	Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
	Act 679 of the Regular Session
1	State of Arkansas As Engrossed: S2/22/05 A Bill
2	
3	Regular Session, 2005SENATE BILL385
4	
5	By: Senator Luker
6	By: Representatives Bond, D. Johnson
7	
8	
9	For An Act To Be Entitled
10	AN ACT TO ESTABLISH AN EARLY RELEASE PROGRAM FOR
11	OFFENDERS TO TRANSITIONAL HOUSING FACILITIES; AND
12	FOR OTHER PURPOSES.
13	C., k4:41
14	Subtitle
15	AN ACT TO ESTABLISH AN EARLY RELEASE
16	PROGRAM FOR OFFENDERS TO TRANSITIONAL
17	HOUSING FACILITIES.
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19	
20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21 22	SECTION 1. Arkansas Code Title 16, Chapter 93, Subchapter 2 is amended
23	to add an additional section to read as follows:
24	16-93-211. Early release to transitional housing facilities.
25	(a) As used in this section, "transitional housing" means a program
26	that provides housing for one (1) or more offenders who have either been
27	transferred or paroled from the Department of Correction by the Post Prison
28	Transfer Board or placed on probation by a circuit or district court. An
29	offender's home or the residence of an offender's family member shall not be
30	considered a transitional housing facility for purposes of this section.
31	(b)(1) To assist offenders who will be eligible for parole or transfer
32	to successfully reintegrate into the community, the Post Prison Transfer
33	Board is authorized to place the offenders into approved transitional housing
34	up to one (1) year prior to the offenders' dates of eligibility for parole or
35	transfer.



## As Engrossed: S2/22/05

1	(2) Subject to conditions of release, and consistent with rules
2	promulgated by the Post Prison Transfer Board, placement in a transitional
3	housing facility must be preceded by the provision of all applicable notices
4	under § 16-93-206 and a hearing conducted by the Post Prison Transfer Board.
5	(c) The decision to place offenders in transitional housing and the
6	establishment of conditions of release by the Post Prison Transfer Board must
7	be based on a reasoned, rational plan developed in conjunction with an
8	accepted risk-needs assessment tool such that each placement decision is
9	based on established criteria and a determination that there is a reasonable
10	probability that an offender can be placed in a transitional housing facility
11	without detriment to the community or himself or herself.
12	(d) Conditions of release imposed by the Post Prison Transfer Board
13	must at a minimum include a curfew requiring offenders placed in transitional
14	housing to present themselves at a daily, regularly scheduled time to be
15	confined in the transitional housing facility.
16	(e) Offenders placed in transitional housing by the Post Prison
17	Transfer Board will be supervised by officers of the Department of Community
18	Correction.
19	(f) Offenders who, without permission, leave the custody of the
20	transitional housing facility in which they are placed may be subject to
21	criminal prosecution for escape.
22	(g) Revocation of placement in transitional housing must follow the
23	revocation proceedings established in § 16-93-705.
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25	/s/ Luker
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28	APPROVED: 3/09/2005
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