



Arkansas Community Correction

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ADMINISTRATIVE DIRECTIVE: 16-13 REENTRY FACILITIES

TO: ARKANSAS COMMUNITY CORRECTION EMPLOYEES

FROM: SHEILA SHARP, DIRECTOR

SUPERSEDED: None

APPROVED: Signature on File EFFECTIVE: March 11, 2016

I. APPLICABILITY

This policy applies to Arkansas Community Correction (ACC) employees, applicants for and recipients of a Reentry Facility License, owners, operators, volunteers, and staff members of licensed Reentry Facilities.

II. POLICY STATEMENT

Reentry Facilities must meet or exceed the minimum standards and requirements established in this policy to ensure a structured, positive, and safe environment for residents, reduce recidivism, provide employment assistance and treatment, promote public safety, maintain the principles of evidence based practices, and establish a seamless transition back to the community.

III. DEFINITIONS

- A. Applicant.** Any individual, group, business or organization that has applied to receive an Arkansas Community Correction Reentry Facility License.
- B. Reentry Facility.** An ACC licensed facility providing housing and programming for one or more residents transferred to ACC. A residents' home or the residence of a resident's family member will not be considered a Reentry Facility for purposes of this directive. To operate a Reentry Facility in the state of Arkansas a person/group must apply for, obtain, and maintain an approved license from ACC.
- C. Licensing Authority.** ACC is the authority for licensing Reentry Facilities. Facilities are licensed for one year with provisions for renewal as specified in this policy and in the Request for Qualifications (RFQ) from the Arkansas Office of State Procurement (OSP)

- D. Reentry Officer:** The liaison between a licensed Reentry Facility and ACC.
- E. Reentry Housing Coordinator:** The individual assigned to monitor Reentry Facilities, to serve as the liaison between the facility and ACC for compliance issues, and to supervise the billing process.
- F. Reentry Placement Coordinator:** The individual responsible for the screening and selection of inmates for placement in a Reentry Facility.
- G. Licensure Requirements.** The information referred to in this Administrative Directive given to applicants of a facility license listing the minimum items and areas that will be inspected during the application process.

IV. PROCEDURES

- A. Application:** Applicants may contact the Reentry Housing Coordinator for a Reentry Facility license packet. The application packet will also be posted on the ACC website. Applications, documents, and fees submitted for licensure consideration will not be returned. The completed application packet will be sent to the Reentry Housing Coordinator at the Central Office of ACC. The non-refundable fee for the initial Reentry Facility license is \$250. The non-refundable fee for the annual renewal of the Reentry Facility license is \$100. ACC reserves the right to waive licensing fees.

For initial licensure or proposed new location, the applicant must comply with all applicable laws including AR Code § 12-25-101 (2012)

(a) (1) No state agency, board, commission, or governing body of any municipality or county shall approve the location or construction of any community-based residential facility housing juveniles or adults adjudicated or convicted of any sexual or violent offense or any other offense that would constitute a Class C felony or higher, even if the facility otherwise conforms to applicable zoning ordinances, until a public hearing is conducted in the municipality or county of the proposed location of the facility at least thirty (30) days prior to the contracting for the acquisition of any property on which to locate the proposed facility or any existing structure in which to locate the proposed facility by the owner, operator, or care provider of the proposed facility.

(2) No community-based residential facility housing juveniles or adults adjudicated or convicted of any sexual or violent offense or any other criminal offense that would constitute a Class C felony or higher shall be located or constructed within any municipality or county of this state until a public hearing is conducted in the municipality or county of the proposed location of the facility at least thirty (30) days prior to the contracting for the acquisition of any property on which to locate the proposed facility or any existing structure in which to locate the proposed facility by the owner, operator, or care provider of the proposed facility.

(b) All residents within one thousand feet (1000') of the proposed location of the facility shall be notified by mail at least ten (10) days prior to the day of the hearing.

The ACC Housing Coordinator will review the application packet for completion and conduct the background checks on individuals submitted as staff (paid and volunteer) by the owner/operator. If all submitted paperwork is approved, the Housing Coordinator will arrange for the physical inspection of the property and buildings.

B. Licensure: The Reentry Facility Review Team for the licensure and annual inspections of facilities will be determined by the Housing Coordinator.

A Stage 1 Reentry Facility License will be granted for the applicant to be placed on the Office of State Procurement qualified vendor list. Qualifications to be granted a Stage 1 Reentry Facility License may include:

- Proof of a person, group, or organization capable of operating a Reentry Facility.
- Proof of a financial plan capable of sustaining an ongoing Reentry Facility operation.
- If the applicant is a current or former vendor for the State of Arkansas, proof of having been a viable operation without corrective action taken against them.

