures. However, when digital images/pictures are cut from an 8 1/2 x 11 inch sheet, it will no longer be considered as one. Each image cut from the sheet will be counted as one of the inmate's five authorized photographs.

Enemy Alert Lists

If you request that another inmate be placed on your enemy alert list, the Chief of Security and the Warden will determine whether the alert is warranted. Staff cannot be placed on an inmate's enemy alert list, but a staff separation can be entered if determined necessary by the ADC.

Fire/Safety Evacuation

Each living area is equipped with an evacuation plan. It is your duty to become familiar with the evacuation plan.

Count

For count to go as quickly as possible, you are expected to cooperate. No movement is allowed during count time. Whenever count time is called, an Officer will explain what to do. If you are in your living quarters or work area, remain there unless directed otherwise by staff. Failure to cooperate will result in disciplinary action.

Searches/Shake Downs

For everyone's protection, you, your personal property, your work area and your living quarters can be searched at any time. You do not have to be present during property or living quarter searches. You should not "hold" any items for another inmate, nor "pass" an item for another inmate as you are responsible for any item(s) found on you or in your area.

Contraband

Any article not authorized nor issued to you as personal property or state property, nor purchased by you from the commissary, is considered contraband. Articles in excess of established limits, articles used for unauthorized purpose and/or articles in your possession in an unauthorized area are considered contraband. Any item altered from its original state is also considered contraband. **Please also know that not only are we issuing internal disciplinaries to inmates who are found to be in possession of a cell phone, we are also referring the matter to the Arkansas State Police for investigation and possible criminal prosecution.**

Tobacco Regulations

All ADC facilities are tobacco free facilities. You are not allowed to have any kind of tobacco products. If you are caught with tobacco, the appropriate disciplinary action will be taken against you for possession contraband.

Substance Abuse

Prescribed medications should be taken according to an authorized doctor's order only. Drugs and alcohol are not permitted. Synthetic drugs (i.e. synthetic marijuana (K2), spice, bath salts) are not intended for human consumption. **When these drugs are produced, each batch can contain different chemicals that are likely to produce effects that are life-threatening and could cause death.** K2, Methamphetamine (meth), and other related synthetic drugs are highly dangerous and can cause seizures, vomiting, hallucinations, aggression, paranoia, anxiety and panic attacks among users. The possession and use of these drugs and alcohol will not be tolerated, and you will be subject to disciplinary action and criminal prosecution.

Food Service

Every effort is made to provide, prepare and serve a variety of nutritious foods. Do not waste food. At least three meals or their equivalent shall be served daily unless an inmate with a recognized medical condition is required to be served more often. Meals will be served at regular scheduled times during each 24-hour period with no more than 14 hours occurring between the breakfast and evening meals. Exceptions to this

14-hour interval may be authorized for weekends and/or holidays as to the serving of two meals on weekends/holidays. If your religious practices prevent you from eating certain meats, nutritional substitutes are offered. A small sign indicating "Pork Free" is placed on the steam table indicating each food item that does not contain pork. A quiet, orderly, and timely demeanor will be maintained in the chow hall. After you are finished eating, you will immediately leave the kitchen area.

Alternative Meal Service

Any inmate may be placed on an alternative meal service if observed misusing food, serving trays, utensils or any items used to prepare, serve or package meals. An alternative meal is a loaf-style form of nourishment designed to be eaten without the need for utensils. Water is the only beverage available with the alternative meal, unless the responsible facility health provider prescribes a substitute beverage for medical reasons. Alternative meal service will be for seven (7) consecutive days or 21 meals before the inmate returns to regular tray meal. The Unit Warden may reduce the number of alternative meals, if appropriate.

Foreign Nationals

When foreign nationals who commit offenses and are incarcerated in an ADC facility, if contacted, the ADC will ensure foreign national inmates have access to diplomatic representative of their country of citizenship in accordance with ADC guidelines.

Security Terrorist Threat Groups (STTG)

It is extremely important that each inmate understands the **ZERO TOLERANCE** level of Security/Terrorist Threat Groups (STTG) activity in the ADC. No wearing or marking clothing, in a fashion or colors that would depict a gang, either in affiliation or slang (no sagging, pant leg rolled up one side, etc.); no drawing, writing, or pictures, that could be considered paraphernalia associated with a gang; no correspondence, either incoming and outgoing, that would be considered gang affiliated; no codes, slang, or alphabets of any type will be tolerated; no throwing/flashing hand signs or body language associated to or against any gang; no possession of any item(s) associated with a gang. This will be considered contraband, and appropriate action will be taken. No conversation with other inmates about gang activities, meeting or recruitment will be tolerated.

Telephone Use

During set hours, you are allowed to make collect calls to people on your approved telephone list. **Three-way calling and call forwarding is not allowed. All calls except those to an attorney or a known outside rape counseling services, will be recorded and may be monitored.**

Emergency Messages

The Chaplain or mental health office will notify you about family emergencies

Prison Rape Elimination Act (PREA)

On Sept. 4, 2003, the Federal Prison Rape Elimination Act (PREA) was signed into law. It applies to all confinement institutions housing adult and juvenile offenders. **The Arkansas Department of Corrections has a “zero-tolerance” policy regarding the sexual abuse of inmates by staff or other inmates. This applies to ALL employees, contractors, volunteers, student interns and persons or organizations conducting business with the ADC and all inmates under the custody or supervision of the ADC.**

Sexual abuse or harassment by a staff member

Arkansas law prohibits any person working in a correctional setting or in law enforcement from engaging in any sexual act with an inmate. A staff member is in a position of power and authority over an inmate.

Therefore, with respect to a sexual act between a staff member and an inmate, there is NO SUCH THING AS CONSENSUAL.

Additionally, it is never, under any circumstances, okay for staff to engage in sexual abuse or harassment of an inmate. Staff can be charged with a felony!

As a matter of policy, inmates cannot engage in sexual activity. Consensual sexual activity between inmates is against ADC policy and violations will result in administrative sanctions.

Sexual abuse or harassment by an inmate

Sexual abuse is the use of debt, threat of physical harm, peer pressure, deceit, personal favors or positional authority to force or cajole sexually abusive contacts, penetration and harassment.

- Do not become involved in an exchange of sex for inmate protection or to pay debts
- Do not accept an offer from another inmate for protection. Avoid becoming involved in gang activity
- Do not accept commissary items, gifts, loans or favors from anyone. Placing yourself in debt to another can lead to the expectation of repayment with sexual favors
- Avoid talking about sex and casual nudity. Such conduct may lead another to believe that you have interest in a sexual relationship

Sexual Assault is a Crime!

Speak up. Do not be a silent victim of sexual assault or rape. Sexual assault is not part of your sentence!

If you have been sexually assaulted, feel you are being pressured into a sexual relationship, or feel you are being sexually harassed, you have multiple methods to report sexual assault/abuse, harassment and retaliation:

- Call the PREA Report Line from any inmate telephone
- *0870267
- Call the toll free Arkansas State Police PREA Report Line from any inmate telephone
- Tell a trusted staff member, security officer or any supervisor
- You can write a note
- You can utilize the inmate grievance procedure (please note that there is no time limit for submitting a PREA grievance)
- You can send a letter or note to the Warden/Center Supervisor at your facility
- You can send a letter or note to the PREA Compliance Manager at your facility
- You can send a letter or note to the Department's PREA Coordinator
- You can have a family member or friend make a report to the Warden or DOC PREA Coordinator
- You can send a confidential correspondence to a designated community-based Victim advocacy group (such correspondence will be treated as legal mail)

All calls will be reviewed. The PREA Report Line is reserved for legitimate use. Abuse of the PREA Report line (calls not related to PREA matters) may result in disciplinary action being taken against you.

Investigating allegation of sexual abuse

Report the incident to staff immediately or call the PREA Report Line, 1-870-267-6533. An immediate referral will be made to Health Services for a physical examination and completion of a rape kit test. Do not shower or clean yourself after the incident because it will interfere with the rape test results. A timely and thorough investigation will be conducted. Evidence will be collected and stored. To protect the victim, rape complaints will be restricted to those individuals who investigate, provide assistance or prosecute. The victim will be placed in a safe place where he/she is not subject to retaliation. The unit's PREA Response Team will be notified and will assist the inmate. Statements will be taken from witnesses and findings will be documented. The case may result in discipline and/or referred for criminal prosecution.

Inmate Grievance Procedure

Please note that this is just a summary of the Inmate Grievance Procedure. The Inmate Grievance Procedure is governed by the appropriate Administrative Directive and NOT this summary. All inmates will be provided access to the appropriate Administrative Directive that governs the Inmate Grievance Procedure.

