

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 _____ Reviewed by Legislative Council _____
(Must be more than 10 days after filing date.)

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

 <div style="text-align: center;"> ADMINISTRATIVE RULES STATE OF ARKANSAS BOARD OF CORRECTIONS </div>	Section Number: <div style="text-align: center;">413</div>	Page Number: <div style="text-align: center;">1 of 2</div>
	Board Approval Date: <div style="text-align: center;">6-9-05</div>	
	Supersedes: <div style="text-align: center;">N/A</div>	Dated: <div style="text-align: center;">N/A</div>
	Reference:	Effective Date: <div style="text-align: center;">9-26-05</div>
SUBJECT: Prison Rape Elimination Act (P.R.E.A.)		

I. POLICY:

It is the policy of the Arkansas Department of Correction that “zero tolerance” exists regarding the rape or sexual abuse of inmates, by staff or other inmates.

II. EXPLANATION:

It has been a policy and goal of the Arkansas Department of Correction (ADC) to provide a safe and secure environment to protect the State of Arkansas, our employees and the inmates committed to our care and custody. The passage by the United States Congress, in 2003, of the Prison Rape Elimination Act (PREA), reinforces previous policies and goals of the ADC.

III. PROCEDURES:

The ADC will annually review policies associated with rape or sexual abuse of inmates. The ADC will revise and/or adopt new policies/procedures, to address the elimination of rape and sexual assault of inmates in our care and custody, as those needs are identified. Areas that shall be addressed as appropriate to eliminate rape and sexual assaults may include, but are not limited to:

- A. Staff Training/Education
- B. Inmate Education
- C. Victim Support
- D. Investigation Procedures/Training
- E. Identification/Classification/Housing and Tracking of sexually aggressive inmates
- F. Data Collection
- G. Reporting Mechanism and Confidentiality issues
- H. Prosecution of perpetrators
- I. Sanctions
- J. Facility reviews and design
- K. Prevention
- L. Continuity of counseling/referral upon release

IV. REFERENCES:

AD on Sexual Misconduct with Inmates

AR 831 Disciplinary Rules and Rules and related Inmate Disciplinary Manual

Sexual Aggression in Prisons and Jails (ADC)

AR 413

05Sept13