If placed on the qualified vendor list with a Stage 1 Reentry Facility License, the vendor will have 6 months from the date of that initial license to meet the requirements to obtain a Stage 2 Reentry Facility License. The Stage 2 license is the actual and final Reentry Facility License. No facility may admit residents without a Stage 2 Reentry Facility License. The requirements to obtain a Stage 2 license are included on the Minimum Requirements check list, and the ACC inspection of the facility.

Once a Stage 2 Reentry License has been obtained the vendor must provide the Office of State Procurement with a copy of that license that was issued by Arkansas Community Correction.

Licenses will be issued only for the premises and persons specified in the application and are not transferable. Separate licenses are required for reentry facilities maintained on separate premises, even though they are operated under the same management. The facility cannot accept resident placements until the license to operate an ACC Reentry Facility has been issued and the Office of State Procurement has placed the facility on the Qualified Vendor List.

The Housing Coordinator, for due cause, may recommend to the Chief Deputy Director that a facility license be suspended or revoked. The Chief Deputy Director may assign ACC staff or any other local, state, or federal agency to assist in a facility investigation. In the event of a recommendation for denial of an application or the suspension or revocation of license, the applicant may appeal the denial to the

Director of the agency within 30 days of the written recommendation for denial/suspension/revocation.

When a license is renewed, it will be from the previous license expiration date, not any possible extended inspection date. A facility that wishes to renew its license must have all required paperwork and fees submitted to the Housing Coordinator no later than 30 days prior to the license's expiration.

All areas of the licensed facility and all records related to the care and protection of residents, including resident and employee records, must be open for inspection by ACC for the purpose of enforcing policy and regulations at any time, regardless of prior notification.

- C. Past Performance:** In accordance with provisions of State Procurement Law, specifically OSP Rule R5:19-11-230(b)(1), a vendors past performance with the state may be used to determine if the vendor is "responsible". Proposals submitted by vendors determined to be non-responsible shall be disqualified.
- D. Request for Qualifications:** In addition to obtaining a Reentry Facility license, the Reentry Facility must be placed on the Qualified Vendor List by properly responding to the Arkansas Community Correction RFQ for a Reentry Facility.
- E. Billing:** When a facility has met the conditions of licensure and has been approved by the OSP to be placed on the Qualified Vendor list, ACC will reimburse the facility monthly for resident housing at the approved reimbursement rate for up to the length of time stated in the RFQ. The billing process will follow the instructions stated on the RFQ and may include the use of electronic monitoring for housing verification. During a period of license suspension, payment may be withheld or reduced pending satisfactory implementation of an approved corrective action plan. The payment schedule for ACC and for residents is as follows:
- Phase I: \$30.62/day, paid from ACC to Reentry Facility
 - Phase II and III: \$26.12/day paid from ACC to Reentry Facility and up to \$14.00/day paid from the resident to the Reentry Facility.
 - Phase IV: \$60.00 (one time reimbursement) from ACC to Reentry Facility responsible for the resident during Phase IV.
- F. Operation of a Reentry Facility:** Reentry Facility must provide supervision, housing and evidence based programs (EBP) and services directed at addressing criminogenic risk factors aimed at reducing recidivism among the target population. At a minimum, the programs must be in compliance with ACC Reentry Minimum Requirements (Attachment A) included at the time the contract agreement begins. The programs **must** include:
- Employment skills
 - Job placement
 - Reentry planning
 - Criminal thinking and lifestyle

- Family reunification
- Pro-social support systems
- Education (GED or higher education)
- Substance abuse treatment
- Housing planning and placement

V. MINIMUM QUALIFICATIONS

Reentry Facility **must** be licensed as an ACC Reentry Facility, prior to receiving residents.

