

1 INTERIM STUDY PROPOSAL 2009-240

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3 REQUESTING THE SENATE INTERIM COMMITTEE ON JUDICIARY STUDY A.C.A.
4 § 5-4-320 AND DETERMINE WHETHER THE STATUTE IS EFFECTIVE AND IS
5 ACHIEVING THE DESIRED RESULTS.
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7 WHEREAS, the General Assembly passed Act 548 of 1985, codified at § 5-
8 4-320, mandating that any person who is guilty of a felony may be ordered by
9 the Circuit Court to report to a Department of Correction facility for
10 one (1) day in order to observe the operation of the facility; and
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12 WHEREAS, one of the intents of Act 548 of 1985 was that its application
13 would deter persons from committing felonies which might lead to he or she
14 being sentenced to the Department of Correction in light of their first-hand
15 observation of what would await that person should he or she be sentenced to
16 the Department; and
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18 WHEREAS, the statute's effectiveness has recently been questioned both
19 from the standpoint of deterrence, enforcement, and because persons have been
20 arriving at the facilities under the influence of drugs or alcohol,
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22 NOW THEREFORE,
23 BE IT PROPOSED BY THE SENATE INTERIM COMMITTEE ON JUDICIARY OF THE EIGHTY-
24 SEVENTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 THAT the Senate Interim Committee On Judiciary study the effectiveness
27 of § 5-4-320 and determine whether legislation is needed to make the statute
28 more effective or whether the statute should be repealed outright.
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30 Respectfully submitted,
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33 Senator Sue Madison
34 District 7
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