

 <p style="text-align: center;">ADMINISTRATIVE REGULATIONS</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number:	Page Number:
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	Board Approval Date: 09/9/2011	
	Supersedes:	Dated:
	406	05/26/88
	Reference:	Effective Date:
		09/19/2011
SUBJECT: Employee Identification Cards		

I. POLICY OF DEPARTMENT:

To issue every employee an identification card with a current picture.

II. EXPLANATION:

- A. An identification card must be properly displayed by an employee on duty at unit/center of assignment. All visiting Department employees are subject to display or having their identification cards available for display.
- B. Every identification card will be examined by the unit/center gate officer/security officer whenever employees whom they do not personally know or recognize pass through, into or out of the unit/center.
- C. Whenever the appearance of the employee changes so drastically as to render the identification purpose of the picture invalid (such as growing a mustache), or the card is worn or damaged, the employee shall be required to secure a new identification card. When an employee changes positions, his/her identification card is to be updated.
- D. When an employee's identification card is lost, misplaced or is destroyed, he/she must immediately report the loss in writing to his/her supervisor.
- E. Periodic inspections of identification cards are to be held during unit/center roll calls. Any employee unable to produce a valid identification card is subject to disciplinary action.
- F. Upon separation, the employee shall turn the identification card into the Human Resources Office. His/her payroll check shall be retained until the identification card is returned. When an employee is placed on suspension and/or terminated the identification card should be immediately taken from the employee.
- G. An employee visiting another unit/center is required to sign in/out when entering/leaving the unit/center.

- H. Employees who do not have their I.D. with them when they visit a unit/center must be identified by driver's license or similar I.D. and may be given a temporary admittance, with the permission of the Unit Warden/Center Supervisor or Chief Security Officer on duty.

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	Board Approval Date: 09/09/2011	
	Supersedes: DOC 401 DCC 4.2 Emerg	Dated: 02/03/2011
	Reference:	Effective Date: 09/19/2011
SUBJECT: Searches for and Control of Contraband		

I. AUTHORITY:

The Board of Corrections is vested with the authority to promulgate Administrative Regulations by Act 50 of 1968, Extraordinary Session, as amended; Acts 548 and 549 of 1993, Regular Session (Ark. Code Ann. § 16-93-1203 and 12-27-105 of 1993).

II. PURPOSE:

To provide the Departments of Correction (ADC) and Community Correction (DCC) staff with information and guidelines regarding approved procedures for the suppression of contraband and to specify approved search methods.

III. APPLICABILITY:

To all employees and especially those employees involved in searches for the suppression of contraband.

IV. DEFINITIONS:

A. Contraband: Any article not authorized nor issued to an offender as personal or state property, nor purchased through the facility commissary or items defined as nuisance contraband.

1. Nuisance Contraband - Any item or article which may be or may have been authorized for possession, but which is now prohibited because excessive quantities present health or fire hazards or the items have become a housekeeping problem. Specific examples include but are not limited to:

- a. Excessive numbers of newspapers, letters, or magazines;
- b. Food items which have spoiled;

- c. Items accumulated for the purpose of barter or trade.
- 2. Articles in excess of established facility limits, articles used for unauthorized purposes, and/or articles in an offender's possession or control in an unauthorized area are also considered contraband. Contraband seized from offenders during a residential, vehicle or personal search is also included.
- B. Personal Property: Items which are purchased by or for an offender and/or given to an offender which are authorized to be retained, within limits as posted in the facility of assignment, on an offender's person or in living or storage areas.
- C. State Issued Property: Items issued to an offender for personal use and which are retained, within a reasonable amount, by the offender on his or her person or in the assigned living area.

State issued property other than that of a rapidly expendable nature (i.e., toilet paper, soap, toothpaste, etc.) is to be clearly identified as state property.

- D. Reasonable Suspicion: Facts and rational inferences that department officials are entitled to draw from in light of the person's experience.

