

**NEVADA DEPARTMENT OF CORRECTIONS  
ADMINISTRATIVE REGULATION  
209**

**FINANCIAL ASPECTS OF REPORTING ESCAPES, RIOTS, OR  
UNLAWFUL DISTURBANCES**

**Supersedes:** AR 209 (05/08/08); (11/25/13, Temporary); (04/02/18, Temporary).  
**Effective Date:** 05/15/18

**PURPOSE**

To ensure appropriate financial responsibility is applied to inmates who violate administrative regulations.

**AUTHORITY**

NRS 209.246; NRS 212.040; NRS 212.1895; NRS 353; State Administrative Manual (SAM) 200 and 2418

**RESPONSIBILITY**

The Deputy Director of Support Services is responsible to administer and implement this regulation.

The Offender Management Division (OMD) is responsible to ensure the Fiscal Services Section of the Support Services Division has been notified of each inmate escape, riot, or unlawful disturbance.

The Chief Financial Officer of the Support Services Division or designee is responsible to calculate the overtime, travel, and operating costs associated with inmate escapes, riots, or unlawful disturbances and submit an accurate reimbursement claim to Inmate Banking Services.

The Chief of Inmate Banking Services is responsible to determine if the escape, riot or unlawful disturbance reimbursement will come from the Prisoners' Personal Property Fund or the Inmate Welfare Fund. The Chief of Inmate Banking or designee will notify the Warden or designee of the restitution amount assessed to the inmate.

The Warden or designee is responsible to report inmate escapes, riots, or other unlawful disturbances to the Offender Management Division and the Inspector General's office. In addition, the Warden or designee is responsible for any hearing required concerning restitution.

**209.01 GENERAL**

1. When an escape, riot or unlawful disturbance occurs, the Warden/Camp Manager shall notify the Office of the Inspector General and the Warrants Coordinator in the Offender Management Division immediately so that a warrant for the recapture of the escapee can be prepared.

2. When Department staff participate in an escape search, or respond to a riot or unlawful disturbance, the costs for any overtime incurred (regular paid overtime, paid call back time, and shift differential overtime), travel, and per diem related to the occurrence are eligible for reimbursement from the responsible inmate's individual account in the Prisoners' Personal Property Fund or, if insufficient funds exist, in the responsible inmate's individual account, from the Inmate Welfare Fund.
3. Persons who escape from residential confinement or from drug treatment centers fall under the jurisdiction of the Department of Public Safety, Division of Parole and Probation, and do not generate NDOC costs.
4. All overtime worked for escape, riot, or other unlawful disturbance coverage status by all departmental employees involved must be submitted **for pay**. There will be no compensatory time granted for overtime worked due to an escape search or response to a riot or unlawful disturbance. NDOC does not charge an inmate for response and or care related to a diagnosed mental illness (i.e. suicide watch, cutting, etc.). Overtime for secondary coverage is an allowable expense for reimbursement.
5. If more than one inmate escapes or is involved with a riot or other unlawful disturbance at the same time, the reimbursement costs must be allocated between the number of responsible inmates using an appropriate methodology identified in the state operation procedures.

#### **APPLICABILITY**

1. This regulation requires an Operational Procedure for the Support Services Division.
2. This regulation requires an audit.

#### **REFERENCES**

Standards for Adult Correctional Institutions 4<sup>th</sup> Edition: 4-4031

  
James Dzurenda, Director

5/15/18

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Date