



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 683-3309 | Fax: 501-537-3958
DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Incident Notification Procedures

NUMBER: 2021-14

SUPERSEDES: 2020-07

APPLICABILITY: All Employees

REFERENCE: Ark. Code Ann. §§ 25-43-105, 25-43-108; 25-43-403; 25-43-405; AR 005 Reporting of Incidents; AR 011 News Media, Interviews, and Correspondence

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ISSUED BY: Original Signed by Secretary Solomon Graves **EFFECTIVE DATE:** 8/20/2021

I. **POLICY:**

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, or directives issued by the Department. The Secretary shall exercise direction, control, and supervision over the immediate notification of serious incidents within the Department. 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. **PROCEDURES:**

- A. The divisions within the DOC 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, occurrences of illnesses covered in a declared public health emergency, 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 Governor’s Office, Board of Corrections, and the Office of the Secretary.
 1. The notification requirements for the Governor’s Office contained within this Secretarial Directive are in addition to the minimum notification requirements contained in the Governor’s Incident Notification Matrix (Attachment) to be made by the Secretary or the Chief of Staff. **The requirements in the Governors Incident Notification Matrix are applicable to all entities within the Department.**
 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. Chief of Staff;
 - c. Communications Director; and
 - d. Internal Affairs Administrator

The Internal Affairs Administrator will be notified first on incidents involving suspected criminal activity. After consulting with the Secretary and appropriate Division Director, the Internal Affairs Administrator will notify local law enforcement; including State Police or the County Sheriff where the incident occurred.

- 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);
 - a. Division of Correction: Deaths by natural causes will be reported during a work day or the next work day with the exception of notification to the Medical Services Administrator, or designee, the Internal Affairs Administrator or designee, the Chaplain, and the Communications Director, who are to be notified immediately upon the death of any inmate.
 - b. Division of Community Correction: Resident deaths, regardless of cause, will be reported to the Center Supervisor, the Internal Affairs Administrator designee, Medical Services Administrator, Chaplain, County Coroner, Arkansas State Police, the Chief Law Enforcement Officer of the County or Municipality, State Crime Lab, Medical Examiner’s office, and the County Prosecuting Attorney’s office.
 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 criminal 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) other than routine law enforcement activities such as serving an outstanding warrant;
 13. Any felony criminal activity by an offender in the custody of the Department but on furlough, or community work assignment, or otherwise off Department property; such as Act 309 assignment, Work Release job assignment, or Reentry Center;
 14. An incident, not of a routine nature, worthy of media notification, or upon media inquiry; and
 15. Occurrences of an illness covered in a declared public health emergency.
- D. For purposes of notification for serious incidents involving suspected criminal activity within a Department facility or office, or by an offender in the custody of the Department but otherwise off of Department property, immediate notification will commence if at any point during an investigation, findings indicate the allegations or activity are likely to arise to a criminal level. If findings indicate allegations are unsubstantiated, immediate notification is not required.
- E. 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 the Secretarial Directive on Public Relations and Release of Information.
- F. When referenced in this directive, or any other operational policy, the notification of a serious incident will be made by telephone call, unless otherwise noted.
- G. Divisions are encouraged to utilize multidisciplinary Critical Incident Review Committees in order to examine staff performance or the adequacy of policy and procedures related to an incident.
1. Division Directors will notify the Secretary prior to the formation of a Critical Incident Committee.
 2. Division Directors will provide a copy of all reports and recommendations from a Critical Incident Committee to the Secretary or Designee. The Secretary may, at his or her discretion, appoint a member of their staff to any Critical Incident Committee.
- H. The Board of Corrections, or the staff of its Compliance Division, at their discretion shall be entitled to any records pertaining to incidents occurring within the Department.

III. **ATTACHMENT:**

Governor's Incident Notification Matrix

Attachment

GOVERNOR'S INCIDENT NOTIFICATION MATRIX

	IMMEDIATE VIA PHONE	IMMEDIATE VIA TEXT	4 HOUR VIA EMAIL	12 HOUR VIA EMAIL
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.