

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State

Mark Martin

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



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:	Page Number:
	411	1 of 2
	Board Approval Date:	
	12/15/2010	
	Supersedes: AR 411	Dated: 11/04/88
	Reference:	Effective Date: 12/25/2010
SUBJECT: Use of Audio-Visual Equipment		

I. POLICY:

It shall be the policy of the Department of Correction Units to make use of audio-visual equipment, when possible, to ensure that only necessary use of force is employed to control/manage inmates while in custody of the Department of Correction. The equipment will be used to ensure documentation of events is accurately recorded.

II. EXPLANATION:

- A. The use of force by employees against inmates of the Arkansas Department of Correction is authorized by Arkansas Statutes Annotated, Section 46-108, and in accordance with Administrative Rule 409, Use of Force.
- B. Whenever the situation permits, this equipment will be used by trained personnel to record all instances where there is a planned action where it is probable that force will be necessary.
- C. In instances of spontaneous use of force, if at all possible such equipment should be activated if the incident persists.
- D. The Warden of each Unit will maintain the portable audio-video recorders and will ensure that personnel are trained to operate the equipment and ensure that trained personnel are available twenty-four (24) hours a day for taping incidents.

- E. The Warden of each Unit is responsible for the establishment of procedures for the use of this equipment.
- F. Cassettes with video-recorded use of force incidents will be tagged for identification purposes and forwarded by the Warden to the Assistant Director of Institutional Services, along with the corresponding use of force report and other documentation as described in AR's 005 and 409.
- G. After the Assistant Director has reviewed each case to include videotape recordings, all materials will be forwarded to the Internal Affairs Division for review. The Compliance Administrator, after making contact with the Director, may review the recordings. Internal Affairs will follow its review with an investigation if the need for such a procedure is determined by the Warden, Assistant Director, or Director.
- H. The specific filing procedure and maintaining of these video recordings will be the responsibility of the Internal Affairs Division.
- I. The erasure of or any viewing other than those identified previously of any filed videotapes containing use of force incidents shall be performed only under the written authorization of the Director.