

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published _____

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐

Other _____

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council _____

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number

E-mail Address

Title

Date

 <p style="text-align: center;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number: DOC 403 DCP 4.4	Page Number: 2 of 2
	Board Approval Date: 2/17/94	
	Supersedes: DOC 403 DCP 4.4 Emerg.	Dated: 2/27/92 1/19/94
	Reference:	Effective Date: 3/10/94
SUBJECT: Use of Restraints		

I. AUTHORITY:

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

II. PURPOSE:

To provide department personnel or contracted staff guidance regarding the use of restraints.

III. APPLICABILITY:

Wardens/center supervisors; chief administrative officers; security personnel; any staff required to restrain offenders in the performance of their duties; and offenders.

IV. DEFINITIONS:

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

V. POLICY:

It shall be departmental policy to use restraints only when circumstances require the protection of offenders, staff, or other individuals from potential harm or to deter the possibility of escape.

VI. PROCEDURES:

A. Use of Equipment

1. Upon the determination of the warden/center supervisor, chief administrative officer, or designee, handcuffs and/or leg irons may be utilized when escorting/moving offenders within or on a unit/center.
 - a. Leg irons may also be utilized to provide additional security.
2. Handcuffs and/or security belts may be employed to restrain any offender in segregation when said offender is moved within the unit/center.
3. Restraint devices shall not be removed until the offender is placed in a secure area or upon the express approval of the warden/center supervisor, chief of security, or designee. Restraints will not be used longer than is necessary.
4. Mechanical means of restraint will not be used as punishment. No mechanical restraints will be placed about the neck of an offender, nor will restraint equipment be applied in any way so as to inflict physical pain or to restrict blood circulation or breathing.
5. Use of restraints within the cell shall be determined by the warden/center supervisor and/or medical mental health authorities.

B. Training

1. New employees will participate in one hour of pre-service training that will include the policy, use, and practice of applying restraint equipment.
2. In-service training classes in the policy, use, and practice of applying restraint equipment should be held at least twice a year. Officers will participate in at least one refresher course per year.
3. All pre-service and in-service training will be coordinated through the Arkansas Department of Correction/Community Punishment Training staff.

VII. REFERENCES:

ACA Standard 3-4183; 3-4322; 3-4183-1