

ARKANSAS REGISTER

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Transmittal Sheet

APR 28 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

5/18/94

Code Number

004.00.94-028

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 836 - Segregation

Intended Effective Date

Date

☐ Emergency

Legal Notice Published 3/5-11/94

☐ 20 Days After Filing

Final Date for Public Comment 3/20/94

☒ Other

Filed With Legislative Council 3/2/94

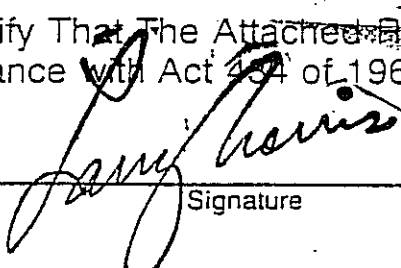
Please use 5/18/94 as the
effective date

Reviewed by Legislative Council 4/1/94

Adopted by State Agency 4/28/94

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 464 of 1967 As Amended.




Signature

Director
Title

April 28, 1994

Date

004.00.94-002

 ADMINISTRATIVE REGULATIONS STATE OF ARKANSAS BOARD OF CORRECTION AND COMMUNITY PUNISHMENT	Section Number: AR 836 - DOC AR 7.15 - DCP		Page Number: 1 of 2
	Board Approval Date: 4/28/94		
	Supersedes: AR 836 - DOC AR 7.15 - DCP		Dated: 12/30/81 1/19/94 Emerg.
	Reference:		Effective Date: 5/18/94
	FILED		
SUBJECT: SEGREGATION			

APR 28 1994

W. J. "BILL" McCUEN
SECRETARY OF STATE
BY _____

I. AUTHORITY:

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

II. PURPOSE:

To describe conditions under which offenders may be held in segregation.

III. APPLICABILITY:

To all employees, especially those involved in the operation of segregation, and all offenders.

IV. POLICY:

It shall be the policy of the Department of Correction and the Department of Community Punishment to provide secure and safe housing to offenders who require a higher degree of physical control or who staff otherwise find necessary to remove from the general population of the facility.

V. DEFINITIONS:

- A. 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.



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
BOARD OF CORRECTION AND
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SUBJECT: SEGREGATION

- B. Segregation: The confinement of an offender to an individual cell or holding facility that is separated from the general population.

VI. PROCEDURES:

- A. An offender may be confined in segregation for, but not limited to, the following reasons:
1. The offender is potentially dangerous to himself or others;
 2. The offender poses a serious escape risk;
 3. The offender requests protection or is deemed by staff to require protection;
 4. The offender requires immediate mental health evaluation and cannot be in contact with general population offenders;
 5. The offender requires medical isolation and medical housing is not otherwise available;
 6. Any other circumstances where, in the judgement of staff, the offender may pose a threat to the security of the facility; or
 7. The offender is in transfer status to a higher security institution.
- B. Segregation of an offender shall not be used as punishment.
- C. Specific procedures to be followed for the operation of segregation shall be listed in the appropriate administrative directive(s).