The following are among the factors to be considered in determining reasonable suspicion:

- (1) the demeanor of the suspect
- (2) the gait and manner of the suspect
- (3) prior background or character
- (4) whether the suspect is carrying anything and what they may be carrying
- (5) their manner of dress
- (6) the time of day or night the suspect is observed
- (7) any overheard conversation
- (8) information received from a third person
- (9) whether the suspect is consorting with others whose conduct is "reasonably suspect"
- (10) a visible effort to conceal an article
- (11) an effort to avoid identification or confrontation by officials

- E. Individuals: May include but not be limited to offenders, employees, contracted staff, visitors, volunteers, and any persons entering or leaving a facility.
- F. Offenders: Persons in the custody of ADC or confined in a DCC Facility.

V. POLICY:

It shall be the policy of the ADC and the DCC to have procedures in place that detect and deter the introduction, manufacture, possession, and/or conveyance of contraband.

VI. PROCEDURE:

All contraband discovered during a search or otherwise is to be confiscated, recorded pursuant to the appropriate administrative directive and reported to a supervisory officer. The supervisory officer should investigate to determine exactly where the contraband came from and how it was introduced.

A. General Searches:

Searches shall include but not be limited to the following elements:

1. Searches of individuals entering the facility, including searches of persons, packages, and other items;
2. Searches of all vehicles entering and leaving the facility;
3. Inspection of packages and other non-vehicular items entering and leaving the facility to include inspection by electronic means;
4. Use of hand-held and walk-through metal detectors or other detection technology to detect and deter the movement of contraband.

B. Offender Searches:

Procedures for offender searches shall include the following:

- (1) Use of pat and strip searches;
- (2) Use of intrusive body cavity searches in accordance with established procedures;
- (3) Shakedowns in facilities shall be carried out in accordance with established procedures;
- (4) Shakedowns in other common areas, including but not limited to offender and program work areas such as the kitchen, visitation room, and school; halls, day rooms, activity areas, and outside recreation areas.

1. Pat Searches of Offenders

Pat searches may be conducted by an employee of either gender and may be performed in any area of the facility and during movements. Pat searches ordinarily do not require an offender to remove clothing other than hats and gloves.

2. Strip Search of Offenders

Strip searches shall be conducted in a professional manner by staff the same gender as the offender. In cases of emergency (i.e., escape, riot, etc.), this provision may be waived.

3. Facility Contraband Searches

- a. Unannounced and irregular searches of facilities shall be performed on a continual basis.
- b. Each facility will have Standard Operating Procedures (SOP's) established for searches. Copies of the SOP's are to be a part of all post orders.

C. Contraband Searches Associated with Facility Lockdown:

The Warden/Center Supervisor may determine that a facility lockdown or partial lockdown is necessary to facilitate a search for contraband. A facility lockdown shall be premised on the presence of contraband, e.g., recent surfacing of contraband of a serious nature; potentially dangerous weapons; or a large quantity of drugs or cash which, in the estimation of the Warden/Center Supervisor constitutes a significant threat to the security of the facility and safety of offenders and staff.

D. Search of Staff:

1. Pat Search of Staff

The pat search is conducted while the employee is wearing clothes. All staff is subject to pat searches. Pat searches may be conducted at random. Pat searches may be conducted by an employee of either gender.

2. Strip Search of Staff

All staff is subject to strip searches. All strip searches may be conducted in an area separate and private from offenders and other staff if possible and in such a way as to ensure tact, privacy and a minimum of embarrassment. Strip searches will be conducted by staff of the same gender as the person being searched. The warden/center supervisor must have a reasonable suspicion that contraband may be introduced into the facility.

E. Search of Visitors:

1. Pat Search of Visitors

The pat search is conducted while the visitor is wearing clothes. The person conducting the search must be of the same gender as the person being searched.

All visitors shall be notified by a plainly visible sign that pat searches may be conducted. The search of a visitor shall only occur prior to or during the visitor's meeting with the offender. Entry to the facility will be denied if an individual is not willing to submit to a search.