Step One: Informal Resolution Form

The Unit Level Grievance Form (Attachment I) must be completed by the inmate within 15 days from the date of the incident with the date beside “Step One: Informal Resolution” filled in. If the inmate is alleging sexual assault, sexual misconduct/harassment by staff or physical abuse, then the inmate is not required to complete Step One, but should complete a Unit Level Grievance Form (Attachment II) with a date beside “Emergency Grievance” and present it to any staff, but preferably the designated Problem Solving Staff. PREA grievances are not subject to the 15-day time limit. Please also know that an inmate **cannot** grieve on behalf of another inmate.

An inmate presents the Unit Level Grievance Form (Attachment I) directly to a designed problem-solving staff. Only in the space provided the inmate should write a brief statement that is specific to the complaint. Include the date, place, personnel involved and/or witnesses and how the policy or incident affected you. Additional sheets cannot be attached at any level of the process. However, additional sheets attached to PREA grievances will be maintained with the grievance.

The Problem Solver has 3 working days to resolve the issue at Step One, informal level. If the problem cannot be resolved at the informal level or if the Problem Solver does not respond within the allotted time, the inmate may proceed to Step Two, the formal grievance level, within 3 working days.

Step Two: Formal Grievance Procedure

After attempting to resolve an issue through Step One, Informal Resolution, an inmate can proceed to Step Two, Formal Grievance, on the same Unit Level Grievance Form (Attachment I) that was used for Step One. The inmate should complete the date beside “Step Two”: Formal Grievance” and the section regarding resubmission (of this form) as to why the inmate considers the informal resolution unsuccessful, and deposit it into the designated grievance box; or submit it to a staff member if the inmate’s assignment prevents access to the grievance box.

Once the grievance has been answered at the unit level, if the inmate is not satisfied with the response given, the grievance can be appealed within 5 working days to the appropriate Chief Deputy/Deputy/Assistant

Major Disciplinary Process

The major disciplinary form will be used in filing major disciplinary reports against you. This form will inform you in writing of the details of the rule infractions. Please note that this is just a summary of the Disciplinary Process. The Disciplinary Process is governed by the appropriate Administrative Directive and NOT this summary.

1. You will receive a copy of the major disciplinary report at least 24 hours prior to the major disciplinary court hearing.
2. At the time you are served the disciplinary report, if you want to call witnesses, this is the time to do it by giving the notifying officer the names of the individuals you wish to call. There may be a limit on how many witnesses you can call. The Chief Security Officer at the unit determines this limit. **You will not be allowed to gather and submit witness statements on your own.**
3. The major disciplinary court hearing shall meet or be held by Video Conference as often as necessary at a convenient place and time between the hours of 6:00 a.m. and 6:00 p.m. No disciplinary will be heard after seven (7) business days (excluding weekends and holidays) from the date it was written except pursuant to an authorized extension.
4. You will be allowed to present at your hearing, but you will not be forced to attend. You may waive your appearance by signing a waiver form or failing to attend when disciplinary court is called. If you waive your right to appear and are found guilty, you cannot appeal the decision.
5. The hearing will be conducted as follows:
 - a. When the Disciplinary Hearing Officer (DHO) is ready to hear your case, you will be called into the room, and the DHO will identify any people present at the hearing for the record.
 - b. You will be informed of the specific charges against you and the possible consequences of a finding of guilt.
 - c. You should then be asked whether the nature of the proceeding and the possible consequences are understood. If it appears that you do not understand, the policy regarding Counsel Substitutes must be followed. Counsel Substitutes shall consist of staff members as designated by the Warden. Counsel Substitutes have no voice in the decision making of the court. All inmates have the right to refuse a Counsel Substitute.

- d. The DHO will read the disciplinary report to you and ask for your plea to each charge. There are only two acceptable pleas, “guilty” or “not guilty”. Any plea other than these, or refusing to enter a plea, will be considered as a plea of not guilty.
 - e. You will be given opportunity to make a statement on your behalf and present documentary evidence (other than witness statements). After you have made a statement and/or presented a defense, the recorder will be muted and witness statements will be reviewed and documented.
 - f. The charged inmate has no right to confront and cross-examine an informant against you or know the informant’s identity or statement. It is mandatory that any time confidential informant information is provided, the DHO shall ensure that the confidential information does not become known to other inmates.
 - g. After the DHO has weighed all of the evidence, a decision shall be made regarding guilt or innocence. The Video Conferencing System will then be un-muted. You must then be informed as to the finding of guilt or innocence on each particular rule violation and you must be informed of the punishment, if any, imposed.
 - h. You will be advised of your right to appeal any or all guilty decisions of the DHO.
6. Within 24 hours you will be provided a copy or ISSR 1000 (electronic generated disciplinary hearing results form) of the results of the hearing.
 7. Guilty verdict of Major Disciplinaries will be published on the Department’s website pursuant to a 2015 state law.

Appeal of Major Disciplinary Action

If you do not agree with the DHO decision, you have the right to appeal any decision of, or disciplinary action taken by the DHO through the following process.

1. Complete a major disciplinary appeal form. This should be addressed to the Warden of the unit/center where the incident occurred. All grounds for appeal should be briefly stated and include the reasons why the conviction or punishment should be reversed or modified. This statement will be considered at all levels of appeal and may not be rewritten at each stage. You must submit this appeal in writing fifteen (15) business days after a copy of the DHO’s report is given to you.

2. The Warden has thirty (30) business days from receipt of the appeal to respond, except that if you are serving punitive time as a result of the of the disciplinary, the Warden should answer the appeal within ten (10) business days, if possible. Inmates **not** serving punitive time are **not** permitted to mark yes beside “Punitive Appeal”.
3. If the Warden upholds the original decision of the DHO’s verdict and you are not satisfied with the response, you have fifteen (15) business days from receipt of the Warden’s decision, to appeal to the Disciplinary Hearing Administrator (DHA). To appeal to the DHA, you must submit the same disciplinary appeal form that was submitted to the Warden. Be sure to identify the disciplinary by date, time and charging person. Do not send your copy of your disciplinary report, hearing action sheets, or additional pages because copies of these are filed in the DHA’s office and are reviewed with your appeal. Any documentation submitted will not be returned. The DHA has thirty (30) business days to respond.
4. If the DHA upholds the decision of the original verdict, and you disagree with the DHA’s response, you have fifteen (15) business days from receipt of the DHA’s decision to appeal to the Director. Again, you submit the same disciplinary appeal form that was submitted to the Warden and the DHA. The Director has thirty (30) business days to respond. The Director’s decision is final.
5. During any stage of the appeal, the reviewer may affirm the action of the DHO or modify it as he/she deems just and proper; except at no point in the appeal process shall the penalty be increased.
6. In cases where a disciplinary is written by a Warden, you may bypass the appeal to the Warden and appeal to the DHA.

Minor Disciplinary Process

Minor Discipline should be used as a tool to discourage less serious misconduct. The rule violations for which you may receive a Minor Disciplinary are identical to those violations for which a Major Disciplinary may be written. Minor Disciplinary are within the discretion of the charging person.

1. The Minor Disciplinary Hearing Officer (MDO) must hear the disciplinary within seven (7) business days of the incident.
2. You will be allowed to be present and to make a statement on your behalf.
3. After hearing the charges against you and your defense and testimony, the MDO shall render his/her decision as to guilt or innocence and the appropriate action to be taken.

Minor Disciplinary Sanctions

The MDO, upon determining that an inmate is guilty of a minor violation of institutional rules and regulations, may take any or all of the following actions:

1. Warning, reprimand, or excuse the inmate
2. Revoke privileges for up to twenty (20) days
3. Assign extra duty. Extra duties must not exceed two (2) hours per day and a maximum of ten (10) days
4. At no time shall an inmate be put in Restrictive Housing by the decision of the MDO. Good time and Class Status shall not be reduced by the MDO.
5. Findings of the MDO may be appealed to the Chief of Security. The Chief of Security may affirm, reverse or modify the decision of the MDO. The Chief of Security decision is final.

Behavior Rules and Regulations

The following rules and regulations shall govern inmate behavior at all units and are found in the disciplinary policy in the unit library. Please note that some rule numbers are not in order as categories were combined, but historical information will be maintained. Numbers reserved for historical purposes are not listed in this handbook or policy. The “**bold**” words below indicate what should display on the ADC website for major rule violations. In some instances it will be the category, but if words in the specific rule violation are bolded, those words will display on the website.

