## Stricken language would be deleted from and underlined language would be added to present law. Act 608 of the Regular Session

1	State of Arkansas	As Engrossed: S2/26/15	
2	90th General Assembly	A Bill	
3	Regular Session, 2015		SENATE BILL 57
4			
5	By: Senator J. Woods		
6	By: Representative C. Fite		
7			
8		For An Act To Be Entitled	
9	AN ACT CONCERNING THE USE OF A VICTIM IMPACT		
10	STATEMENT DURING AN INMATE'S PAROLE DETERMINATION;		
11	AND FOR OTHER PURPOSES.		
12			
13			
14		Subtitle	
15	CONCERNING THE USE OF A VICTIM IMPACT		
16	STATEMENT DURING AN INMATE'S PAROLE		
17	DETE	RMINATION.	
18			
19			
20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:		
21			
22	SECTION 1. Arkansas Code § 16-90-1113 is amended to read as follows:		
23	16-90-1113. Consideration and release of $\underline{a}$ victim impact statement $\underline{at}$		
24	<u> </u>	role hearing determination.	1.6.1
25		re determining whether to release the	
26	•	Board shall permit the victim to pre	
27	<u>-</u>	nt <u>at a victim impact hearing</u> concern	_
28 29		im, the circumstances surrounding the s perpetrated, and the victim's opini	
30		<u>inmate</u> should be released on parole.	9
31	(B)	·	
32	, ,	ne parole hearing verbally at a viction	-
33	•	or more members of the board.	Im Impact Hearing
34	-	this section, a victim impact heari	ing may be conducted
35		nce technology if utilizing video-con	
36	does not inhibit the v		

1	(2)(b)(1) Except in those circumstances listed under subdivision		
2	(b)(2) of this section, The the board upon request shall give the defendant		
3	<u>inmate</u> a copy of all <del>written victim</del> impact statements <u>written by the victim</u> .		
4	(2)(A) An impact statement written by the victim of an offense		
5	requiring registration under the Sex Offender Registration Act of 1997, § 12-		
6	12-901 et seq., or of an offense defined as a sex offense by § $16-90-1101$ , is		
7	privileged and shall not be disclosed, directly or indirectly, to any person		
8	other than a member of the board, its authorized agents, a court, or other		
9	person, not including the inmate, entitled under this section to receive the		
10	statement.		
11	(B) However, the board or a court with jurisdiction may		
12	order the disclosure of an impact statement written by the victim and		
13	otherwise privileged under this subdivision (b)(2) to the affected inmate		
14	when the board or a court finds that the interests or welfare of the inmate		
15	outweighs the privacy and safety interests of the victim or to enhance the		
16	accuracy of the board's determination.		
17	(b)(c) The board, in In deciding whether to release a prisoner an		
18	inmate on parole, the board shall consider among other factors:		
19	(1) Victim impact statements presented under subsection (a) of		
20	this section; and		
21	(2) Victim impact statements presented to the sentencing court		
22	under § 16-90-1112.		
23	(d) The board may establish rules not otherwise addressed by this		
24	section governing the preparation, use, and disclosure of a victim impact		
25	statement.		
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27	/s/J. Woods		
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30	APPROVED: 03/24/2015		
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