# ARKANSAS REGISTER



## **Transmittal Sheet**

Sharon Priest Secretary of State State Capitol Rm. 01 Little Rock, Arkansas 72201-1094

| ate 41497 Code Number 004.00.97003   |  |  |  |
|--|--|--|--|
| Name of Agency Arkansas Department of Correction   |  |  |  |
| on   |  |  |  |
| . Norris, Director   |  |  |  |
| romulgating Rules <i>§ 12-27-105 and 16-93-1203 (Miche Suppl. 1993)</i>  |  |  |  |
| ng   |  |  |  |
| e Legal Notice Published   |  |  |  |
| Final Date for Public Comment  |  |  |  |
| Filed With Legislative Council   |  |  |  |
| Reviewed by Legislative Council  |  |  |  |
| R is 8/3/97 Adopted by State A-  |  |  |  |
| CERTIFICATION OF AUTHORIZED OFFICER  I Hereby Certify That The Attached Rules Were Adopted In Compliance with Act 434 of 1967 As Amended.  |  |  |  |
| Signature   Sign |  |  |  |
|  |  |  |  |

| DEPARTMENT of Correction   |  | AR DEDISTED DIV.   |  |  |
|--|--|--|--|--|
| DIVISION of Information System   |  | AM DEDIGTER ON   |  |  |
| PERSON COMPLETING THIS STATEMENT   | Carl Dver  | 97 JUL 18 PH 2: 13   |  |  |
| TELEPHONE NO. 247-6345 FAX   | NO. 247-3700   | 1002 10 171 2: 13  |  |  |
|  | IMPACT STATEMENT   | SHARCH PRIEST<br>SECRETARY OF STATE<br>STATE OF ARKANSAS<br>BY |  |  |
| To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.   |  |  |  |  |
| SHORT TITLE OF THIS RULE: AR89   | 21   |  |  |  |
| <ol> <li>Does this proposed, amended, or impact? Yes No N/A</li> <li>If you believe that the development speculative as to be cost prohibited</li> <li>If the purpose of this rule or regular regulation, please give the increment</li> </ol> | A nt of a financial impact state ed, please explain.  ation is to implement a fede | ement is so<br>eral rule or                                    |  |  |
| 1995-96 Fiscal Year  | <u>1996-97 Fis</u>   | scal Year  |  |  |
| General Revenue  | General Revenue  |  |  |  |
| Federal Funds  | Federal Funds  |  |  |  |
| Cash Funds   | Cash Funds   | ,  |  |  |
| Special Revenue  | Special Revenue  |  |  |  |
| Other  | Other  |  |  |  |
| Total  | Total  |  |  |  |
| 4. What is the total estimated cost by a proposed, amended, or repealed r  | fiscal year to any party subj  |  |  |  |

5. What is the total estimated cost by fiscal year to the agency to implement this

1996-97 Fiscal Year

1995-96 Fiscal Year

regulation? N/A



## ADMINISTRATIVE REGULATIONS STATE OF ARKANSAS

## BOARD OF CORRECTION AND COMMUNITY PUNISHMENT

| Section Number:<br>891 | Page Number:<br>1 of 1 |  |
|------------------------|------------------------|--|
| Board Appro            | /al Date:              |  |
| 6/27/97                |                        |  |
| Supersedes:<br>N/A     | Dated:<br>N/A          |  |
| Reference:             | Effective Date:        |  |
|                        | 8/3/97                 |  |

SUBJECT:

INMATE DNA TESTING

### I. AUTHORITY:

The Board of Correction and Community Punishment is vested with the authority to promulgate the Administrative Regulation by Ark. Code Ann. §§ 12-27-105.

### II. APPLICABILITY:

This policy applies to employees and inmates of the Arkansas Department of Correction.

### III. POLICY:

To comply with Act 737 of the 81st General Assembly of 1997 titled, "DNA detection of sexual and violent offenders act," by establishing guidelines for obtaining DNA samples from certain felons in the custody of the Arkansas Department of Correction.

### IV. **GUIDELINES**:

An Administrative Directive will delineate:

- A. those sexual and violent offenders affected,
- B. methodology for obtaining DNA samples from affected offenders,
- C. chain of custody for transmission of samples,
- D. authorizations and indemnifications for Arkansas Department of Correction staff involved.