F-831-1	ARKANSAS DEPARTMENT OF CORRECTION	AR 831
	Unit _____	
	MAJOR DISCIPLINARY	
Inmate _____	ADC # _____	Assignment _____
Class _____	is being charged by _____	Title _____
with rule violation(s) _____	Time & Date _____	
NOTICE OF CHARGES		
(I affirm that the information in this report is true to the best of my knowledge)		
Signature of Charging Officer _____		
NOTIFICATION: Officer _____ Date & Time Notified _____		
Inmate's Signature _____		
Witness: YES ___ NO ___		
List of Witness: _____		
C.S.O. REVIEW: Reduce ___ Dismiss ___ To Disc. Court ___ Initial ___ Date _____		
EXTENSION: No ___ Yes ___ (Has extension form been completed?) _____		
Presentation by Counsel Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.		
COUNSEL SUBSTITUTE Assigned (Name) _____		

GROUP DISRUPTION CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
1-1. Banding together for any reason which disrupts unit operations which may include taking over any part of the unit or property of the ADC, seizing one (1) or more persons as hostages, or interrupting operations. Rule violation may result in loss of all good time.	A
1-6. Direct involvement in writing, circulating or signing a petition, letter, or similar declaration that poses a threat to the security of the facility.	B
1-7. Any rule violation set forth above that is found to be related to recruitment or participation in a security threat group, or is motivated by racial, religious, or gender discrimination. Rule violation may result in the loss of all good time.	A

Individual Disruptive Behavior Category

<u>TYPE</u>	<u>PENALTY CLASS</u>
2-2. Under the influence of and/or any use of illicit drugs, alcohol, intoxicating chemicals or any medication in an unauthorized manner (e.g. includes but are not limited to, slurred speech, incoherent speech, redness of the eyes, vomiting, cannot stand on his/her own, etc.) .	A
2-3. Monetary Misconduct - Entering into unauthorized contractual agreements, failure to turn in all checks or monies received, obtaining money through fraud or misrepresentation (examples include, but are not limited to, buying articles on a payment plan, failure to turn in tips received on work-release, or misleading someone to obtain money).	A
2-4. Employment Misconduct - Work Release inmates who quit a job without prior approval, get fired for misconduct, tardiness, or shirking duties, or fail to notify ADC staff when too ill to work.	B
2-5. Unauthorized use of mail or telephone - Includes passing unauthorized messages, three-way communication(s), calling on another's phone code, posing as another person, and telephone communications with unauthorized persons.	B
2-11. Tattooing, piercing, and self-mutilation intended to change oneself or another's appearance; this does not include attempts to commit suicide or injure oneself unless solely for manipulation. See AR834 Procedure for Handling Alleged Disciplinary Infractions of Mentally Disordered Inmates.	B

GROUP DISRUPTION CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
2-12. Failure to keep one's person or quarters - in accordance with regulations, or failure to wear ADC-issued ID, or clothing according to center/unit policy.	C
2-13. Breaking into, or causing disruption of an inmate line or interfering with operations.	B
2-15. Tampering with , or blocking, any lock or locking device.	A
2-16. Refusal to submit to substance abuse testing or submitting a diluted sample.	A
2-17. Creating unnecessary noise , including disruptive or aggressive play in areas other than designed recreation areas.	C
2-20. Unauthorized communication , contact, or conduct with a visitor or any member of the public or staff.	B
2-21. Running from, avoiding, or otherwise resisting apprehension.	A
2-22. Interfering with the taking of count.	A
3-3. Unexcused absence from work/school assignment or other program activity.	B
3-5. Out of place of assignment.	B
5-5. Provoking or agitating a fight.	B
11-1. Insolence to a staff member.	A
12-2. Refusal of job assignment including participating in a treatment program, or class assignment, or violating rules that results in dismissal from a program.	B
12-3. Failure or refusing to obey verbal and/or written order(s) of staff.	B
12-4. Refusing a direct verbal order to leave or enter any area of the institution or ADC property including, but not limited to, a cell, barracks, chow hall, transportation vehicle, hallway or work site.	A
12-5. Failure or refusal to leave restrictive housing and return to population.	A
13-2. Lying to a staff member , including omissions, and providing misinformation.	B
13-3. Malingering , feigning an illness.	B

BATTERY CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
4-4. Battery on Staff - Use of physical force upon staff (examples include, but are not limited to, staff, volunteers, vendors and/or contractors).	A
4-5. Aggravated Battery - Use of a weapon, or injury resulting in victim(s) having to go to the emergency room and/or hospital, in battery upon another person. This rule violation will result in loss of all good time and the loss for one (1) calendar year of the privilege to purchase.	A
4-8. Battery - Use of physical force upon an inmate.	A
4-17. Throwing or attempting to throw substances , known or unknown, toward or upon another person. Rule violation may result in loss of all good time.	A

ASSAULT CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
5-3. Assault - Any willful attempt or threat(s) to inflict injury upon another, directly or indirectly, verbally or in writing.	A
5-4. Making sexual threat(s) to another person, directly or indirectly, verbally or in writing.	A

THEFT, DESTRUCTION OF PROPERTY OR EXTORTION CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
6-1. Demanding/receiving money or favors or anything of value in return for an offer/promise of protection from others, or to keep information secret.	A
7-1. Unauthorized use of state property/supplies.	B
7-4. Theft or possession of stolen property.	A
8-4. Destruction or intentional misplacement of property of another or the ADC. Restitution may be ordered based on replacement cost, or the value of lost, intentionally misplaced, or destroyed property.	A
8-6. Adulteration of any food(s) or drink(s) with intent to harm others. Rule violation may result in the loss of all good time.	A
8-7. Setting a fire or destruction or tampering with fire detection or suppression device.	A

POSSESSION/MANUFACTURE OF CONTRABAND CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
9-1. Possession/introduction of any firearm, ammunition, weapon, fireworks, explosive, unauthorized combustible substance, or unauthorized tool. Rule violation may result in loss of all good time.	A
9-3. Possession/introduction/manufacture of any drug, narcotic intoxicant, tobacco, chemical, or drug paraphernalia not prescribed by medical staff.	A
9-4. Possession or movement of money or currency, unless specifically authorized.	A
9-5. Possession/Introduction of clothing or property not issued to inmate nor authorized by the center/unit.	C
9-9. Counterfeiting, forging, or unauthorized possession/introduction of any document, article of identification, money, security or official paper.	A
9-14. Possession/introduction/use of unauthorized electronic device (s): Examples include, but are not limited to, flash drive, MP Player, Tablet, DVD Player, etc. Rule violation will result in the loss of all good time and will result in the loss of the Inmate Telephone System privileges for one (1) year. Possession of a cell phone is a crime which may result in criminal prosecution for a felony.	A
9-15. Possession/introduction/use of a cell phone or any cell phone component: Example include, but are not limited to, sim cards, charger, battery, etc. or an unauthorized messaging device. Rule violation will result in the loss of all good time and will result in the loss of the Inmate Telephone System privileges for one (1) year. Possession of a cell phone is a crime which may result in criminal prosecution for a felony.	A
9-16. Use of internet or social media.	A
9-17. Preparing, conducting, or participating in a gambling operation.	B

SEXUAL ACTIVITY CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
10-1. Engaging in non-abusive sexual activity with another consenting person.	A
10-2. Making sexual proposals to another person. (PREA)	A

- | | | |
|-------|--|---|
| 10-3. | Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures). | A |
| 10-4. | Bestiality. | A |
| 10-5. | Masturbation in the presence of another inmate. | A |
| 10-7. | Demanding sexual contact in trade or for protection from physical harm or mental anguish, or other victimization. | A |
| 4-10. | Rape or forced sexual act with/on an inmate. Rule violation may result in the loss of all good time. (PREA) Rape is a crime and may result in criminal prosecution for a Class Y Felony. If convicted, may result in a life sentence. | A |
| 4-19. | Rape or forced sexual act on staff, volunteer, contractor or other individual not incarcerated at the time of the incident. Rule violation may result in the loss of all good time. Rape is a crime and may result in criminal prosecution for a Class Y Felony. If convicted, may result in a life sentence. | A |

TRAFFICKING AND TRADING CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
15-2. Asking, coercing, or offering inducement to anyone to violate ADC policy or procedure, inmate rules and regulations, center/unit operating procedures, this also includes extortion.	A
15-3. The purchase or exchange of unauthorized articles or authorized articles obtained through unauthorized channels.	B

ESCAPE CATEGORY

<u>TYPE</u>	<u>PENALTY CLASS</u>
16-1. Escape from custody of the ADC; may result in the loss of all good time and/or result in referral for criminal prosecution.	A
16-2. Failure to return from any approved activity or furlough at the designed time.	A
16-3. Attempted escape, including leaving a work release job site or work detail, while in the custody of the ADC. This includes but is not limited to, written notes regarding escape, phone call recordings advising escape plans, and verbal threats to escape, etc.	A

Range of allowable sanctions

1. Penalty Class “A”

- a. Punitive Housing up to thirty (30) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned good time up to 365 days (loss of all good time is allowable for offenses listed that include the statement “may result in loss of all good time”).
- c. If the use of the Inmate Telephone System is involved, it shall result in the loss of telephone privileges for one (1) year.
- d. Loss of designed privileges, up to sixty (60) days, or the loss of a commissary item(s) up to three hundred sixty five (365) days if such commissary item(s) were used in the commission of the disciplinary infraction.
- e. Restitution based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.
- f. Reduction of up to three (3) steps in class.
- g. Extra duty up to two (2) hours per day for up to thirty (30) days.
- h. Possession/introduction/use of a cell phone will result in the loss of Inmate Telephone System privileges for one (1) year.
- i. For PREA related violations, referral to the Classification Committee for consideration of precautions based on the findings of the investigation and outcome of the Disciplinary Hearing. The Classification Committee will consider PREA status in housing and job assignments and potential placement in programming based on the outcome.
- j. An inmate found guilty of escape or attempted escape, felonious battery, homicide or attempted homicide, possession/manufacture of contraband, throwing or attempting to throw substance, and third or subsequent guilty verdict for Indecent Exposure and/or Masturbation that carries a Class A penalty will not be eligible for class promotion and/or reclassification for one (1) year unless the Warden recommends to the Classification Committee that the inmate be considered for promotion and/or reclassification.

