

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State  
John Thurston  
500 Woodlane Street, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-5070  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_


Location and Time of Public Meeting \_\_\_\_\_

## **PUBLIC NOTICE**

The Board of Corrections is proposing to repeal the following Administrative Rule:

### **AR210 Relationships and Transactions with Inmates**

Copies of this proposal are available for public inspection at DOC Headquarters, located at 1302 Pike Ave. North Little Rock, AR 72114. The proposal can also be accessed electronically at [doc.arkansas.gov/rule-filings/](http://doc.arkansas.gov/rule-filings/). Written comments can be emailed to [Micaela.Whitelow@arkansas.gov](mailto:Micaela.Whitelow@arkansas.gov) or mailed to 1302 Pike Ave. North Little Rock, AR 72114. Comments should be received by 11/12/2023.

 <div style="text-align: center;"> <b>ADMINISTRATIVE RULES</b>   <b>STATE OF ARKANSAS</b>   <b>BOARD OF CORRECTIONS</b> </div>	Section Number:	Page Number:
	210	1 of 2
	Board Approval Date:	
	5-31-80	
	Supersedes:	Dated:
	Reference:	Effective Date:
6-5-80		
<b>SUBJECT: Relationships and Transactions with Inmates</b>		

**I. POLICY OF THE DEPARTMENT:**

~~Department of Correction employees shall maintain a courteous and professional demeanor in their association with inmates, parolees and probationers at all times, and shall adhere strictly to the Department's rules concerning the relationship to be observed by personnel toward inmates, parolees and probationers, their families, friends, and ex-inmates.~~

**II. EXPLANATION:**

~~1. Association with inmates, parolees and probationers, their families and friends—~~

~~a. Personnel shall not trade or barter, transmit messages, or become unduly familiar in any manner with inmates, parolees, and probationers.~~

~~b. Personnel shall in no way contact or correspond with any member of an inmate's, parolee's, or probationer's family or with any person on an inmate's approved visiting or correspondence list, unless their assigned duties require it, or permission has been granted by his/her director or administrator.~~

~~2. Association with ex-inmates, parolees, or probationers—~~

~~a. Unless their assigned duties require it or permission has been granted by his/her appointing authority, personnel shall not, in any way, deliberately contact or correspond with ex-inmates, parolees, probationers or with any member of their family.~~

~~(1) Copies of any correspondence to ex-inmates, parolees, probationers or their families shall be sent to the employee's supervisor.~~

~~(2) If an employee is contacted under any circumstances by an ex-inmate, parolee, probationer or a member of his/her family, the employee shall immediately report this fact to the director and/or administrator in charge.~~

~~b. Association between personnel and ex-inmates, parolees, or probationers in normal community activities involving groups such as churches, PTA, etc., is authorized.~~

~~Business relationships, partnerships, loaning of money, close personal associations, dating or marriage, and legal or financial transactions of any sort are prohibited.~~

AR210

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY.**

**DEPARTMENT** Arkansas Department of Corrections

**BOARD/COMMISSION** Office of the Secretary

**PERSON COMPLETING THIS STATEMENT** Lindsay Wallace

**TELEPHONE NO.** (501) 682-5032 **EMAIL** Lindsay.Wallace@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

**TITLE OF THIS RULE** AR 210 / Relationships and Transactions with Inmates

1. Does this proposed, amended, or repealed rule have a financial impact?  
Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
  - (a) What is the cost to implement the federal rule or regulation? N/A

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \$ 0.00 \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \$ 0.00 \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \$ 0.00 \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
 Federal Funds \_\_\_\_\_  
 Cash Funds \_\_\_\_\_  
 Special Revenue \_\_\_\_\_  
 Other (Identify) \_\_\_\_\_

Total \$ 0.00 \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

**Current Fiscal Year**

\$ 0.00 \_\_\_\_\_

**Next Fiscal Year**

\$ 0.00 \_\_\_\_\_

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

\$0.00

**Next Fiscal Year**

\$ \_\_\_\_\_

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

**From:** [William Bowman II \(DOC\)](#)  
**To:** [legalads@arkansasonline.com](mailto:legalads@arkansasonline.com)  
**Subject:** Legal notice advertisement request - BEGIN FRIDAY, OCTOBER 13, 2023  
**Date:** Monday, October 9, 2023 2:30:00 PM  
**Attachments:** [image001.png](#)

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Good morning! Please place the below advertisement in the legal notice section for three (3) consecutive days beginning Friday, October 13, 2023.

Billing invoice with proof of publication should be sent to [kitty.stevenson@arkansas.gov](mailto:kitty.stevenson@arkansas.gov) and copied to me at [William.bowman@arkansas.gov](mailto:William.bowman@arkansas.gov). Please confirm receipt of the email.

The text of the advertisement is below in red:

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**William T. Bowman II (Bo)**  
**Project Manager**  
**DOC Research and Planning**  
**Cell: 501-539-4565**

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