2. Strip Search of Visitors

Strip Searches will be conducted only if reasonable suspicion exists. Strip searches will be conducted by staff of the same gender as the person being searched. Strip searches of visitors will not be conducted indiscriminately and must be authorized by the Warden/Center Supervisor or, in his or her absence, the Deputy/Assistant Warden or Assistant Center Supervisor. Any visitor refusing a search (pat or strip) shall be escorted from Department property and be indefinitely suspended from visitation privileges.

F. Personal Property:

Although it is essential that all searches are thorough and systematic, it is equally important that no damage, loss or abuse occur to any personal property. Any such loss or damage that is determined to be through neglect may result in disciplinary action against the negligent employee(s) and officer(s) and they will be liable for the cost of replacement of such items.

1. Excessive Authorized Personal Property:

Authorized offender personal property in living quarters which constitutes a significant safety concern, seriously impairs reasonable visual observation or impedes reasonable search shall be considered contraband.

2. Unauthorized Personal Property Received at Facilities

Offenders who possess or receive in the mail unauthorized personal property shall have such property confiscated and disposed of in accordance with established procedures.

3. Contraband Personal Property at Time of Inter-Facility Transfer

Upon transfer, an offenders' personal property not allowed at the receiving facility shall be disposed of in accordance with established procedures.

4. Disposal of Excess Personal Property Confiscated as Contraband, with exception of Legal Materials

Items of personal property confiscated as contraband shall not be stored at the facility but shall be shipped at the offender's expense or made available for pick-up at a regular visit by someone on the inmate's list of approved visitors (family

or friends other than a Department employee) or destroyed after thirty days upon the offender being notified of the pending destruction.

5. **Copy of Confiscated Item Form Delivered to Offender**
Pursuant to administrative directive, a form will be completed by the officer conducting the shakedown of an offender's cell, property or person and shall be completed at the time of the shakedown. A copy of this form will be given to the offender within 72 hours following the shakedown of his/her cell, property or person only if items of contraband or personal property are confiscated.

G. Disposition of Contraband:

All contraband shall be safeguarded under the supervision of the Deputy/Assistant Warden/Assistant Center Supervisor until termination of its utilization as evidence. Contraband shall then be disposed of in accordance with current policy.

VII. REFERENCES:

ACA Standards

AR401

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	Board Approval Date:	
	10/18/88	
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	838	2/1/80
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		11/04/88
SUBJECT: Response to Serious Institutional Disturbances		

I. POLICY:

~~It shall be the policy of the Department of Correction to provide the Unit Warden/Center Supervisor with appropriate authority to respond to serious institutional disturbances; to meet emergency situations; and to ensure adequate documentation of existing circumstances so that the exercise of that authority can be adequately reviewed.~~

II. EXPLANATION:

- ~~A. Unit Wardens/Center Supervisors may temporarily confine one or more inmates, pending investigation, when faced with a clear and immediate threat to the security of the unit/center or to the safety of its employees, inmates, or others.~~
- ~~B. The Unit Warden/Center Supervisor shall consult by telephone with the Director and/or Assistant Director of Institutional Services prior to taking action, if possible, or immediately after taking necessary steps to confine those inmates determined to be security threats. The same notification and concurrence procedures are to be followed where, in the aftermath of a disturbance or potential disturbance, there is a major change in the inmate's access to the unit/center programs.~~
- ~~C. Subsequent to taking such steps, the Unit Warden/Center Supervisor shall prepare a written report within forty-eight (48) hours for review by the Director and the Assistant Director of Institutional Services. The report shall include:

 - ~~1. A description of the facts upon which the Unit Warden/Center Supervisor based his/her decision to confine inmates or limit their access to programs.~~
 - ~~2. A list of the names of inmates and employees who either participated in or had a good opportunity to observe the facts in question.~~~~
- ~~D. The Unit Warden/Center Supervisor shall request in writing that all persons listed above file their own separate summary of the event. The written request shall include the assurance that in the absence of a court order, such reports will be accessible to the Director, his designee and the Compliance Administrator.~~