

# ARKANSAS REGISTER

## FILED Transmittal Sheet



FEB 22 1994

W. J. "BILL" McCUEN

SECRETARY OF STATE

W. J. "Bill" McCuen

Secretary of State

State Capitol Rm. 010

Little Rock, Arkansas 72201-1094

For Office

Use Only:

Effective Date

3/10/94

Code Number

004.00.94--001

Name of Agency Arkansas Department of Correction

Department of Correction

Contact Person Larry Norris, Director

Statutory Authority for Promulgating Rules Act 50 of 1968, First Extraordinary Session,  
as amended, Act 549 of 1993

Title of Rule: AR 403 - Use of Restraints;

Intended Effective Date

Date



Emergency

Legal Notice Published . . . . .

2/3-9/94



20 Days After Filing

Final Date for Public Comment . . . . .

2/16/94



Other

Filed With Legislative Council . . . . .

2/3/94

Please use 3/10/94

as the effective date

Reviewed by Legislative Council . . . . .

Adopted by State Agency . . . . .

2/17/94

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with Act 434 of 1967 As Amended.

  
Signature

Director

Title

2/17/94

Date



ADMINISTRATIVE REGULATIONS  
STATE OF ARKANSAS  
BOARD OF CORRECTION AND  
COMMUNITY PUNISHMENT

Section Number:

DCP 4.4

DOC 403

Page Number:

1 of 3

Board Approval Date:

2/17/94

Supersedes:

DCP 4.4

DOC 403

Dated:

1/19/94

2/27/92

Reference:

Effective Date:

3/10/94

FEB 22 1994

SUBJECT: Use of Restraints

M. J. "BILL" WOODEN  
SECRETARY OF STATE  
BY

I. AUTHORITY:

The authority of the Board of Correction and Community Punishment to promulgate this Administrative Regulation 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.



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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.



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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.

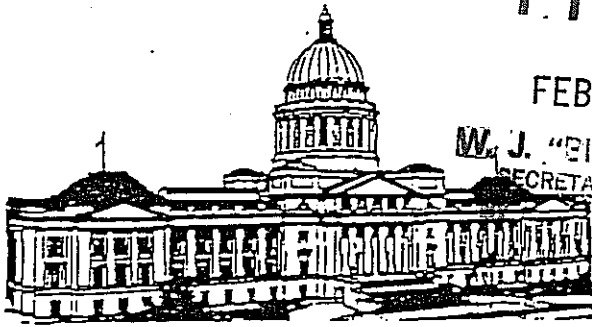
#### AR403 VI. REFERENCES:

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

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Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 3/10/94 Code Number 004.00.94--021

Name of Agency Arkansas Department of Correction

Department of Correction

Contact Person Larry Norris, Director

Statutory Authority for Promulgating Rules Act 50 of 1968, First Extraordinary Session, as amended, Act 249 of 1993

Title of Rule: AR 403 - Use of Restraints;

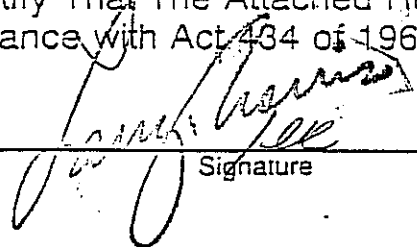
Intended Effective Date

Date

<input type="checkbox"/> Emergency	Legal Notice Published . . . . .	<u>2/3-9/94</u>
<input type="checkbox"/> 20 Days After Filing	Final Date for Public Comment . . . . .	<u>2/16/94</u>
<input checked="" type="checkbox"/> Other	Filed With Legislative Council . . . . .	<u>2/3/94</u>
Please use 3/10/94 as the effective date		Reviewed by Legislative Council . . . . .
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**W. J. "BILL" MOUEN**  
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BY

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#### III. APPLICABILITY:

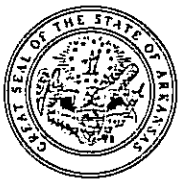
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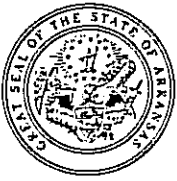
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