VI. REENTRY FACILITY REQUIREMENTS

- A.** Reentry Facility must develop curriculum which uses evidence-based programs or services directed at addressing the criminogenic risk factors and stabilizing needs of the resident, which, if left unaddressed, could lead to community supervision violations and/or criminal reoffending.
- B.** Reentry Facility must provide all personnel, management, security, equipment supplies, and services necessary for performance of all aspects of the contract.
- C.** Reentry Facility must comply with all applicable federal, state, and local land use, building, and zoning codes, Corrections policies and procedures, as set forth by ACC.
- D.** Reentry Facility must accept all resident placements from ACC if allowable by city, county, and state laws. Justifiable reasons include any that would result in the violation of local and/or state laws. Reentry Facility must provide, in writing, the reason for denial.
- E.** Reentry Facility must meet or exceed the minimum standards and requirements established in this policy.
- F.** Reentry Facility must maintain a resident account system for management of all resident funds. The account system must be kept secure and at no time shall a resident have direct access to his/her funds. Request must be made from the resident to the reentry facility for funds, if necessary. Residents are allowed to request up to \$30 per week from their account for approved purchases. Residents must not have individual bank accounts. Paychecks should include both the reentry facility name and the resident's name. If returned to ADC, a money order with the resident's name and ADC number shall be mailed to the following address for the total of the remaining funds and a completed Deposit Form (attached). Funds owed to the reentry facility may be deducted prior to returning the remaining funds.

ARKANSAS DEPARTMENT OF CORRECTION
 TRUST FUND CENTRALIZED BANKING
 P.O. BOX 8908
 PINE BLUFF, AR 71611

- G.** Reentry Facility staff must conduct drug test at least twice weekly of all residents. Reentry Facility staff must notify the ACC Reentry Officer of any resident's positive drug/alcohol test results immediately by phone. Reentry Facilities must utilize at least an 8 panel drug test and a test for K2.
- H.** Reentry Facility staff must respond to and notify the ACC Reentry Officer of subpoenas, court orders, search and/or arrest warrants.
- I.** Reentry Facility staff must notify ACC immediately of any resident's violent or threatening behavior, endangerment of others, or awareness of a resident's attempted or actual escape from the facility.
- J.** The Reentry Facility must possess an established chain-of-command. The chain-of-command shall be shown on an organization chart that includes a description of each position, outlining the management structure, responsibility, and contact information of each paid staff member. The organization chart shall be provided to ACC upon licensure.
- K.** Reentry Facility must have trained staff on duty on the premises to provide 24 hour coverage, seven days a week. Trained staff refers to staff that have completed a training block developed by ACC within 10 days of hire or assignment. The facility must maintain a resident to staff ratio of at least 25:1. This coverage is to ensure safety of all staff and residents and secure supervision of all residents.
- L.** Reentry Facility staff shall complete and document daily scheduled and unscheduled counts. Residents not present during count shall be accounted for through sign out logs and/or approved employment schedules. Counts shall be conducted at least twice per shift and at every shift change for the reentry facility.
- M.** Reentry Facility must ensure residents will not supervise, manage, or have authority over other residents at any point during their stay at the reentry facility. This does not restrict the hiring of staff with criminal convictions; however, staff who are on supervision may not supervise, manage, or have authority over residents.
- N.** Reentry Facility must pass an annual Health Department inspection, if meals are prepared for all residents in a central kitchen, and inspection by the fire department and provide documentation of passing to ACC upon receipt.
- O.** For any resulting contracts, all facilities must comply with local state fire regulations and applicable planning and zoning ordinances.

VII. PROHIBITED STAFF BEHAVIOR

Reentry Facility staff shall not under any circumstance:

- A.** Exchange personal gifts or favors with residents, their family, or their friends.
- B.** Accept any form of bribe or unlawful inducement.
- C.** Discriminate against any resident on the basis of race, religion, creed, gender, national origin, disability, charge/offense, or other individual characteristics.
- D.** Employ corporal punishment or unnecessary physical force.
- E.** Subject residents to any form of physical or mental abuse.
- F.** Withhold information from ACC including threats to the security of the facility, its staff, visitors, or community. This can lead to termination of contract.

VIII. FACILITY POLICY AND PROCEDURE

- A.** Reentry Facility must develop and implement written policies and procedures, staff schedules, and security related practices that meet or exceed the requirements of the RFQ, the ACC Reentry Facility Program Schedule, Administrative Directive, and State and federal statutes. ACC shall have final approval of facility policies and procedures.
 - 1. The facility policies and procedures must be reviewed and updated at least annually and reviewed by ACC upon renewal of the license.
 - 2. A copy of all policy and procedures shall be provided to ACC Reentry Division. Updates and changes must be provided to ACC thirty (30) days prior to incorporation.
- B.** Reentry Facility shall have written policy and procedures manual to include, but is not limited to, the following policies:
 - 1. Resident Case Management
 - 2. Resident Discipline
 - 3. Resident Passes
 - 4. Resident Grooming
 - 5. Release Processing
 - 6. Escape
 - 7. Zero Tolerance for Sexual Harassment or Abuse
 - 8. No Smoking or Tobacco Use
 - 9. Hostage Situations
 - 10. Any other policies pertaining to the operation and oversight of the Reentry Facility deemed necessary

