

# 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](http://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;"><b>ADMINISTRATIVE RULES</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b>	<b>Page Number:</b>
	<b>011</b>	<b>1 of 2</b>
	<b>Board Approval Date:</b> <b>5/11/2018</b>	
	<b>Supersedes:</b> <b>AR 011</b>	<b>Dated:</b> <b>5/11/2018</b>
	<b>Reference:</b> <b>N/A</b>	<b>Effective Date:</b> <b>5/21/2018</b>
<b>SUBJECT: News Media, Interviews and Correspondence</b>		

**I. POLICY OF DEPARTMENT:**

To provide representatives of the news media with access, and information, to the maximum extent possible compatible with the orderly administration of Arkansas Department of Correction facilities and programs.

**II. DEFINITION:**

News Media – Properly credentialed representatives of news organizations; whose primary purpose is not for commercial production or entertainment. This may include representatives of: general circulation newspapers, periodical magazines of national circulation sold through newsstands and/or subscriptions to the general public, online outlets, local/national/international news services; and radio/television stations/networks holding a Federal Communication Commission license.

**III. EXPLANATION:**

- A. After making prior arrangements with the Department's Public Information Officer and being approved by the Director, news media representatives should be admitted to correctional institutions and facilities during administrative business hours. Access may be permitted at times other than regular business hours at the discretion of the Warden, appropriate Deputy/Assistant Director or the Director.
- B. Interviews with correctional officials in general should be granted to enable the Department to provide the public, via the news media, with a better appreciation and understanding of the needs and problems of the agency and of incarcerated men and women. Interviews should also be granted so that Department staff can discuss the community's role in the re-entry process.
- C. 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 a Department staff member.
- D. 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.

- E. All interviews must be approved by the Director and interviews may be approved with or without cameras; at the Director's discretion.
- F. Inmates shall be allowed to send correspondence to and receive correspondence from news media representatives with no greater limitation or restriction imposed by the institution than upon any other general correspondence sent out and received by the inmate.
- G. The news media representative shall be escorted by the warden or his/her designee while at the institution.
- H. With the approval of the Director, the Public Information Officer may develop and implement programs, policies and procedures that advance the news media's, and public's knowledge of the Department or that highlight a special event.

#### **IV. NOTIFICATION OF EMERGENCIES AND OTHER CRITICAL INCIDENTS:**

Emergencies and other critical incidents shall be reported to the local news media by the Public Information Officer only after contact has been made with the Director, Board of Corrections, the Governor's Office and other officials as determined by the Director. Emergencies and other critical incidents generally include: escapes, riots, altercations where outside medical treatment or hospitalization is required for offenders or employees, suicides, lockups, escape attempts, fires, and major damage to state property.