

1 INTERIM STUDY PROPOSAL 2009-241

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3 REQUESTING THE SENATE INTERIM COMMITTEE ON JUDICIARY STUDY § 5-4-
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 and whose sentence
9 of imprisonment is placed on suspension or who is placed on probation may be
10 ordered by the Circuit Court to report to a Department of Correction facility
11 for one (1) day in order to observe the operation of the facility; and
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13 WHEREAS, one of the intents of Act 548 of 1985 was that it would deter
14 persons from committing further felonies because of their first-hand
15 observation of what would await them should they be sentenced to the
16 Department; and
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18 WHEREAS, the statute's effectiveness has recently been questioned both
19 from the standpoint of deterrence and enforcement, and because persons
20 ordered under the statute to report to Department of Correction facilities
21 have been arriving at the facilities under the influence of drugs or alcohol,
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23 NOW THEREFORE,

24 BE IT PROPOSED BY THE SENATE INTERIM COMMITTEE ON JUDICIARY OF THE EIGHTY-
25 EIGHTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 THAT the Senate Interim Committee On Judiciary study the effectiveness
28 of § 5-4-320 and determine whether legislation is needed to make the statute
29 more effective or whether the statute should be repealed outright.
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31 Respectfully submitted,
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35 Senator Sue Madison
36 District 7

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