- C. Reentry Facility must have a written policy and procedure which specifies fire prevention, regulations and practices to ensure the safety of residents, visitor, and staff for each location. At minimum, policy and procedure must address the following:
1. Provision of fire emergency planning sessions for staff and residents at least quarterly, with written documentation.
 2. Written evacuation plan posted for all residents to see.
 3. Working smoke detectors in each room that houses a resident.
- D. Reentry Facility must have written policy and procedures for emergency situations for each location and documented staff training. At a minimum, this must include information concerning:
1. Escapes.
 2. Medical emergencies.
 3. Housing Contingency Plan

IX. ASSIGNMENT OF RESIDENTS

The target population for Reentry placement is Male and Female inmates confined to an ADC or ACC facility and:

1. Who may be within eighteen (18) months of their transfer eligibility (TE) date and meet other legal requirements; and
2. Who are moderate or high risk of recidivism as determined by the Arkansas Offender Risk Needs Assessment (ARORA); and/or

X. RESIDENT RISK ASSESSMENT

The intake risk assessment will be done by the Reentry Officer upon transfer to the reentry facility and a copy will be provided to the Reentry Facility for use in the resident's reentry plan. The Reentry Facility shall use the resident risk assessment in the development of an individual reentry plan.

XI. RESIDENT GRIEVANCE PROCEDURE

Residents are encouraged and expected to attempt to solve issues and/or problems through informal procedures, such as verbal communication with staff and other residents, prior to submitting a formal grievance. A formal grievance must follow established procedure and timelines.

XII. HEALTHCARE AND MEDICAL INSURANCE

All residents will be screened and submitted for enrollment in health insurance prior to transfer to a reentry facility.

XIII. REENTRY FACILITY INFORMATION

- A. Electronic Monitors:** ACC will require the use of electronic monitoring devices for a period of the program. ACC shall have the right to extend the conditions of electronic monitoring for any resident placement in the Reentry Facility.
- B. Program failure:** A resident may be removed from the program and returned to ADC for continued failures, acts or threats of violence, a positive drug test, or for any reason disrupting the security or good order of the facility.
- C. PREA Compliance:** Reentry Facilities will fall under the residential conditions of the Prison Rape Elimination Act and must make measurable efforts to obtain compliance with PREA.
- D. Security Issues:** In the event of a walk away, potential violence, or other issues of a security nature the Reentry Facility should immediately call the ACC Reentry Officer. The ACC Reentry Officer shall immediately notify the Assistant Director of Reentry by phone. For issues of active violence the Reentry Facility should immediately call the local law enforcement authorities and then contact the ACC Reentry Officer.
- E.** Should a resident not arrive within thirty (30) minutes of the designated return time, the Reentry Facility will immediately notify the Reentry Officer. Upon arrival, the Reentry Facility will immediately notify ACC and verify the reason for reporting late and determine the appropriate disciplinary action, in accordance with their policy guidelines.

XIV. PERFORMANCE STANDARDS

Reentry Facilities must meet or exceed the following performance standards to remain in compliance with the Reentry Facility license.

- A.** Maintain a 90% employment rate for residents at completion of the six month program.
- B.** Maintain a 90% stable housing rate for residents at completion of the six month program.
- C.** Maintain a recidivism rate not less than 20% lower than the statewide recidivism rate.
- D.** Maintain compliance with all ACC Policies and Procedures regarding the operation and program components of Reentry Facilities.

Failure to meet or exceed these performance standards will result in sanctions placed on the Reentry Facility ranging from a 60 day probationary period in which resident placement will be suspended up to termination of the Reentry Facility license.

XV. COLLABORATION

The following is established to gain continuity and coordination in the management of reentry housing and programming for residents:

- A.** The Reentry Facility must provide the names and numbers of those residents in their facility when requested.
- B.** The ACC Reentry Officer assigned to a facility will investigate and report findings of any complaints, observed or suspected non-compliance with rules, policies, laws and regulations to the Housing Coordinator for possible further referral or action.
- C.** Facility staff will immediately communicate to the ACC Reentry Officer each positive drug/alcohol test results.
- D.** Facility staff will respond to and notify the ACC Reentry Officer of such requests as subpoenas, court orders, search and/or arrest warrants.
- E.** Facility staff will notify the ACC Reentry Officer immediately of any offender's violent or threatening behavior, endangerment of others, and awareness of a walk away from the facility.
- F.** The Housing Coordinator will arrange onsite visits and inspections (initial and periodic, announced and unannounced), review reports of critical incidents involving or concerning residents, and make objective recommendations.
- G.** The Reentry Facility will post office staffing hours and will comply with posted staffing hours. There must be a staff member or volunteer present 24 hours per day.
- H.** The Reentry Facility will notify the Housing Coordinator of any staff additions with information needed to complete a criminal background check prior to their employment at the Reentry Facility.