2. Penalty Class “B”

- a. Punitive Isolation up to fifteen (15) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned good time up to one hundred fifty (150) days.

- c. Loss of designed privileges up to forty-five (45) days.
- d. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
- e. Extra duty up to two (2) hours per day for up to fifteen (15) days.
- f. Formal reprimand and/or warning.
- g. Reduction of up to two (2) steps in class.

3. Penalty Class “C”

- a. Punitive Isolation up to ten (10) days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
- b. Loss of earned credits up to sixty (60) days.
- c. Loss of designated privileges up to thirty (30) days.
- d. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
- e. Extra duty up to two(2) hours per day for up to ten (10) days.
- f. Formal reprimand/warning.
- g. Reduction of one (1) step in class.

Upon determining that an inmate is guilty of violating institutional rule(s), the DHO may apply any or all of the sanctions from the penalty class of the most serious rule violated. Additional sanctions may be applied from the penalty class corresponding to the additional rule(s) violated.

Note: Loss of all earned good time is allowable for offenses listed that include the statement “may result in loss of all good time.”

*In addition to any other punishment authorized under this AD, the use of any commissary item in connection with the violation of any of these rules may result in the loss of the privilege to acquire that type of item for up to twelve (12) months



Inmates who violate the following rules may be placed on non-contact visitation and restricted from video visitation for one (1) year for each offense. Any subsequent disciplinary for another violation following the initial violation will cause the one (1) year restriction period to start over from the date of conviction of the new violation.

- a. Under the influence of and/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
- b. Refusal to submit to substance abuse testing.
- c. Possession or introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical staff.
- d. Possession or movement of currency, unless specifically authorized.
- e. Possession of clothing or property not issued or authorized by the Center/Unit.
- f. Correspondence/conduct with a visitor in violation of regulations.
- g. Possession/introduction/use of a cell phone or unauthorized messaging device.
- h. Possession/introduction/use of unauthorized electronic devices or parts of one, such as a charger or sim card.
- i. Indecent Exposure.
- j. Social media.

All inmates assigned to Restrictive Housing will remain a Class IV inmate and will not receive any good time for the duration of their confinement in Restrictive Housing.

Any felony is subject to criminal prosecution regardless of disciplinary action within the Arkansas Division of Correction.



Restrictive Housing

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

Definitions

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.

Restrictive Housing (RH) - placement that requires an inmate to be confined to a cell at least twenty-two (22) hours per day.

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 Restrictive Housing because the inmate is not returned to general population during this time.

Restrictive Recreation - a status assignment allowing the Classification 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 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 tapering 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.

Step-Down Program - a system of review that establishes criteria to prepare an inmate for transition from restrictive housing to general population or the community. A classification committee made up of a multidisciplinary team (medical, mental health, security, and others determined by the Warden) will determine which individual inmates enter the program.

Protective Custody - form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The classification committee reviews the inmate's status periodically. Inmates assigned to Protective Custody are not assigned to restrictive housing due to this status alone.

Disciplinary Court Review (DCR) - the confinement of an inmate in restrictive housing until a disciplinary hearing is completed due to an alleged disciplinary infraction.

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 stepdown program.

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.

Inmates in restrictive housing may be subject to more stringent living conditions and their privileges may be restricted.

The calculation and scheduling of an inmate's RH hearing will not change if that inmate transfers to another unit and remains in RH.

Medical Services

Health Services

It is the policy of the ADC to provide health care services (medical, dental, and mental health) accessible to all inmates, which, at a minimum, meet reasonable and necessary health care needs. If you have a medical or dental emergency, inform a correctional officer who will notify the medical department immediately for evaluation. If the problem is not an emergency, then a Health Services Sick Call request form must be submitted, which will be reviewed by the medical department within 24 hours, and an examination will be scheduled.

ADC charges inmates a \$3.00 co-pay fee for any inmate initiated request for medical or dental services. A \$3.00 fee is also charged for inmate-initiated request for health care services unrelated to a condition being followed in chronic care clinic; initial contact with health care services due to fights, sports injuries or self-inflicted injuries not associated with

mental illness; a pre-lockup examination required because the inmate was involved in a fight or altercation with another inmate(s) or staff, including where chemical spray is used due to an inmate's refusal to submit to restraints for movement. No fee is charged for diagnosis and treatment of communicable disease; chronic care or other staff-initiated care, including follow-up and referral visits. When an inmate who has a co-pay lien receives funds, those funds may be used to satisfy the co-pay lien. Christmas funds, gate money, aid to indigent inmates, or other such funds provided by the state will not be taken to satisfy co-pay liens. All co-pay liens or charges will be deducted before commissary charges are allowed when the balance of an inmate's trust fund account rises above the safeguarded account balance of \$5.00. Out-of-state inmates housed in ADC facilities will be subject to the same co-pay guidelines as an Arkansas inmate; however, these inmates will not be charged for services required by Interstate Corrections Compact guidelines. No inmate will be denied necessary health care services because of inability to pay.

See the Co-Pay policy for more details.

Pregnant Inmates

Female inmates will have access to pregnancy management services.

Dental Services

In addition to dental emergencies and routine and necessary examinations, treatment and cleanings are available. Dental prosthetics are provided if required for chewing food but will not be provided for cosmetic effect.

Eye Examinations

If you are having vision difficulty, submit a request for an examination to the medical department. If appropriate and needed, an Optometrist will examine your eyes, and standard glasses will be provided if needed. You may be re-examined as provided in policy.

Program Services

The ADC has various programs available to you while you are incarcerated. These include educational, vocational, work, counseling, etc. Inmates who would like to participate in any program should complete an inmate request form to the Program Coordinator and send the request via truck mail to that Program Coordinator. Keep in mind that different programs have different criteria and not every program is open to every inmate or available in every facility.

Mental Health

Inmates can receive individual and group outpatient treatment from psychologists, psychiatrists, social workers and counselors.

It is important that inmates have access to mental health services governed by policies that adheres to the expected professional levels of confidentiality to the extent possible in a prison setting.

Inmates requests for mental health services may be made by submitting a request for interview in the sick call mental health request box or in the manner that requests are handled in the inmate's housing area.

Residential Programs Unit (RPU)

The Residential Programs Unit is for inmates with serious mental or emotional problems that require residential treatment as recommended by the unit's mental health staff. The RPU provides intensive treatment and specialized assessment.

Habilitation Program

The Habilitation Program provides special management and treatment for developmentally disabled inmates.

Substance Abuse Treatment Programs

It is the policy of the ADC to assess the propensity for alcohol and drug use of all inmates entering the ADC and to make available, to the maximum extent possible, effective treatment. Inmates will be assessed for alcohol and drug use problems during the intake process of their incarceration. The mental health intake assessment will include an interview reviewing substance use related crimes, social histories revealing substance use, and previous treatments, which may indicate propensities for substance use. Following this, intake recommendations for substance use treatment will be made if indicated, and inmates will be informed of any substance use treatment referrals. Substance use treatment is a voluntary service, and inmates who are stipulated by the Board of Parole to participate in drug treatment can refuse the services of this program by signing a Substance Use Rehabilitation Services (SURS) Refusal Form. Inmates refusing substance use treatment shall be informed that such refusal may affect their date of release. Inmates who have refused substance use treatment may, at a later date, request these services in writing.

The ADC also provides residential substance abuse treatment. There are two programs: Substance Abuse Treatment and Therapeutic Community Program (SATP and TC) for inmates with substance abuse histories.

Sex Offenders Treatment

The Reduction of Sexual Victimization Program (RSVP) is a treatment program for male inmates and Sex Offender Treatment (SOFT) is the treatment program for female sex inmates. Both focus on controlling compulsive sexual behaviors. Participation in the program is voluntary, but the Parole Board can stipulate completion as a condition of early release.

