

 <p style="text-align: center;"><b>ADMINISTRATIVE REGULATIONS</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b>	<b>Page Number:</b>
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	<b>Board Approval Date:</b>	
	<b>8/23/89</b>	
	<b>Supersedes:</b> <b>AR 410</b>	<b>Dated:</b> <b>11/30/79</b>
	<b>Reference:</b>	<b>Effective Date:</b> <b>8/25/89</b>
<b>SUBJECT: Use of Chemical Agents and Other Non-Lethal Weapons</b>		

**I. POLICY:**

It shall be the policy of the Department of Correction to ensure that the use of chemical agents and other non-lethal weapons against an inmate be undertaken with a minimum amount of force. Only when the inmate threatens bodily harm to himself/herself, other inmates, or individuals, will not produce an item(s), or will not relocate, may chemical agents or other non-lethal weapons issued by the Department be employed.

**II. EXPLANATION:**

A. Definitions

1. Chemical agents will include different types of tear gas, pepper fogger, smoke screen mace, and other chemicals approved for use by the Director.
2. Other non-lethal weapons will include batons, stun type devices and other non-lethal weapons approved for use by the Director.

B. Prior to the use of any chemical agent/other non-lethal weapon (stun type devices), the inmate shall be informed that such will be used unless he/she complies with an order(s).

C. The use of any chemical agent(s) /other non-lethal weapons may be authorized only by a unit Warden/Center Supervisor or his/her designee.

D. Precautionary measures shall be taken to limit side effects or physical damage due to the use of chemical agents or other non-lethal weapons consistent with the guidelines of AR 409. In addition, the following procedures shall be followed whenever any chemical agent(s)/other non-lethal weapon is used.

1. Chemical Agents

- a. If circumstances allow, ventilation devices, such as windows and fans, shall be readied prior to the use of any chemical agent(s). In any event, these devices shall be employed immediately after any chemical agent(s) is used. The purpose of this procedure is to minimize the effect of any chemical agent(s) upon other inmates and employees located in the immediate vicinity.
  - b. Gas masks shall be available for use by staff personnel at the time the chemical agent is used.
  - c. Correctional officers shall enter the area as soon as practical to remove an inmate when a chemical agent(s) has been used.
  - d. The inmate shall be instructed by staff personnel to flush his/her eyes and any skin exposed to the chemical agent with water. If the inmate appears incapable of doing so, a member of the medical staff may be called upon to perform this task. If no member of the medical staff is available, a staff personnel may undertake this procedure.
2. Other Non-Lethal Weapons
- a. If circumstances allow, personnel using other non-lethal weapons will try to ensure that an inmate will not be injured.
  - b. Correctional officers shall enter the area immediately after the inmate has been immobilized. At that time the inmate is to be handcuffed and is to be seen by medical staff. If no member of the medical staff is immediately available, other trained staff will ensure that the inmate has no medical emergency.
  - c. A departmental SOP will be developed for non-lethal weapon(s) to be used and necessary training will be concluded before any type of non-lethal weapon is issued for use.
- E. An incident report shall be prepared by all staff personnel involved immediately after the use of a chemical agent or other non-lethal weapons. The report(s) should be detailed, noting the amount of chemical agent utilized or type and charge of stun device.
- F. The Unit Warden/Center Supervisor shall examine these incident reports to ensure that proper procedures were employed and that no discrepancy exists regarding the handling of the situation depicted. Failure to follow proper procedures may result in disciplinary action. Refer to Administrative Regulation 005.
- G. Only chemical agents or non-lethal weapons authorized and issued by the Arkansas Department of Correction will be used by any employee against an inmate during a confrontation described by this Administrative Regulation.