XVI. CONTRACT COMPLIANCE

The owner/operator/manager of the facility must comply with all requirements/agreements of the RFQ/Contract as stated in the agreement as well as all requirements of this AD.

XVII. ATTACHMENTS/FORMS

- AD 16-13 Form 1 Minimum Requirements Checklist
- AD 16-13 Form 2 Stage 1 License
- AD 16-13 Form 3 Stage 2 License

24. Adequate laundry facilities at the Reentry Housing Facility	
25. Inspection team proof of signs posted at all entrances banning weapons except for law enforcement officials/officers	
26. Inspection team proof of facility being equipped with First Aid Kit, fire alarms and that fire suppression equipment continues to comply with annual Fire Inspection	
27. Proof of vendors contacts for employment.	
28. Dining room with tables and chairs.	
29. Adequate Kitchen facilities.	
30. Facilities for programs.	
31. Facilities for break room / day room.	
32. Smoke alarms in Kitchen and all sleeping areas.	
33. Bulletin board prominently displaying in the facility with postings of rules, fire evacuation plans, emergency protocols, PREA information, emergency staff contact information.	
34. Copy of facility policy concerning equal opportunity for employees.	
35. Copy of facility policy concerning equal opportunity for residents.	
36. Copy of certification with that facility does not employ illegal aliens.	
37. Inspection Team proof that all medication is behind double locks.	
38. Inspection Team proof of facility designee to accept medications.	
39. Check or Money Order attached to application.	

Arkansas Community Correction
STAGE 2
REENTRY FACILITY LICENSE APPLICATION

Check one: New Application Renewal Application Date: _____

Facility Name: _____

Address: _____
Street City State Zip

Owner/Operator: _____ County of Facility: _____
Name(Type or Print)

Telephone: _____ Cell# _____

Facility Email Address: _____

Housing Capacity: # of Males _____ # of Females _____

Is the facility accessible to individuals with physical disabilities? Yes No

Meals Served: Breakfast Lunch Dinner

Programs Provided	Yes	No	Services Provided	Yes	No
Employment Skills	<input type="checkbox"/>	<input type="checkbox"/>	Employment Assistance	<input type="checkbox"/>	<input type="checkbox"/>
Job Placement	<input type="checkbox"/>	<input type="checkbox"/>	Mental Health Services	<input type="checkbox"/>	<input type="checkbox"/>
Reentry Planning	<input type="checkbox"/>	<input type="checkbox"/>	Public Transportation	<input type="checkbox"/>	<input type="checkbox"/>
Criminal Thinking	<input type="checkbox"/>	<input type="checkbox"/>	Private Transportation	<input type="checkbox"/>	<input type="checkbox"/>
Family Reunification	<input type="checkbox"/>	<input type="checkbox"/>	Resident Parking	<input type="checkbox"/>	<input type="checkbox"/>
Pro-Social Support	<input type="checkbox"/>	<input type="checkbox"/>	Laundry Services	<input type="checkbox"/>	<input type="checkbox"/>
Education	<input type="checkbox"/>	<input type="checkbox"/>			
Substance Abuse Treatment	<input type="checkbox"/>	<input type="checkbox"/>			
Housing Planning	<input type="checkbox"/>	<input type="checkbox"/>			
Other Programs:					

Please list the name, position, date of birth, social security number, race and gender (F-Female) (M-Male) for each person who will provide services at the Reentry Facility.

Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender
Name(Print or type)	Position	DOB	SS#	Race	Gender

Signature of Applicant/Title: _____	Date: _____
<p>Signature means agreement by owner/operator of the facility to comply with all policy rules, regulations and laws concerning ACC Reentry Facilities. Failure to comply may result in sanctions up to and including withdrawal of license be ACC and/or civil penalties for violation of state law. Owner/Operator is responsible for obtaining consent to release information for background checks for staff and volunteers.</p>	
Date received by ACC: _____	Application Completed: <input type="checkbox"/> Yes <input type="checkbox"/> No
If no, what action was taken? _____	
Reentry Facility Coordinator Signature: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Approval of ACC Director _____	Date: _____