Anger Management

The Restrictive Housing (RH) Anger Management Treatment Program is a 12-week program designed to enable inmates to manage their anger and have positive interactions with staff members as well as other inmates. The program utilizes the Aggression Replacement Training (ART) program as the main focus of treatment and Thinking for Change as a supplement. The program challenges inmates to recognize and change thinking and behavioral patterns that are affected by their anger.

Think Legacy Program

The ADC recognizes that the majority of inmates incarcerated will be released into the community either by discharging their sentence or on parole. In order to increase the potential for successful reintegration into the community, it is necessary that these inmates be provided certain programming and information. This program prepares inmates to reintegrate into the community.

Act 309 Program

Under the Act 309 Program, inmates who qualify may be assigned to county or city jail facilities. Inmates must be Class I or eligible for Class I, have served a minimum of 6 months since admission to a parent unit with the ADC, be disciplinary free for 90 days, and be capable of abiding by the rules and regulations of the programs as indicated by their institutional record. Inmates cannot have any indisposed felony detainer filed against him or her unless approved for transfer by the agency filing the detainer and you must be within 45 months of your parole or transfer eligibility date. Any eligible inmate must exhibit a current medical classification commensurate with expected work assignment. Prior to participation in the Act 309 Program, notification will be made to the sheriff of the county from which the inmate was tried and convicted, and the prosecuting attorney's office who convicted the inmate. Victim or victim's family notification shall be done by mail to the last known address supplied to the Division of Correction in accordance with ADC policies. Any inmates convicted of kidnapping, a second or a subsequent offense of aggravated robbery, or criminal attempt to commit these offenses, will not be eligible for Act 309-Work classification. These inmates will be

classified as Act 309-Jail only inmates.

Work Release

ADC policy allows the orderly reintegration of selected inmates from a prison environment back into communities through participation in a Community or Unit/Center Work/Study Release Program. In the Work Release Program, inmates are housed in correctional facilities and may be employed in the community after competing their assignment to Regional Maintenance. Inmates must be eligible for minimum security status, must have a parole eligibility release date within 42 months or shorter as determined by the Director, have had no major disciplinary infractions for a period of not less than 3 months immediately prior to application, must exhibit a current medical classification commensurate with expected work assignment, etc. Inmates having an undisposed felony detainer filed against him/her, inmates convicted of any sex offense, inmates convicted of a felony escape, inmates convicted of a capital offense, first degree murder, rape, kidnapping, or who have been convicted for a second or subsequent offense of aggravated robbery, or who are serving a life sentence, or who are under sentence to be executed, are not eligible to participate in this program. From the wages inmates earn, the inmate will partially reimburse the state for their care and custody. Inmates who have dependents must remit one-third of their net income or the amount which may be required by court order. The inmate will normally be allowed to spend up to an amount equal to the approved weekly commissary draw. The remaining balance will be deposited in the inmate's ADC account. Any disbursements out of this account must be approved by the Warden/Center Supervisor. All fund balances of an inmate's account will be released to the inmate upon parole or termination of sentence.

Prison Industry Enhancement Certification Program (PIECP)

A PIECP worker is an inmate who provides labor for a Bureau of Justice (BJA) Prison Industries Enhancement Certification Program (PIECP). An inmate who voluntarily agrees to participate in PIECP, provides labor and benefits by receiving an opportunity for training and work experience. Inmates must have 2 or more years left until release date, major disciplinary free for a period of 6 months prior to date of application, have a GED or be working toward a GED degree, have an immediate supervisor's approval prior to application, have a good work record for at least 90 days prior to application, does not have an uncontrollable propensity for violence, does not constitute a security risk, is capable of abiding by the terms and conditions of the program, be approved to perform work as indicated by current medical classification and medical restrictions and other requirements as may be imposed at the correctional facility where the PIECP program is located. ADC retains an amount of the inmate's earning for operational

fees. Earnings must also go into a savings account and any disbursements out of this account must be approved by the Warden. The inmates shall be required to give 5% of his/her gross income to the Arkansas Crime Victims Reparation Fund and 10% of the inmate's gross wages shall be sent to persons dependent upon the inmate for financial support where applicable.

Paws in Prison

The ADC Paws in Prison is a training program for companion and service dogs by partnering with rescue organizations and/or shelters. The primary goal of this program is to prepare the animal for adoption or service. The program provides a safe, clean and humane environment for the care, custody, training and control of dogs for the purpose of preparing these animals for adoption or service within the local community. Each inmate wishing to participate must understand and agree to the goals of this program. Inmates shall not have been convicted of animal cruelty or abuse. Inmates must volunteer to participate in this program. Eligibility requirements are based, in part, on interest, training, positive attitude, length of sentence, criminal history and a positive institutional behavior pattern/adjustment. Inmates must be mentally and physically fit to assist in the care and training of an animal. Inmates associated with this program must comply with all ADC rules and regulations. Any inmate participating in this program who abuses an animal will be issued a disciplinary and may face criminal prosecution. Any inmate participating in this program that encourages or attempts to instill in any dog aggressive or attack modes towards a person or animal will be removed immediately from the program, issued a disciplinary and the animal will be evaluated as soon as possible by a free-world trainer to determine whether it may continue in the program.

Inmate Tablet Program

The tablets allow incarcerated individuals the capability for educational and self-help opportunities, communicate with loved ones, listen to music, read books, play games and search for jobs.

Reentry Planning

A reentry plan will be reviewed with you. It will include a review of any parole board stipulations, the status of your medical coverage (Medicare, Medicaid, Insurance), housing and employment plans, and whether you have a valid driver's license or state identification card. You will be provided with a copy of your reentry plan, as well as copies of any program completions and certificates. You will also receive information regarding the reinstatement of your voting rights. If you are required to register as a sex offender, notification of your pending release will be sent to the Prosecuting Attorney pursuant to

Act 973 of 2015.

Driver's Licenses or State Identification Card

Eligible inmates who are within one hundred eighty (180) days of release from custody of the ADC who have not previously been issued an Arkansas identification card or an Arkansas Driver's License shall be issued an Arkansas Driver's License if the driving privileges of the eligible inmate are not suspended or revoked; or suspended or revoked solely as a result of an outstanding Driver's License reinstatement fee imposed under the laws of this state. If issued, any fees for a replacement identification card or issued driver's license to an eligible inmate shall be waived. This is not applicable to a first time issuance of a driver's license or identification card nor may it be used to waive any documentation requirements for non-United States citizens. This also does not apply to a person with an expired driver's license.

Suicide Prevention

If you feel like hurting yourself, or you're feeling very depressed, or you think you might commit suicide, ask to see Mental Health Services immediately.

Right to Vote

The Arkansas Constitution, Amendment 51, Section 11, (d)(2) provides that after a person with a felony conviction has discharged his sentence or been pardoned, he shall provide the county clerk with proof that all probation or parole fees and terms of imprisonment have been satisfied along with all court costs, fines, or restitution. Section (B) provides that upon proof, the felon shall be eligible to vote.

Americans with Disabilities (ADA)

ADC prohibits discrimination on the basis of disability in the provision of services, programs and activities. If you are disabled, you may be entitled to reasonable accommodations. ADC will make every effort to ensure that staff communicate effectively with inmates who have a disability. The ADC will provide reasonable accommodations by bridging the communication gap with staff and inmates who are deaf, hard-of-hearing, late deafened, or who have speech impediments. ADC also provides assistance to visually impaired and blind inmates with, for example, written materials in large print and/or Braille.

Recreation

Inmates will be allowed to participate in leisure time and recreational services in accordance with unit policies and procedures.

Education

Academic

Education for inmates is provided through the Arkansas Correctional School District. The Board of Corrections has made education mandatory for all inmates without a verifiable High School Diploma or General Education Development (GED) certificate. A full range of academic programs is available at most units, including special education, Title 1, and dyslexia testing and intervention for inmates who qualify. Summer school is provided at some units, and homebound educational services may be offered for inmates in restrictive housing. Inmates progress at their own pace and work toward their GED certificate. College courses are offered at some units.

Career and Technical Education Programs

Career and Technical Education Programs (CTE) enable inmates to enter the world of work with basic skills necessary to succeed in their chosen professions. CTE programs include: Barbering & Barber Instructor, Building and Grounds Maintenance, Computer Applications Technology, Computer Science – Coding & Cybersecurity, Computerized Accounting, Cosmetology & Cosmetology Instructor, Food Service, Heavy Equipment Operator, Horticulture, HVAC, Landscape Construction and Design, Plumbing, Residential Carpentry, Residential Electricity, and Welding. Most of the Arkansas Correctional School District Programs require a minimum of 600 hours and are usually completed in six to eight months. Barbering and Cosmetology requires 1,500 hours and takes approximately 15 months to complete. Short courses such as: Basic Residential Mechanics, Building Trades-Basics, Future Fit, Office Basics-Keyboarding, and Pet Care and Management, are available at some units. Short courses require 225 to 450 hours and generally take 3 to 4 months to complete. Most CTE program participants have the opportunity to earn industry-recognized certificates such as: MSSC, NCCER Core, NCCER Craft, ServSafe Food Handler, and ServSafe Manager. Additionally, many other industry-recognized certificate courses are available using the iCEV platform. Certificate courses offered through iCEV require approximately 4 weeks to complete.