### V. <u>REFERENCES</u>:

| Act 737 of 1997 - "DNA Detection of Sex | xual and Violent Offenders Act" |
|---|---------------------------------|
| DATE                                    | DIRECTOR DIRECTOR               |
| 1.                                      | ,                               |

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# ARKANSAS REGISTER



## Transmittal Sheet

Sharon Priest Secretary of State State Capitol Rm. 01 Little Rock, Arkansas 72201-1094

|   | Little Rock, Arkansas 72                            | 201-1094   |
|---|---|--|
| For Office Use Only: Effective Date     | Code Number   |  |
| Name of Agency Arkansas Depa            |   |  |
| Department of Correction                |   |  |
| Contact Person Larry B. Norris,         | Director  |  |
|   | ating Rules <i>§ 12-27-105 and 16-93-1203 (Mich</i> | 247-6344<br>e Suppl. 1993)                       |
| AR891 - Inmate DNA Testing              |   |  |
| Intended Effective Date                 | Legal Notice Published                              | Date 5/29-6/4/97                                 |
| ☐ Emergency                             | Final Date for Public Comment                       |  |
| 10 Days After Filing                    | Filed With Legislative Council ;                    |  |
| Other                                   | Reviewed by Legislative Council                     |  |
| The effective Date for this AR is 8/3/9 | Pr Adopted by State Agency                          | 6/27/07  |
| CERTIFICATION                           | ON OF AUTHORIZED OFFICER                            | 6/27/97  |
| i neteny certity i                      | hat The Attached Bules Word Adapta-14               | JUL 18 1997 SHARON PRIEST SECRETARY OF SECRETARY |
|   | Date  | 1  |

| PERSON COMPLETING THIS STATEMENT<br>TELEPHONE NO. <u>247-6345</u> FAX   | NO. 247-3700   |
|---|--|
| FINANCIAL   | IMPACT STATEMENT   |
| To comply with Act 884 of 1995, please and file with the questionnaire and prop   | complete the following Financial Impact osed rules.  |
| SHORT TITLE OF THIS RULE: AR8   | 91   |
| Does this proposed, amended, or impact? Yes No N/   | repealed rule or regulation have a financial ${f A}$   |
| <ol><li>If you believe that the developme<br/>speculative as to be cost prohibit</li></ol>                                    | ent of a financial impact statement is so ed, please explain.  |
|   |  |
| <ol> <li>If the purpose of this rule or regulation, please give the incrementary</li> </ol>                                   | lation is to implement a federal rule or tental cost for implementing the regulation.                              |
| <ol> <li>If the purpose of this rule or regulation, please give the increm</li> <li>1995-96 Fiscal Year</li> </ol>            | lation is to implement a federal rule or lental cost for implementing the regulation.  1996-97 Fiscal Year         |
| regulation, please give the increm  | nental cost for implementing the regulation.  1996-97 Fiscal Year  |
| regulation, please give the increm  1995-96 Fiscal Year  General Revenue  Federal Funds                                       | ental cost for implementing the regulation.  1996-97 Fiscal Year  General Revenue                                  |
| regulation, please give the increm  1995-96 Fiscal Year  General Revenue  Federal Funds                                       | 1996-97 Fiscal Year  General Revenue  Federal Funds  |
| regulation, please give the increm  1995-96 Fiscal Year  General Revenue Federal Funds Cash Funds Special Revenue             | ental cost for implementing the regulation.  1996-97 Fiscal Year  General Revenue  Federal Funds  Cash Funds       |
| regulation, please give the increm  1995-96 Fiscal Year  General Revenue Federal Funds Cash Funds Special Revenue Other       | In the regulation.  1996-97 Fiscal Year  General Revenue Federal Funds Cash Funds Special Revenue                  |
| regulation, please give the increm  1995-96 Fiscal Year  General Revenue  Federal Funds  Cash Funds                           | ental cost for implementing the regulation.  1996-97 Fiscal Year  General Revenue  Federal Funds  Cash Funds       |
| regulation, please give the increm  1995-96 Fiscal Year  General Revenue Federal Funds Cash Funds Special Revenue Other Total | General Revenue  Federal Funds  Cash Funds  Special Revenue  Total  Total  fiscal year to any party subject to the |

1995-96 Fiscal Year

regulation? N/A

1996-97 Fiscal Year

Statement



## ADMINISTRATIVE REGULATIONS STATE OF ARKANSAS

### BOARD OF CORRECTION AND COMMUNITY PUNISHMENT

| Section Number:<br>891 | Page Number:<br>1 of 1 |
|------------------------|------------------------|
| Board Approv           | al Date:               |
| 6/27/97                |                        |
| Supersedes:<br>N/A     | Dated:<br>N/A          |
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### V. <u>REFERENCES</u>:

| Act 737 of 1997 - "DNA Detection of Sexu | al and Violent Offenders Act" |
|--|-------------------------------|
|  | Jan hours                     |
| DATE                                     | DIRECTOR /                    |

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