



Arkansas Community Correction

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ADMINISTRATIVE DIRECTIVE: 15-02 SERIOUS INCIDENT NOTIFICATION PROCEDURES

TO: ARKANSAS COMMUNITY CORRECTION EMPLOYEES

FROM: SHEILA SHARP, DIRECTOR

SUPERSEDES: AD 14-27

APPROVED: Signature on File

EFFECTIVE: February 28, 2015

I. APPLICABILITY. This policy applies to all ACC employees, volunteers, interns, and the medical contractor.

II. POLICY. It is Arkansas Community Correction policy that appropriate notifications are made promptly when there is a critical incident or a substantial unusual occurrence related to agency operations.

III. PROCEDURE.

A. Critical Incidents/Unusual Occurrences Requiring Immediate Notification.

Critical incidents/unusual occurrences requiring immediate notification include, but are not limited to:

- escapes, riots, uprisings, work strikes
- major breaches of security
- any disturbance or incident requiring outside assistance
- major fire
- hostage situation
- homicides involving offender or staff
- death of an offender in ACC custody other than by natural causes
- an employee is involved in a shooting

- serious injury on ACC property of an offender, staff or a visitor that has or could result in loss of life and/or limb serious injury of an offender on a community work assignment serious incident involving an offender on furlough, work release, or Act 679 release (early release to a transitional housing facility such as DARP)
- natural disasters
- chemical spills
- incidents on ACC property involving suspected criminal activity
- any disturbance/incident requiring outside assistance
- any incident worthy of media notification or a news release or a media inquiry not of a routine nature that is likely to appear in news coverage

B. Serious incidents/unusual occurrences NOT requiring Immediate Notification.

- use of force that might have been excessive, but does not meet the requirement for immediate notification
- deaths of offenders or staff that occur by natural causes

A natural death will be reported during the workday or early the next business day if it occurs after hours or during a weekend except that the Deputy Director of Residential Services, or designee, and Internal Affairs shall be notified of every death that occurs of an offender in ACC custody.

C. An Exception for Sexual Abuse, Sexual Harassment and Non-Sexual Harassment.

For situations involving sexual abuse, sexual harassment and non-sexual harassment, notification may be made directly to the Internal Affairs Administrator or by other means described in the rape/harassment notice posted in all ACC facilities.

In these situations, do NOT send an email to the Incident Notification Committee.

D. Immediate Notification Process Within ACC.

1. The Center Supervisor or Area Manager will contact by telephone and report the incident to the Director, appropriate Deputy/Assistant Director and the Administrator of Internal Affairs.
2. The Director and the appropriate Deputy/Assistant Director will first be responsible for collecting complete and concise information about the incident/occurrence, as it is known at the time, and notifying the Deputy Director of Communications who will make appropriate notifications to the Chairman of the Board, the board's liaison to the department, the board's assistant and the governor's liaison. At the chairman's request, the full board will be notified.

3. For incidents requiring **immediate notification** (III.A.), following initial notification by telephone, a preliminary email will be sent as soon as possible by the Center Supervisor/Area Manager or designee summarizing the incident/occurrence. The email must be sent to the Incident Notification Committee and must include the following:
 - the unit/center/location where the incident occurred
 - the date and time the incident occurred
 - the nature of the incident
 - the persons involved in the incident
 - if injury, the extent of the injury
4. During the investigative phase of the incident/occurrence, the Center Supervisor/Area Manager (for issues pertaining to Central Office, the appropriate Deputy Director) must report any significant updates, which should be handled in accordance with the reporting procedures listed above and forwarded to the Director and Deputy Director of Communications.

E. Notification Process for Outside Law Enforcement Agencies.

All contact with outside law enforcement agencies must be through the Internal Affairs Administrator except when immediate law enforcement assistance is needed in accordance with the department's emergency preparedness procedure or when policy requires notification.

When an initial notification suggests a serious felony has been committed the Internal Affairs Administrator or designee must immediately contact the State Police, Criminal Investigation Division so they may participate in or conduct an initial investigation. A serious felony includes but is not limited to:

- any death not from natural causes
- any life-threatening battery
- any escape or serious disturbance (if notification has not already been made by other ACC staff)
- fires when arson is suspected or substantial damage occurs
- forcible rape or any credible PREA-related issue

The Internal Affairs Administrator or designee must contact the Arkansas State Police directly during business hours, regarding:

- major drug, alcohol, or tobacco finds
- intelligence information regarding any probable felony

F. Guidelines for Internal Affairs Investigations Initiated Through the Incident Notification Process.

1. The Internal Affairs Administrator must initiate an internal investigation when instructed to do so by the Director, or in the Director's absence, the appropriate Deputy/Assistant Director.
2. Investigations by Internal Affairs are required when:
 - it is unclear from initial reports whether a crime occurred
 - the incident notification involves use of force in which the offender is seriously injured or in which the force used appears excessive
 - a departmental issue co-exists with an investigation by the Arkansas State Police or other law enforcement agencies
 - the department may be liable for damages in an accident
 - there are PREA-related issues.

G. Notification of the Media.

1. The media will be notified by the Deputy Director of Communications, or designee, when so instructed by the Director.
2. If instruction by the Director or designee is not available, the Deputy Director of Communications will follow agency policy.

H. Notification of Other Departmental Officials.

1. Other departmental officials who are notified must act according to any instructions given; or
2. In the absence of instructions, must act in a fashion consistent with both that person's duties and divisional standard operating procedure.
3. All individuals notified are responsible for exploring any issues raised that relate to their area of responsibility. Each is also responsible for recommending corrective measures if such measures are needed.