Religious Services

Religious Activities

It is the policy of the ADC to provide incarcerated individuals the greatest amount of freedom and opportunity for pursuing individual religious beliefs and practices as is consistent with the safety of

inmates and staff, the good order of the institution and accepted correctional practices. All religious activities-worship services, meetings, counseling, visiting must comply with institution schedules and guidelines.

Chaplains and volunteers provide religious services, pastoral counseling, study groups, revivals and other special events.

Religious Medals

One religious medal or emblem may be worn on an ID chain. A separate chain is not allowed. The religious medal or emblem cannot be larger than one and half inches in length or width and no thicker than 1/8 of an inch. The medal/emblem must be received and approved through the chaplain's office. Approved medals/emblems must be listed on your inventory/property list, and if not, you may be disciplined for possession of contraband.

Mail Policy/Packages

All of your incoming and outgoing mail may be read, except for privileged correspondence, which will be opened in your presence and inspected for contraband. Privilege correspondence includes letters from officers of federal, state and local courts, any federal or state official or agency, any administrator of the ADC, the parole board or its staff, the inmate's attorney and any member of the news media. If properly marked as privileged correspondence, it will be opened in front of you and inspected for contraband. Mail opened and inspected under these circumstances will not be read or censored but may be rejected in its entirety if it is found to contain contraband. Please also note that upon delivery of any legal mail, staff will provide an acknowledgement of legal mail to the inmate, if the inmate refuses to sign the acknowledgement, another staff member will note "inmate refused to sign" on the Legal Mail Delivery Form and sign as a witness.

The full name under which the inmate was committed, and the ADC number of the inmate shall be shown on the upper left-hand corner of the envelope on any outgoing mail and bottom right of incoming mail. Letters must be written in the English language unless there is approval from the Warden/Center Supervisor to communicate with family in another language. Inmates who wish to communicate with family in another language, must send a request to the Warden/Center Supervisor for review and consideration.

The ADC does not accept postage due mail or packages. Postage payment must be made in advance. Since opened mail will not be returned to the sender by the Postal Service without additional postage, the inmate shall be responsible for the cost.

Types of Mail Allowed

Your family, friends, officials and other significant community contacts can mail letters to you or send letters electronically with a minimum of interference consistent with the legitimate security needs of the facility. There will be no limitation placed on the number of letters mailed or received. However, each item of inbound correspondence is limited to three (3) pages which will be copied (black and white photocopy) along with the envelope so that two (2) sheets of paper, front and back, shall be provided for each items of general correspondence an inmate receives. No color photocopies will be made. Originals will be shredded after the copy has been made. No cards, larger-size paper or anything else will be manipulated to fit on the copy paper. Any general correspondence that exceeds these limits will be treated as contraband.

Photos received from the crime lab that contain the following information to an inmate in the custody of the ADC shall be considered contraband per A.C.A. §12-12-312:

- a. Depicts a crime scene;
- b. Depicts the victim of a crime; or
- c. Was taken in conjunction with an autopsy.

Electronic correspondence will be considered general correspondence **only**, however, the limit to three sheets and one side of an envelope will not apply. All incoming and outgoing electronic correspondence will be inspected and approved before distribution. The cost of electronic correspondence is at the expense of the sender. The cost of any rejected electronic correspondence will be borne by the sender. Rejected electronic correspondence will be rejected in its entirety.

Interstate/Inter-Unit Correspondence

Interstate and Inter-Unit correspondence is mail between all individuals who are incarcerated either within the ADC or another facility. Interstate and Inter-Unit correspondence of two (2) incarcerated individuals will be restricted to members of the immediate family. For the purpose of this provision VERIFIED immediate family is defined as the inmate's father, mother, sister, brother, spouse, children, grandchildren, and any other person whose relationship with the inmate has been verified as that of a parent/guardian such as mother-in-law, father-in-law, grandparent, aunts, or uncles, or whose relationship with the inmate has been verified as that of a child/ward such as a foster child, son-in-law, daughter-in-law, niece, or nephew. This list of immediate family members includes stepfamily members and half siblings. It will be subject to the usual rules under general correspondence including the page limit for photocopying. Inter-Unit correspondence must have the approval of both the sending and

and receiving Warden/Center Supervisor. In the case of Interstate correspondence where the out-of-state facility does not take a position, only the Arkansas Warden/Center Supervisor must approve.

If you have an authorized hobbycraft card, you may order and receive items approved by the Warden or a designee. No other packages are allowed except with the approval of the Warden and the appropriate Deputy Director. Packages that do not have prior approval will be returned to the sender. Packages will be searched.

Violation of correspondence rules will be subject to disciplinary action.

Publications

Any books, magazines, newspapers or catalogs that you receive from the publisher, bookstore, educational institution or recognized commercial or charitable outlet will be rejected if it violates the publication policy. Payment must be made in advance. All publications are subject to inspection and review and may be refused/denied/rejected due to content. You will be advised of the reason if a publication is rejected.

Publications which meet two (2) of the following conditions will be rejected:

- a. Books that measure more than 9" x 11"
- b. Hardback books thicker than two (2) inches
- c. Softback books thicker than four (4) inches
- d. Any books heavier than three (3) pounds

If books or magazines are bundled together and the bundle is over the appropriate allowable size, the entire package will be rejected.

Publications with objects inside, the publication will not be altered from the original state. Items within the publication/package cannot be separated, therefore the publications/package is rejected in its entirety.

Publications recommended for rejection, will be referred to the Warden/Center Supervisor. The Warden/Center Supervisor must approve or reject the publication within thirty (30) days of receipt. If the publication is rejected, the inmate must be notified, in writing, of any decision to reject and the basis for rejection of the publication. The decision to reject a publication may be appealed to the Central Office Publication Review Committee. The appeal must be initiated within ten (10) days of the receipt of written notification of the Warden/Center Supervisor's decision to reject the publication. Rejections of publications are not grievable.

Visitation

It shall be the policy of the ADC to permit inmates to have visits with family, friends, attorneys and spiritual advisors under conditions that are consistent with the security and good order of departmental operations. Because of limited space, staff availability, scheduling considerations and security requirements of correctional units/centers limits must be set and controls established governing visits.

Inmates will not be allowed visitors during their initial reception and orientation to the ADC commonly referred to as “intake”. Inmates will be allowed to visit immediate family members for a period up to thirty (30) days after the inmate completes intake and is received at their initial unit of assignment until such time as a visitation list is established. The family relationship must be validated by inmate information on record. After the initial thirty (30) day period at the initial unit of assignment, only visitors on an inmate’s visitation list will be allowed to visit. Everyone who plans to visit must fill out a Visitation/Telephone Contact Request and Authorization Form. A criminal history check is done on all prospective visitors. Any incomplete application will be rejected and returned to the applicant for completion of mandatory information. It is the inmate’s responsibility to advise visitors of their approval/denials, scheduled visitation days and times, and changes in and visitation days.

A maximum of twenty (20) persons may be placed on any inmate’s visitation list. Once this number is reached, the inmate cannot add another visitor without removing one from the existing list. Approved visitors may not be listed on more than one inmate’s visitation list unless the visitor is confirmed as an immediate family member of each inmate and approved by the Warden(s).

All visitors twelve (12) years of age or older will be required to show a valid unexpired driver’s license or state issued photo identification. Adult escorts may vouch for the identity of minor visitors under the age of twelve (12) years.

Current ADC employees and contract employees (working in an ADC facility), shall not be approved for visitation unless, prior to their employment, they were immediate family members of the inmate. Former ADC employees and former contract employees shall not be approved for visitation for a period of three (3) years from their last date of employment unless, prior to their employment, they were immediate family members of the inmate. Waivers of the three (3) year period for former employees, contractors, interns, or students may be granted by the Warden if the employee left in good standing and is an immediate family member and/or an attorney of record for the

inmate. Volunteers, including interns, with the ADC shall not be placed on any inmate's visitation list unless they are immediate family members and were so related to the inmate prior to their work as a volunteer or the inmate's incarceration.

Visitation Schedule, Rules, Restrictions, and Conditions

Saturdays and Sundays will be designated visitation days for all routine visits. There will be no visitation on holidays unless the holiday falls on a regular visitation day. Each unit will have a schedule for visitation and you must notify your visitor(s). All Class I inmates will be permitted weekly Sundays visits. All Class II, III and IV inmates will be permitted two (2) visits a month, either the first and third Saturday of the month or the second and fourth Saturday of the month as determined by the Unit's schedule. No more than four (4) persons shall be permitted to visit an inmate during any one (1) visitation period. A person of any age is counted as one (1) of the four (4) except minor children of the inmate allowed to visit may exceed the limit of four(4) visitors; however, only two (2) approved adult visitors may accompany the minor children when the limit of four (4) is exceeded. The Warden must authorize any other exception.

