



Office of the Secretary
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SECRETARIAL DIRECTIVE

SUBJECT: Incident Notification Procedures

NUMBER: 2019-02 (Revised)

SUPERSEDES: New

APPLICABILITY: All Employees Responsible for the Custody or Supervision of Offenders

REFERENCE: Ark. Code Ann. §§ 25-43-108, 25-43-403; AR 005 Reporting of Incidents; AR 011 News Media, Interviews, and Correspondence

PAGE 1 of 4

ISSUED BY: Wendy Kelley

EFFECTIVE DATE: 10/15/2019

I. POLICY:

As the executive head of the Department of Corrections (Department), it is the responsibility of the Secretary to exercise direction, control, and supervision over the Divisions within the Department responsible for maintaining the custody or supervision of offenders. As used in this Secretarial Directive, the term "offender" applies to inmates, parolees, and probationers; in addition to residents in a community correction center or reentry center.

II. PURPOSE:

This directive is intended to ensure the consistent notification of incidents within the Department.

III. PROCEDURES:

- A. The divisions within the Department responsible for maintaining the custody or supervision of offenders will establish operational policies, and incident notification checklists, which provide for the notification of incidents. The Division Directors shall establish specific procedures for the immediate notification of serious incidents, and the notification of incidents determined to not require immediate notification.

- B. The immediate notification of serious incidents shall provide for the notification to the Board of Corrections, the Office of the Secretary, and the Governor's Office:
1. The notification requirements for the Governor's Office contained within this Secretarial Directive are in addition to the minimum notification requirements contained in Attachment 1 to be made by the Secretary or the Chief of Staff.
 2. The Chair of the Board of Corrections, the appropriate Board liaison, and the Assistant to the Board will be contacted regarding any serious incident. Upon notification to the Chair, the Chair will advise of the appropriate method of notifying remaining Board Members and Board staff (i.e. phone call, text message, or email).
 3. The individuals within the Office of the Secretary requiring immediate notification are as follows:
 - a. The Secretary;
 - b. The Chief of Staff; and
 - c. The Communications Director.
- C. For use in the development of operational policies, the term "serious incident" refers to, at a minimum, those incidents involving:
1. Death or the serious injury of an offender, employee, contract employee, or visitor in a Department facility or office (not suspected to be due to natural causes);
 2. Escapes from correctional facilities and centers, to include walkaways from reentry centers;
 3. Work stoppages;
 4. Use of lethal force by an employee in the line of duty;
 5. Discharge of a state-issued firearm, at any time other than in training, by an employee;
 6. Suspected felony activity within a Department facility or office;
 7. An employee's arrest on felony charges;
 8. Hostage situations involving employees or offenders;
 9. Riots or mass disturbances involving offenders on or off Department leased or owned property (involves six or more offenders);
 10. Chemical spills injuring, or potentially injuring, employees and offenders;

11. Natural disasters or fires damaging Department leased or owned property;
 12. Any incident on Department property requiring outside assistance from first-responders (law enforcement or firefighters);
 13. Any criminal activity believed to involve the commission of a homicide, Rape, or Battery in 1st Degree, by an offender on furlough, community work assignment, Act 309 assignment, Work Release job assignment, Reentry Center, Transitional Living Facility, or otherwise off Department property; and
 14. An incident, not of a routine nature, worthy of media notification, or upon media inquiry.
- D. The Communications Director will have primary responsibility for any communication with the news media regarding incidents. The Chief of Staff will communicate with the media in the absence of the Communications Director. Incidents will be reported to the news media only after contact has been made with the Board of Corrections, the Governor's Office, the Secretary, and other officials as required by operational policy.
- E. When referenced in operational policy, the immediate notification of serious incidents may be made by either telephone call or text message, at the discretion of the recipient.

IV. **IMPLEMENTATION:**

The Divisions within the Department responsible for maintaining the custody or supervision of offenders are directed to review their existing operational policies and incident notification checklists and ensure that those documents reflect the guidance contained within this Secretarial Directive.

V. **ATTACHMENTS:**

* Governor's Incident Notification Matrix

GOVERNOR'S INCIDENT NOTIFICATION MATRIX

	IMMEDIATE VIA PHONE	IMMEDIATE VIA TEXT	4 HOUR VIA EMAIL	12 HOUR VIA EMAIL	IMMEDIATE APPROVAL REQUIRED
Facility Riot or Mass Disturbance	X				
Death of Inmate/Resident				X	
State Employee Arrested on Felony Charges*				X	
Executive Branch loss or compromise of Personal identifiable information (PII)*		X		X	
Death of State Employee in Line of Duty*		X			
FOI Request with anticipated media or public interest*			X		
Cyber Attack with loss, or the compromising of data*		X			
Damage to state property in excess of \$100K* <i>Notification will also be made to the Arkansas Insurance Department</i>				X	
Environmental Damage of Media Interest*			X		
Other Event with High Media Interest*		X			
Note: Immediate and 4 Hour Notifications will be made by either the Secretary or Chief of Staff (when authorized by the Secretary). Notifications will be made to the Governor's Chief of Staff and to the Department's Liaison.					

This notification matrix was approved by the Governor on September 25, 2019.

* Applicable to ALL entities within the Department of Corrections.