

POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 4.3	PAGE NUMBER 1 of 2
	RELATED ACA Standards	
CHAPTER: 4 Decision making related to Offenders	SUBJECT: DECISIONS AFFECTING AN OFFENDER'S/DETENTIONER'S FREEDOM/WELL-BEING	
APPROVED BY THE COMMISSIONER AND EFFECTIVE THIS DATE:		
		
APPROVED FOR PUBLIC RELEASE		

I. AUTHORITY: 11 *Del. C.* §6517, §6527, §6529, §6529a, §6530, §6535

II. PURPOSE: To authorize the limited participation of offenders/detentioners in the decision-making process.

III. APPLICABILITY: All Department employees, volunteers, persons or organizations conducting business with the Department; all offenders under the supervision or custody of the Department.

IV. DEFINITIONS: Initial Deliberations : Multi-Disciplinary Team (MDT) or Disciplinary Board Officer.

V. POLICY: It is the policy of the Department of Correction to afford all offenders/detentioners the right to limited participation in any decision-making that could adversely affect their freedom or well-being.

Procedures shall be developed in each bureau/section to establish and enforce this policy. All procedures that involve decision-making which could adversely affect the freedom or well-being of offenders/detentioners should meet the following criteria:

- A. Offender presence and participation during initial staff deliberations, unless precluded for identifiable reason of security or other substantial reasons such as protection of informants.
- B. Offender access to information on which significant decisions are made; except when that information is designated confidential in accordance with DOC Policy 6.7, Information and Data Collection System Security.

Procedures will identify what information will be made available and will delineate the reasons for nondisclosure to allow offenders access to information on which significant decisions are made.

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- C. Decisions are to be in writing and available to the offender/detentioner.
- D. Provide for a limited decision review and appeal process.
- E. Inform the offender/detentioner of the necessary steps to avail themselves of the process.
- F. Provisions for offenders who are non-readers and/or where a language barrier exists.