Non-Contact Visitation

Non-contact visitation is where a glass divider separates the inmate and visitor. The Warden/Center Supervisor has the authority to restrict contact visitation consistent with unit policy and the security needs of the Unit/Center. Where space for non-contact visits is limited, the duration of these visits may be reduced to two (2) hours with the approval of the Director. Non-contact is the only form of visitation allowed for inmates assigned to the Varner Supermax Program. Inmates who violate the following rules may be placed on non-contact visitation for one (1) year for each offense. This will include all visitors on the inmate's visitation list.

- a. Under the influence of an/or use of an illegal drug, alcohol, intoxicating chemical or any medication in an unauthorized manner.
- b. Refusal to submit to substance abuse testing.
- c. Possession/introduction of any drug, narcotic, intoxicating chemical, or drug paraphernalia not prescribed by medical staff.
- d. Possession or movement of money or currency, unless specifically authorized.
- e. Possession of clothing or property not issued or authorized by the Center/Unit.
- f. Correspondence/conduct with a visitor in violation of regulations.

- g. Possession/introduction/use of a cell phone or unauthorized messaging device.
- h. Possession/introduction/use of unauthorized electronic devices or parts of one, such as a charger or sim card.
- i. Indecent exposure.
- j. Social media.

Special Status/Assignment

Inmates on special status/assignment (such as Restrictive Housing, Investigative Status and Mental Health) may be allowed to receive a visit, consistent with “good security”, as designated by the Warden/Center Supervisor or Deputy Warden. Death Row visits are held in accordance with the appropriate Administrative Directive.

Visitation on Restrictive Housing

Inmates on punitive housing or on punitive restrictions **may** be allowed visitation privileges unless there are substantial reasons for withholding such privileges. The Warden or designee must approve all such visits and will consider, among other factors, the following:

- a. Nature of rule violation
- b. No further rule violations while housed on punitive status or on punitive restriction
- c. Satisfactory cell inspection reports

Inmates in punitive are not eligible for in-person news media interviews.

Special Visits

Visits between a licensed attorney representing the inmate or having obtained a subpoena or court order for a visit, spiritual advisors, ministers of record and the inmate will be permitted Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. upon prior arrangements (a minimum of twenty-four (24) hours in advance whenever possible) with the Warden/Center Supervisor/designee.

News media with respect to requests for interviews with inmates, it will be necessary for the representative of the news organization to first contact the inmate to obtain the inmate’s permission to be interviewed. The inmate may wish to consult with his/her attorney of record before agreeing to be interviewed and/or photographed. Before being interviewed or photographed, the inmate must sign an Inmate Consent Form which should be witnessed by an ADC staff member. Prior to granting approval for interviews with inmates, the Director and Public Information Officer will have to take into

consideration the effect such an interview may have on the inmate, and his/her personal mental attitude, the effect it may have on other inmates and institutional operations, the effect it may have on any victims, and the effect of an interview with respect to any pending review of clemency applications or litigation involving the inmate. All interviews must be approved by the Director and the interview may be approved with or without cameras, at the Director's discretion. Any news media visit can be denied, canceled or restricted by the Director, Public Information Officer or Warden if there are security concerns based on present circumstances or concerns regarding subject matter.

Visits Other Than on Regular Visitation Day

If the Warden approves, visits may be granted any two (2) days to approved visitors whose residence is more than three hundred (300) miles from the unit/center. These are not extra visits and will count toward the inmate's allowed number of monthly visits. The visitor must request the visit twenty-four (24) hours in advance during regular business hours.

Consistent with the provisions of Arkansas Code Annotated §9-27-303 as amended by Act 993 of 2017, the ADC will support the efforts of the Department of Human Services - Division of Children and Family Services (DHS-DCFS) to "reunify a family after a child is placed out of his or her home" by facilitating a special visit between incarcerated parents, their minor child(ren) involved in an active DHS-DCFS case, and DHS-DCFS staff. However, the Warden/Center Supervisor may deny admission to a visitor or, limit the number of visitors, based upon security considerations or staffing limitations. A request for this special visitation shall be submitted in writing to the Warden/Center Supervisor a minimum of five (5) business days in advance of the requested special visitation. The request must include a completed visitation form for each person requesting to participate in the visitation.

Video Visitation

Video visitation is also available at some facilities. Visitors must be listed on the inmate's approved phone or visitor list. Attorneys may not use the ADC video visitation system. Visitors must schedule all appointments 48 hours prior to start time. Visits are 30 minutes in length and will begin promptly at the start time. All visitation rules apply, including **dress code**. Visits are monitored by division staff. Officers can terminate an active visit at any time. Violation of any visitation rules, including displaying sexual acts or other prohibited behavior on video visitation will result in cancellation of all visitation privileges. The recording or photographing of a video visit is

prohibited. Individuals found to be in violation of this policy, will have their visitation privileges suspended for a minimum of one (1) year from the date the ADC becomes aware of the first violation. A subsequent violation will result in the permanent loss of the visitation privileges of the violator.

The cost of a video visit is \$12.99 for 30 minutes. Visitors can contact Securus Customer Service at 877-578-3658 for technical assistance and billing questions. Please check with your Unit Visitation Clerk for availability and scheduling.

Any behavior on the part of the inmate or visitor that is or may be disruptive to the security and good order of ADC operations or violates ADC rules will result in denial of or termination of the visit. Visitation is a privilege and visitation privileges will be denied should the ADC determine a visitor or inmate has attempted to violate ADC rules or regulations. Visitors' clothing must be appropriate for the age and occasion. Any visitor who is removed from an inmate's visitation list, regardless of why the removal occurred, shall wait a minimum of six months before being eligible to be placed on any inmate's visitation list. Any visitor found to have knowingly introduced, or attempted to introduce, contraband or who refuses to comply with a search requested by staff may be removed from the inmate's visitation list for a minimum of one (1) year. The visitor must reapply for visitation privileges for any inmate through the application process. Any visitor who refuses to comply with searches as requested by staff shall be removed from the inmate's visitation list as refusal will be considered an attempt to introduce contraband. The visitor will also be removed from the inmate's telephone list. Any visitor found to have knowingly introduced, or attempted to introduce, drugs, cell phones, weapons, implements of escape, tobacco products, or any other items that threaten the security and good order of the institution may be permanently prohibited from visiting at any ADC location.

Family, friends, attorneys and spiritual advisors can always check the DOC website for more information and visitation updates.

Furloughs

Emergency Furloughs

A temporary release, subject to appropriate supervision, **may be** granted of an inmate due to the critical illness and/or death of an immediate family member on the inmate's approved visitation list. However, per ADC policy, the immediate family member must be on the inmate's approved visitation list under Relatives/Associates. In all

cases, before approving an emergency furlough, the unit Warden/Center Supervisor or designee shall be satisfied that the inmate to whom an emergency furlough is granted:

- (1) Does not presently have an abnormal, uncontrollable propensity for violence;
- (2) Does not constitute a security risk;
- (3) Is capable of abiding by the terms and conditions of a furlough; and
- (4) Will not be endangered or endanger another person during such release.

Other procedural requirements are duly noted in the appropriate Administrative Directive.

Meritorious Furlough

A meritorious furlough **may be** granted if you have maintained a status of Class I-A or I-B for one year, have not been sentenced to death or life without parole along with other criteria. The entire “Meritorious Furlough Review Committee” must approve all meritorious furloughs.

Under state law, meritorious furloughs cannot be granted to inmates sentenced for capital murder, murder in the first degree, kidnapping, stalking, rape, any other offense concerning sexual offenses, any offense concerning sexual exploitation of children or any offense concerning use of children in sexual performance.

Once the inmate initially becomes eligible for a meritorious furlough, the sheriff and prosecuting attorney from the sentencing county shall be notified that the inmate will be eligible for a meritorious furlough once every six months. In addition, a request shall be made to the sheriff and prosecuting attorney of the sentencing county concerning any comments they may have in reference to the inmate’s furlough eligibility. The sheriff in the county and the chief of police in the city where the inmate wishes to visit must be notified prior to the inmate’s release on furlough on the Law Enforcement Notification Form. Upon request of an inmate’s victim, the ADC shall inform the victim at least thirty (30) days before release of the inmate on furlough.

Other procedural requirements are duly noted in the appropriate ADC policies.

Work Release Furloughs

Work Release furloughs **may be** granted for one weekend a month to inmates participating in a Work Release Program.

Act 309 Furloughs

If approved, Act 309 furloughs are to be taken on the weekend, not to exceed 48 hours and no more often than every 90 days.

No furlough will be granted during a holiday weekend.

Commissary

Each unit has a commissary or some way to purchase items that are not normally provided by the ADC. The Board of Corrections sets the weekly limit of money allowed to be spent. A list of available items and purchase prices is provided at each commissary. Availability and price are subject to change without prior notice due to the vendor. Your ID is required to receive commissary. The last business day of each month, the commissary is closed for inventory, so there may be changes made to store days.

Indigent Program

Criteria is as follows:

1. Beginning date of eligibility determination shall be the date the inmate is received by the ADC.
2. An inmate shall be eligible for the program if their inmate trust fund banking account balance is less than \$10.00 and the inmate has received less than \$10.00 on their account during the immediate preceding thirty (30) days.
3. If the inmate has an account balance less than \$10.00 and has received less than \$10.00 during the immediate preceding thirty (30) days, issues of indigent items shall be reduced by value of the account balance.

Eligible inmates may request any items from the approved list every 30 days not to exceed value of \$12.00. At the Warden's discretion, some items may be prohibited in lockdown areas for security purposes (.e.g, emery boards, dental floss, etc.). Requests will be filled on the last day of the month.

The system **will not** let you have an item before the allotted time frame, not even one day early. The system cannot be backdated for unavailable items. Items will be issued to eligible inmates in the same manner as the unit's procedure for commissary. Eligible indigent inmates will shop on routine schedules with non-indigent inmates.

Indigent commissary lists will be filled according to availability and in the order they are received. Any outside money that the inmate received while in the indigent program can go to pay for filing fees,

legal postage or any outstanding costs.

Money

Inmate Accounts

Upon entering the ADC, an account will be set up for you to allow deposits of money while you are incarcerated. Your account will be charged for all purchases made through the commissary.

You cannot receive cash. Only money orders and government checks will be posted to your account.

Money orders should be made payable to the inmate's name and ADC number. A "Money Order Deposit Slip" must be completed and sent with each money order. Deposit slips are available online at the ADC Website: www.arkansas.gov/doc. Inmates also have access to the deposit slips at each unit and can mail them to family members. All money must be sent directly to Inmate Banking:

Arkansas Department of Corrections
Trust Fund Centralized Banking
P. O. Box 8908
Pine Bluff, AR 71611

Family and friends can also send money through the ADC Website or by phone at 1-866-250-7697. These methods require a credit card and involve a small processing fee.

You cannot ask your family to put money on another inmate's account. Also, gambling, lending and borrowing of any kind is prohibited. Trafficking and Trading is a rule violation and circumventing rules by having money put on another's account will result in disciplinary action and suspension of visitation and phone privileges.

Disbursements

Instructions on how to make disbursements from your inmate account are available from your unit's business manager, commissary manager or bookkeeper.

Gate Money

The ADC provides most inmates with money (debit card) when they are released from ADC custody. The money is not provided to inmates being released to a detainer or to Work Release inmates unless the Director makes an exception. A portion of each debit card is retained until conditions of release are verified, and may be used for a drivers license.

Marriage

Inmate marriage requests are submitted to the unit Chaplain, who will schedule an interview so the necessary paperwork can begin. There is a 90-day waiting period that starts on the day of the inmate's interview with the Chaplain. The request is sent from the Chaplain to the Warden for approval. If the Warden approves the marriage request, a date is set for the ceremony. You must be Class I to submit a marriage request. The Chaplain should conduct a pre-marital counseling meeting with both the inmate and the intended spouse. The marriage ceremony shall be supervised by the Unit/Senior Chaplain. The ceremony may not be performed by a state paid chaplain or anyone with a current ADC volunteer badge, but may be performed by anyone authorized by law to conduct marriages. Verification of the official's credentials may be required. The ADC security regulations concerning photographs and authorized items shall apply to marriage ceremony participants. The inmate will wear clean pressed whites for the marriage ceremony. Fiancée and visitors' dress must be appropriate for the occasion.

You, your family, friends or another private source must pay all financial obligations of the wedding, including transportation costs. Up to six guests may attend the ceremony. Their names must be provided in advance to the Warden, and all guests must be on your approved visitation list. No reception or visitation will be permitted following the ceremony.

Proxy marriages are prohibited.

Law Library

All units, except Work Release Centers, have a law library that is open during set hours. The Compliance Office makes sure information available at unit law libraries are kept up-to-date.

Inmate Groups

Inmate Councils

Some ADC units have an Inmate Council for inmates. If you are interested, information is available at your unit.

Inmate Panels

An inmate panel is a select group of inmates who appear before school groups, civic clubs and other organizations to discuss problems of crime and delinquency. Only inmates with outstanding institutional records will be considered for participation.

Alcoholics Anonymous/Narcotics Anonymous

At many units, community volunteers hold weekly meetings with inmates who indicate they have alcohol or drug problems.

Parole/Transfer and Pardons

Parole/Transfer

Parole or transfer is early release from incarceration, and it is supervised and conditional. Since parole is a privilege and not a right, it may carry several conditions. An inmate can be required by the Parole Board to complete certain ADC programming such as Substance Abuse Treatment, Academic Education, Vocational Education, and Reduction of Sexual Victimization Program or the Sex Offender Female Treatment Program before being released on parole. Because programs have waiting lists, you should request a program and not wait to be stipulated or you can delay your release.

If the conditions of release are not met or if you fail to follow the reporting schedule, parole can be revoked and you can be sent back to prison.

Parole Eligibility/Transfer Eligibility Dates

The records offices of the various units compute parole eligibility or transfer eligibility dates. All inmates, except those sentenced to life, life without parole, death or certain repeat offenders, can be eligible for parole/transfer at some point. Eligibility dates will depend on state laws concerning the crime, the sentence and good time. The eligibility date can change because of disciplinary action or additional convictions.

Supervision of Parolees

The Division of Correction does not supervise parolees. Supervision of parolees is provided by the Division of Community Correction.

Pardons & Commutations

Pardons and Commutations are granted by the Governor and are used to restore rights that may have been lost because of a criminal conviction. An application for pardon can be obtained from an Institutional Release Officer (IRO).

Executive Clemency

A commutation (time cut) is not a right but a discretionary duty of the Governor that can be denied any for reason. You may also apply to the Governor for a commutation, which can reduce the length of your sentence. Eligibility criteria for the various forms of executive clemency are listed on the application that you may request from your Unit IRO. Once an application is submitted for screening and/or

consideration, the process cannot be interrupted. The following are examples of grounds upon which an application may be filed: (1) to correct an injustice which may have occurred during the trial; (2) life threatening medical condition which does not qualify for Act 290; (3) to adjust what may be considered an excessive sentence; (4) the person's institutional adjustment has been exemplary and the ends of justice have been achieved. Incorrect information will be grounds for denial. You must answer all questions or your application will be returned. Attach additional pages if necessary to answer questions. Type or print your application using blue or black ink pen. An applicant for commutation (time cut) should understand that the process will take several months, even a year or more in some instances. The Parole Board must review all applications. After the Parole Board makes the review and recommendation, you will be notified. The Governor relies on the recommendation of the Parole Board and will not review any application, which has not been first reviewed by the Parole Board. The Governor does not review files taken out of order. There is no appeal process for commutation (time cuts). If the Governor denies the application, that decision is final.

Emergency Powers Act (EPA)

The Emergency Powers Act gives the Board of Corrections the authority to declare a prison-overcrowding emergency and to move parole/transfer eligibility dates forward by up to 90 days for eligible inmates. Even if the EPA is in effect, the Parole Board must still approve inmates for parole, and an approved parole plan must exist prior to release.

Under the expanded version of the EPA, inmates convicted of a nonviolent offense (except for those sentenced under Act 1326), who are Class I or Class II, have been in the ADC system for at least six months, and do not have a violent disciplinary history may be eligible for release up to one year early.

Legal Assistance

There are licensed Arkansas Attorneys to assist with legal advice and explanations of court documents. The attorneys **cannot** represent inmates in lawsuits against ADC or its employees or on matters concerning criminal convictions. However, they can represent inmates in certain divorce and Department of Human Services matter.

Supermax

All inmates transferred to the Varner Supermax Program will have a due process hearing. This hearing requires a 24-hour advance notice to the inmate. The sending unit may recommend that an inmate be transferred to the Supermax for any of the following:

1. Escape from inside a secure facility
2. Battery on staff with injury
3. Battery on another inmate with serious injury
4. Disciplinary conviction for a violent felony
5. Other reasons that the Warden believes may constitute a serious threat to the security and good order of the institution

Transfer Appeals

The committee's decision to transfer an inmate to the Supermax Program may be appealed by the inmate to the Chief Deputy Director within fifteen (15) days after the inmate receives a copy of the decision.

Recommendation for transfer should be submitted to the Classification Administrator for review and any discussion, if appropriate.

Varner Supermax Program Rules

The Varner Supermax has a separate handbook that is issued to inmates who are assigned to that program.

Notes

